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Angola

Country Reports on Human Rights Practices - 2001
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The Popular Movement for the Liberation of Angola (MPLA) has ruled the country since its independence from Portugal in 1975. The country's competing independence movements began a civil war immediately after independence, which lasted until the signing of the Bicesse Accords in 1991. Under the Bicesse Accords, one-party rule ended with the passage of a new Constitution that legalized opposition parties and called for U.N.-monitored elections, which were held in 1992. President Jose Eduardo Dos Santos of the MPLA won a plurality of the votes cast in an election that U.N. observers considered free and fair. The National Union for the Total Independence of Angola (UNITA), under the leadership of Jonas Savimbi, rejected the results of the vote and resumed the civil war. In 1994 in an effort to end the civil war, the Government and UNITA signed the Lusaka Protocol, which called for the demilitarization of UNITA, the creation of a national army, the seating of a government of national unity and reconciliation, and the extension of state administration to areas formerly under UNITA control. The Government generally complied with its obligations under the protocol, although the conduct of the police and, to a lesser extent, military units in former UNITA areas drew widespread criticism. UNITA failed to comply with several fundamental aspects of the protocol. It maintained a significant military capability, and it refused to surrender to state administration the territory it held.

At the end of 1998, fighting resumed between the Government and Jonas Savimbi's armed faction of UNITA. A faction of UNITA called UNITA-Renovada and another larger peaceful faction of UNITA both rejected war; during the year, the two groups continued to pursue their goals through peaceful political activity, including as members of the National Assembly. In late 1999, a massive offensive by the Armed Forces of Angola (FAA) destroyed the conventional military capacity of UNITA, and by January 2000, had driven the rebels from their heartland on the central plateau into the country's far east and into scattered pockets elsewhere. By August 2000, the FAA had consolidated its military control of most of the nation's territory; however, UNITA reorganized itself as a guerilla force and carried out ambushes or attacks on lightly defended targets throughout the country. During the year, UNITA launched a series of attacks against civilian targets; however, these attacks decreased after September 11, reportedly by a direct order from Savimbi. Despite continued calls for peace and dialog between UNITA and the Government, fighting intensified in April, particularly in the central and western areas of the country. The Peace and Reconciliation Commission was established in January and received a \$20 million government appropriation; however, it largely was inactive during the year. In June 1999, the National Assembly voted to postpone new elections indefinitely due to the renewal of conflict; during the year, the Government stated its intention to hold elections by year's end, but later postponed them until 2003. The judiciary, where it functions, is subject to the influence of the President and the MPLA in practice.

The Ministry of Interior is responsible for internal security, a function that it exercises through the Angolan National Police (ANP), the Rapid Intervention Police (PIR), which was created in 1992 as an elite paramilitary force, and other organs of state security. The FAA are responsible for protecting the State against external threats and for counterinsurgency operations against UNITA and have intervened in regional conflicts every year since 1996. The FAA also is involved in similar operations, although on a smaller scale, against the Front for the Liberation of the Enclave of Cabinda-Armed Forces of Cabinda (FLEC-FAC). The FAA claimed that it had integrated more than 12,000 UNITA soldiers since the 1999 fall offensive. The civilian authorities maintain effective control of the security forces; however, there were some instances in which the security forces acted independently of the Government, primarily because of poor discipline and participation in the conflict. Security forces committed serious human rights abuses.

The population is approximately 12 million. The security factors that inhibited the country's transition to full multiparty democracy had a similar effect on the country's transition from a directed, state-dominated economic system to one based on market principles. Eighteen percent of the budget remains dedicated to defense (or 10 percent of gross domestic product (GDP), a decline from 40 percent in 2000; the difference was applied to public works, health, and education. The economy continued to perform poorly and despite abundant natural resources, output per capita is extremely low. Annual per capita GDP was approximately \$450 (13,500 kwanza). The country produces more than 750,000 barrels of oil per day, a total that is expected to rise to more than 1 million by the end of 2002. Due to its control of oil revenues, the parastatal oil company Sonangol plays a dominant role in both the economy and government. The country produced an estimated \$600 million (18 billion kwanzas) worth of diamonds in the areas controlled by the Government. There also are lucrative untapped mineral, agricultural, and hydroelectric resources in the country. The Government has begun to liberalize its import regimes and reform its regulatory agencies to allow the more efficient importation of the goods and services upon which the economy depends. Despite some economic reforms, corruption and mismanagement are pervasive in the public sector and widespread in the private sector. The country's wealth continued to be concentrated in the hands of a small elite who often used government positions for massive

personal enrichment, and corruption continued to be a common practice at all levels. The average monthly salary of urban wage earners (approximately 20 percent of the labor force) was far below what is required for basic subsistence, and rural wages are even lower because the majority of the rural economy is dependent on subsistence agriculture and is highly vulnerable to the political unrest in the country.

The Government's human rights record remained poor; although there were slight improvements in a few areas, serious problems remain. Citizens have no effective means to change their government. Members of the security forces committed extrajudicial killings, were responsible for disappearances, and tortured, beat, raped, and otherwise abused persons. Verification of these reports was extremely difficult, particularly those emanating from remote areas and those areas affected by active combat. The Government often failed to pay the salaries or to supply necessary provisions to the majority of its security forces, which contributed to the harassment and abuse of civilians as security forces tried to obtain supplies. The poor discipline and poor working conditions of the military made it the worst offender; police units generally had better discipline and a more effective chain of command. Other than those personnel assigned to elite units, the Government gives tacit permission for security personnel to supplement their income by the extortion of civilians. Prison conditions were harsh and life threatening. The Government routinely used arbitrary arrest and detention, and lengthy pretrial detention was a problem. Although the Government made some efforts to discipline members of the security forces for abuses, the Government often did not prosecute nor punish those in the security forces who were responsible for abuses. Impunity was a serious problem. The judiciary is subject to executive influence, only functions in certain parts of the country, and does not ensure due process. The legal code and rules of procedure remain outdated. The Government infringed on citizens' privacy rights and forcibly recruited military-age males. The Government instituted and publicized a new conscription campaign to decrease the recruitment of juveniles. The Government at times restricted freedom of speech and of the press and intimidated journalists into practicing self-censorship; however, there was some increased freedom of public expression in most areas of the country. The Government restricted freedom of assembly. The Government restricted association and movement; however, it allowed some peaceful public protest and opposition party meetings. The Government restricted freedom of movement for some journalists. The number of persons internally displaced by the conflict increased, partly as a result of the Government's counter-insurgency policies in the country's interior. The Government continued to limit independent investigations of human rights abuses, although it allowed international human rights organizations, including Human Rights Watch, to conduct research in the country. Violence and discrimination against women were common; adult and child prostitution was a problem; and children and persons with disabilities continued to suffer as a result of the ongoing conflict and poor economic conditions. The Government continues to dominate the labor movement and restricts workers' rights, although there were improvements in the independent labor sector. Forced labor, including forced child labor, is a problem in rebel-held areas. There were reports of trafficking in persons.

The armed faction of UNITA was responsible for numerous, serious abuses during the year; the other two factions of UNITA were not responsible for abuses. The armed UNITA forces, under the control of Jonas Savimbi, were responsible for killings, disappearances, torture, rape, and other abuses. UNITA military units reportedly pillaged rural areas, depopulated parts of the country, killed traditional leaders, and eliminated all opposition, real or potential. UNITA prevented freedom of speech, the press, assembly, association, and movement. UNITA refused all attempts by humanitarian organizations and non-governmental organizations (NGO's) to conduct investigations in areas under its control. UNITA continued forced military recruitment, including of underage males, and used forced labor for a large part of its local-level logistical support; however, observers believe that the number declined significantly as UNITA's numbers and territorial control diminished. The sexual abuse of women conscripted to work as porters was common in UNITA areas.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

Security forces reportedly committed extrajudicial killings. Verification of reports of abuses committed by both government and rebel troops was extremely difficult, particularly those emanating from remote areas and those areas affected by active combat. Police participated in shakedowns, muggings, and carjackings; however, unlike in the previous year, there were no reports of any deaths as a result of police action (see Section 1.c.). Impunity was a serious problem.

There were reports that FAA soldiers engaged in a scorched earth policy during the year in counter-insurgency operations, burning villages and killing civilians in Cuando Cubango and Lunda Sul provinces (see Sections 1.f., 1.g., and 2.d.). There were reports that soldiers summarily executed civilians suspected of supporting UNITA. The failure of the Government to provide adequate protection for civilians contributed to the number of killings by UNITA throughout the country.

On June 30, police killed two residents of the community of Boa Vista in Luanda who were protesting their eviction and relocation of 13,000 families (see Sections 1.c., 1.d. and 1.f.).

Prison conditions were life threatening due to inadequate food, medicine, and sanitation, and many prisoners died in official custody (see Section 1.c.).

In 2000 some individual members of the FAA also reportedly summarily executed citizens in the Democratic Republic of the Congo (DRC).

Numerous localities changed hands during the year, a process that often involved the extrajudicial killing of

government administrators and persons accused of collaboration with UNITA. Internally displaced persons (IDP's) and refugees fled to government-held areas or neighboring countries. Undocumented Congolese workers in diamond fields were targeted by government or UNITA forces seeking to take control of alluvial diamond mining operations. An unknown number of civilians died in the course of engagements between the security services and insurgents, particularly in the Central Highlands and in the northwest. There were numerous but unconfirmed reports that both sides summarily executed prisoners of war (POW's).

There were reports that government soldiers killed civilians in Namibia. After Namibia decided in December 1999 to allow the FAA to launch anti-UNITA attacks from Namibian territory, there was extensive cross-border fighting, which resulted in civilian deaths and injuries.

On November 8, government forces reportedly crossed into Zambian territory and killed seven civilians (see Section 1.b.). The Government publicly denied any military involvement in the attack; no further information was available by year's end.

Both Government and UNITA forces continued to use antipersonnel landmines in the country and in Namibia, which resulted in dozens of deaths and numerous injuries of civilians and security force officers (see Section 1.g.).

At year's end, no further information was available in the case of an FAA member who was arrested by police for killing Thaddeus Villi at Bagani near the Kavango and Caprivi regions. No action was taken nor investigation made into the following killings by FAA members in 2000: The July execution of two Namibian civilians; and the January killing of Thadeus Mubili in Mushangara in western Caprivi.

In January 2000, more than 100 persons reportedly were killed in Bie province. Although there were unconfirmed reports that UNITA killed 150 persons while passing through the area, other observers claimed that these persons were killed by the Government for being too sympathetic to UNITA. There were reports that at least one mass grave was discovered in the area, which the Government attributed to UNITA. There were no reports of any investigation made or action taken against the responsible persons by year's end.

No action reportedly was taken against the members of the FAA responsible for the following killings in 1999: The December unconfirmed killing of 47 civilians during operations in the Lunda Sul province; and the February killing of several civilians near the town of Mbanza Congo.

UNITA military units reportedly pillaged rural areas, depopulated parts of the country, killed traditional leaders, and eliminated all opposition, real or potential. UNITA troops committed numerous killings during attacks on villages. Interviews with many refugees indicated that UNITA committed abuses, including public executions, as a deliberate policy. UNITA increased attacks against population centers and other civilian targets during the year; however, after September 11 terrorist attacks in the U.S., UNITA attacks against civilian targets significantly decreased, reportedly as a result of a direct order from Savimbi. Prior to September 11, UNITA had conducted eight major attacks against civilian targets during the year. This was part of a strategy that likely was designed to create insecurity and draw international attention. UNITA abducted numerous persons during the year; many, including children, died or were killed while in captivity (see Section 1.b.). UNITA killed numerous civilians during attacks on civilian traffic on roads in the interior of the country; such attacks were designed to halt transportation, disrupt commerce, isolate populations, and maintain a climate of insecurity (see Section 1.g.). Many such attacks occurred on the Malanje-Luanda road during the year. During raids in the Kavango and Caprivi regions of Namibia, UNITA forces reportedly killed civilians (see Section 1.g.).

There were reports that UNITA continued to use forced conscription and killed persons who attempted to desert (see Sections 1.b. and 1.f.).

NGO workers were killed during UNITA attacks. It was unknown in most cases whether they were targeted because of their work; however, in at least one case, a citizen was killed because of his link with a foreign NGO.

UNITA never has accounted for the deaths of numerous senior party officials. A number of high-ranking UNITA officials who have defected revealed the extent of killings in UNITA-held areas. In December two former UNITA secretaries general, a former head of UNITA intelligence, and others reported that Savimbi personally ordered executions of opponents and, in some cases, personally carried out the executions. UNITA does not allow the U.N. to investigate claims of human rights abuses in the limited areas (less than 5 percent of the country's territory) that it controls.

There were no reports of any action taken against the UNITA rebels responsible for the following killings in 2000: The August killing of four civilians during an attack on the town of Catete; the July attack on an orphanage in Huambo province in which a teenager was killed; the July attack on a residential school and training center in Huambo Province in which 1 boy was killed; the June unconfirmed discovery of 17 mass graves in the Bie province, each containing more than 100 bodies; the May attack on a hospital in Camacupa; the March stoning and crucifixion of 6 children for allegedly giving information to the Government; the February attack on Santa Clara in Cunene province in which at least 26 civilians were killed; the February killing of 3 civilians in Shinyungwe village; and the January killing of 2 civilians outside of Rundu. There were no developments in the October 2000 case of journalist Antonio Paciencia whose body was discovered in Zambia. The results of an investigation determined that he had been killed, but did not attribute responsibility for the killing; however, the Government and some journalists blamed UNITA for the killing.

There were no further developments into the following 1999 cases: The September case in which National

Assembly Deputy Joao Ngolongombe Jacob, who was a member of the non-Savimbi faction of UNITA, was killed by unknown assailants; the January case of a U.N. chartered aircraft that was shot at; and the January killing of Father Albino Saluaco and two catechists by armed men reportedly from UNITA in Huambo (see Section 2.c.).

UNITA and the separatist group FLEC-FAC killed foreign and dual nationals. FLEC-FAC forces tortured and killed civilians in the Cabinda region. In September FLEC-FLAC forces released three foreign and one local employee of a construction company whom they kidnaped in May 2000. There were no developments in the April 2000 case in which FLEC-FAC killed a foreign national during an ambush north of Dingo.

On November 22, armed groups killed five civilians and abducted two children on a road between Caxito and Ambriz outside of Luanda; UNITA denied responsibility for the attack.

There were no developments in the following cases from 2000: The October killing of dozens of persons during an attack by unknown gunmen on two buses and a car; the June case in which polio vaccination workers passing through the Huambo area discovered an ambushed truck with 7 dead persons inside; and the June case in which 12 persons were killed when a group of children brought a discarded missile into a refugee camp near Malanje, and it exploded.

The ineffectiveness of the judicial system in the country has led to a growing reliance on vigilante justice (see Section 1.e.). There were reports that neighborhood groups pursued and attacked alleged criminals.

b. Disappearance

Persons taken into police custody often disappeared without a trace, particularly in rural areas. Suspects accused of illegal weapons ownership or collaboration with UNITA often disappeared.

On November 8, FAA units reportedly crossed into Zambian territory and abducted 103 civilians; 83 persons later were returned to Zambia, and 13 abductees remained missing at year's end (see Section 1.a.). The Government publicly denied any military involvement in the attack but agreed to discuss the matter with the Government of Zambia.

Civilians abducted by UNITA generally either were recruited forcibly as soldiers or support personnel, or were considered government collaborators. The frequent discovery of bodies in the aftermath of attacks suggested that suspected collaborators were executed summarily (see Sections 1.a. and 1.g.). Those who escaped UNITA custody and were able to return to government-held areas with government assistance reported that they were subjected to torture, beatings, and sexual abuse (see Section 1.c.). There were press reports that on February 8, UNITA kidnaped a traditional chief in Huambo who was an outspoken critic of the activities of the armed faction of UNITA. There was no information on his whereabouts at year's end. On April 15, UNITA forces attacked Dombe-Grande in Benguela province and looted a warehouse holding relief supplies of humanitarian organizations; 7 persons were killed and 50 were missing after the attack and remained unaccounted for at year's end.

On May 5, UNITA forces attacked the town of Caxito in Bengo province and kidnaped 61 children from a school run by People to People Development Aid (ADPP), a Danish NGO (see Section 1.g.). The children, who were ages 8 to 12, were marched 300 miles into the interior of the country and forced to serve as porters and carry goods that UNITA had stolen from the town; the children were released on May 25 after international pressure. UNITA also briefly held 15 international ADPP volunteers before releasing them.

UNITA rebels also reportedly abducted persons from Zambia during the year. There were reports that UNITA rebels or Angolan government forces abducted Zambians, particularly young persons, for forced labor in Angola. On November 9, Angolan government troops reportedly abducted at least 50 villagers from the district of Shang'ombo after entering the country in pursuit of UNITA rebels. The Zambian Government requested that the Angolan Government return the villagers; however, this did not occur by year's end.

There were no developments in the cases from 2000 in which UNITA rebels kidnaped persons: The July kidnaping of 21 children in Huambo province; the July kidnaping of 100 children from Quela, a town in Malange which UNITA controlled for 3 days (see Section 1.g.); and the January abduction of 2 teenage girls from a village near the border by 6 armed men suspected to be UNITA rebels. The children remained unaccounted for at year's end.

There were also reports that members of the FLEC-FAC separatist group kidnaped civilians.

In March FLEC-Renovada, an offshoot of the original FLEC group that is not usually violent, kidnaped five Portuguese employees of a construction company; they were released after 3 months. In May 2000, members of FLEC-FAC kidnaped three foreign and one local employee of a Portuguese company in Cabinda; by July FLEC-FAC had released one of the kidnaped persons for medical reasons. In July it released the remaining abductees.

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

The Constitution and the Penal Code explicitly prohibit all forms of mistreatment of suspects, detainees, or prisoners; however, security forces tortured, beat, raped, and otherwise abused persons. The International

Committee of the Red Cross (ICRC), the U.N., and domestic and international human rights organizations continued to report that there was widespread government abuse of suspects.

Security service personnel frequently employed torture and other forms of cruel and degrading treatment, including rape. Police used torture and coerced confessions frequently during investigations and rarely, if ever, were punished for such abuses. Those suspected of ties to UNITA sometimes are detained under inhuman conditions and are subjected to brutal forms of interrogation. Nonpolitical criminal suspects also are subjected to detention and abuse, although to a lesser extent. There have been no cases in which an army or police official has been disciplined for the use of excessive force against a UNITA suspect. Police often beat and released suspects in lieu of trials (see Section 1.d.). Police frequently participate in shakedowns, muggings, and carjackings (see Section 1.g.). Police also extorted money from travelers at checkpoints and routinely harassed refugees (see Section 2.d.). Impunity is a serious problem.

Reports that government forces raped women in the central highlands increased during the year; government forces reportedly attacked women in their homes, while they were working in the fields, near military camps, and during searches of homes (see Section 1.f.). Rapes by government forces were reported most commonly in the Bie, Huambo, and Uige provinces (see Section 1.g.).

There were reports that members of the FAA and the police harassed NGO workers during the year, particularly in Malange, Bie, and Kwanza Norte (see Sections 1.g. and 4). Humanitarian workers were harassed and threatened by local FAA forces in various provinces throughout the country, with the most serious incidents occurring in Malange. During the year, the U.N. assigned civil-military liaison officers to FAA combat units to address harassment; as a result, incidents of abuse declined significantly.

Police officers and soldiers reportedly harassed IDP's and denied them humanitarian assistance by stealing supplies. There also were credible reports that security forces robbed persons of humanitarian supplies as they returned from relief distribution centers (see Sections 1.g. and 2.d.).

There continued to be numerous reports of abuses of Namibian citizens by the FAA in the border areas (see Section 1.a.). In January a Namibian newspaper reported that a group of men in FAA uniforms beat and tortured several Namibians in Caprivi; it was not known whether the men were FAA officers. There was at least one report of a rape by Angolan soldiers in Zambia. In April Zambian authorities arrested and detained eight Angolan soldiers suspected in raids in Zambia.

Some individual members of the FAA reportedly raped and looted while stationed in the DRC (see Section 1.a.).

On June 30, police injured an undetermined number of Boa Vista residents who were protesting their eviction and relocation (see Sections 1.a., 1.d., and 1.f.).

No action reportedly was taken against the police responsible for beating protesters during demonstrations in February 2000, nor the members of the FAA who allegedly executed two Namibian civilians and injured another in July 2000 (see Section 2.b.).

Landmines laid by both sides during the conflict in the country and in Namibia resulted in an increasing number of fatalities and injuries, including maiming (see Section 1.g.).

The U.N. and domestic human rights organizations report that abuse of suspects is universal in areas remaining under UNITA control. Interviews with persons who have fled UNITA-held areas revealed that UNITA uses cruel and inhuman practices, including public torture, to punish dissent and deter further acts of disloyalty. Torture is used at all levels by the UNITA forces. There have been repeated credible allegations that UNITA president Jonas Savimbi has ordered suspects tortured and executed in his presence. There were reports that UNITA engaged in reprisal attacks on civilians during the year. UNITA reportedly cut off the ears and hands of civilians in order to extract information and to discourage civilians from providing the Government information on UNITA or from fleeing to government-controlled areas. UNITA increased attacks against population centers and other civilian targets during the year as part of a strategy that likely was designed to create insecurity and international attention, which resulted in the injuries of numerous civilians (see Section 1.a.).

In May 17 civilians were injured when UNITA attacked a commercial convoy on the road between Huambo and Kuito (see Sections 1.g. and 2.d.).

The Government blamed UNITA for torturing and mutilating a truck owner during a June attack on a vehicle 18 miles southeast of the city of Benguela (see Section 1.g.).

There also were numerous reports that UNITA forces abused Namibian citizens in the border areas.

No action was taken against the approximately 100 members of UNITA who attacked a residential school and training center in Huambo Province; the UNITA members kidnapped 21 children and injured at least 4 others in July 2000 (see Sections 1.a. and 1.b.).

FLEC-FAC forces tortured and killed civilians in the Cabinda region (see Section 1.a.).

There also were reports that UNITA members beat UNITA-Renovada members in Uige and Kwanza Norte (see Section 3).

Prison conditions are harsh and life threatening. Cells are overcrowded and lack basic sanitary facilities. According to the National Prison Service Director, there are 4,000 persons in prison, 50 percent of whom are in prisons in Luanda. The prison system holds approximately five times the number of prisoners that it was built to hold. Many prisons, lacking financial support from the Government, were unable to supply prisoners with adequate food and health care. There were credible reports that many prisoners died of malnutrition and disease. For example, at the Viana Prison malnutrition and disease are pervasive problems. In November 2000, the Government and the National Assembly Committee on Human Rights acknowledged that conditions were inhumane and announced modest appropriations for improvements in the Sao Paulo Prison hospital in Luanda and Viana prison outside the capital; some physical improvements were made during the year. Committee members visited both institutions and donated mattresses and other supplies to the inmates.

Prison officials routinely beat detainees. Prisoners depend on families, friends, or international relief organizations for basic support, including food; prisons often do not provide any food to prisoners. Prison officials, who are chronically unpaid, support themselves by stealing from their prisoners and extorting money from family members. For example, prison guards frequently demanded that prisoners pay for weekend passes that they are entitled to receive. Juveniles, often incarcerated for petty theft, are housed with adults and suffer abuse by guards and inmates. Female prisoners are held separately from male prisoners. There were reports that prison guards sexually abused female prisoners. Detained journalists also were housed with other prisoners. Political prisoners and pretrial detainees are held with the general prison population; it was unknown how many such prisoners were held during the year (see Sections 1.d. and 1.e.).

The Government permitted foreign diplomatic personnel and local and international human rights monitors to visit prisons during the year; however, unlike in the previous year, they were not permitted to visit individual prisoners. The ICRC did not request meetings with individual prisoners during the year. A local NGO, the Association for Peace, Justice, and Democracy, which documents prison conditions in the country and monitors the application of due process laws, requested meetings with specific prisoners but was denied permission for such visits. Unlike in the previous year, the Government permitted members of this local NGO to visit prisoners; the Government allowed the visits after prisoners signed and the NGO published a petition requesting the visits (see Section 4).

It was unknown whether UNITA prisons exist or what their conditions were; however, extensive testimony from defectors described harsh conditions of confinement and summary executions.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention are serious ongoing problems, and persons were denied due process. Under the law, a person caught in the act of committing a crime may be arrested and detained immediately. Otherwise, the law requires that a judge or a provincial magistrate issue an arrest warrant. Arrest warrants also may be signed by members of the judicial police and confirmed within 5 days by a magistrate. The Constitution provides for the right to prompt judicial determination of the legality of the detention. Provisions for bail exist in the law. Under the law, the prosecution and defense have 90 days before a trial to prepare their case, although both sides generally have the right to request an extension of this deadline under extenuating circumstances. The Constitution also provides prisoners with the right to receive visits by family members; however, such rights frequently are ignored in practice. The Government continued to pay increased attention to the rights of prisoners during the year; however, there was no substantial change in practice by year's end because of a scarcity of personnel and resources and a lack of official determination to ensure these rights. Although the Ministry of Justice is nominally in charge of the prison system, the Ministry of the Interior and the security forces continued to arrest and detain persons systematically, arbitrarily, and secretly for all categories of crimes and for indefinite periods, often with no apparent intent to bring the detainees to trial.

Under the criminal law a person may not be held for more than 135 days without trial. The National Security Law provides for a maximum of 180 days of preventive detention. Preventive detention is allowed when an individual is caught in the act of committing a crime punishable by a prison sentence or is caught preparing to commit such a crime. In practice laws regarding preventive detention frequently are ignored. Partly in response to international criticism of abuses of preventive detention, the Government promulgated an amnesty law in 2000 that includes national security crimes, defamation, military crimes, and most common crimes (see Section 1.e.). The release of thousands of petty criminals as a result of the law eliminated thousands of cases from court dockets; however, problems with preventive detention persisted.

Court cases often become backlogged in judges' offices. In Luanda for example, 5 judges are responsible for an estimated 900 cases each year. There are only 187 magistrates to handle cases throughout the country; the Attorney General has recommended a total of at least 1,500 magistrates to handle the country's cases. At year's end, more than 90 percent of inmates in Luanda were awaiting trial, and it was believed that more than 50 percent of inmates nationally were awaiting trial. Delays of 2 or 3 years are common. Poor communication between the various authorities also leads to prolonged detention.

On June 30, police arrested and detained for 72 hours 18 persons during a violent confrontation between police and residents of Boa Vista who were protesting their eviction; the detainees were released, after a judge ruled that there was insufficient evidence to prosecute the case (see Sections 1.a., 1.c., and 1.f.).

On January 24, police arrested four members of a small opposition party who were protesting in front of the

presidential palace. They were charged with civil disobedience; they were released on January 30 after a judge dismissed the charges (see Section 2.b.).

In July police detained human rights activist Rafael Marques for approximately 4 hours when he visited Zangu-Calombo, the relocation center for forcibly removed residents of Boa Vista. The residents were evicted by the Government for an urban renewal project (see Section 1.f.). The police did not inform Marques of the reason for his detention.

Unlike in the previous year, the Government did not arrest and detain journalists on charges of slander, defamation, and crimes against the security of the State (see Section 2.a.).

In February 2000, police disrupted several demonstrations; they arrested and detained protestors, and later released them (see Section 2.b.).

The Government holds an unknown number of suspected UNITA officials and supporters in areas where it regained control. In past years, the Government accused these persons of illegal weapons possession or collaboration with UNITA, although formal charges rarely were filed. However, the Government improved its compliance with the law, and there were no documented cases of further detentions of suspected UNITA officials and supporters during the year.

There continued to be reports that UNITA kidnaped and detained persons primarily from rural areas. The number of such persons is unknown.

There were reports that local police detained UNITA-Renovada members in Uige and Kwanza Norte (see Section 3).

The Lusaka Protocol provides for the release, under ICRC auspices, of persons detained for war-related reasons. Neither the Government nor UNITA regularly notified the ICRC or any other institution that it had POW's in custody; however, the FAA cooperated with the ICRC in the Benguela and Huambo provinces during the year. On February 5, the ICRC for the first time obtained private interviews with 19 UNITA detainees at the FAA operational headquarters in Catumbela outside of Lobito. Between 10,000 and 15,000 UNITA soldiers have surrendered or been captured; most of them either entered the FAA or were released by the Government and placed in IDP camps. There was no further information on these UNITA soldiers by year's end.

The Government did not use forced exile as a form of punishment. Some UNITA members claimed that they went into self-imposed exile because the Government threatened their lives.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary, where it functions, is not independent of the President and the MPLA, and political pressure from the presidency affected the outcome of cases. In practice the judicial system lacked the means, experience, training, and political backing to assert its independence from the President and the ruling MPLA party. The President has strong appointive powers, including the power to appoint Supreme Court justices without confirmation by the National Assembly. The judicial system largely was destroyed during the civil war and did not function in large areas of the country. In many cases, police beat and then released detainees rather than make any effort to prepare a formal court case.

The court system consists of the Supreme Court at the appellate level plus municipal and provincial courts of original jurisdiction under the nominal authority of the Supreme Court. The Supreme Court serves as the appellate division for questions of law and fact. A Constitutional Court provided for in the 1991 Constitution had not been established by year's end; the Constitution provides for judicial review of constitutional issues by the Supreme Court until the Constitutional Court is established after a new constitution is promulgated. There are long delays for trials at the Supreme Court level.

Trials for political and security crimes are supposed to be handled exclusively by the Supreme Court; however, there were no known cases of such trials.

The Constitution provides defendants with the presumption of innocence, the right to a defense, and the right to appeal. Legal reform in 1991 established the right to public trials, a system of bail, and recognized the accused's right to counsel; however, the Government does not respect these rights in practice. The lack of trained attorneys in remote parts of the country has forced defendants in such areas as Lunda Sul and Moxico to defend themselves during trials. Trials are open to the public; however, each court has the discretion to close proceedings arbitrarily. Defendants do not have the right to confront their accusers. Judges usually are lay persons, not licensed lawyers. The judge and two lay persons elected by the full court act as the jury. In January a domestic research institute conducted a survey with the Attorney General's office in which 65 percent of the survey population reported a lack of confidence in government institutions to protect their rights.

In November the Amnesty Law went into effect. Under the law, any person could make a voluntary request for amnesty for national security crimes, defamation, military crimes, and common crimes. The law provided for a 90-day period, which began upon enactment, during which an individual was allowed to request amnesty. Application of the law by the Government was arbitrary and uneven during the year; however, thousands of petty criminals were released during the year (see Section 1.d.).

In the past, UNITA established a nominal military and civilian court system in territories under its control and claimed that its Civil Code is equivalent to the Portuguese Civil Code used by the Government; however, there was no indication that UNITA maintained this system during the year. The areas under UNITA's control diminished to isolated pockets that composed approximately 5 percent of the country, and unconfirmed reports during the year indicated that strict martial law applies in those areas.

There were reports that the Government holds political prisoners; however, the number is unknown. The Government denied that it holds political prisoners and insisted that persons considered by some of civil society to be political prisoners are criminals.

There were numerous confirmed reports that UNITA holds political detainees and prisoners. It is not known if persons detained by UNITA were convicted by UNITA judicial procedure; decisions made by UNITA courts have no standing under the country's legal system, and persons were denied due process protections.

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

The Government infringed on citizens' privacy rights. The Government maintained a sophisticated security apparatus dedicated to the surveillance, monitoring, and wiretapping of certain groups, including opposition party leaders, journalists, members of the National Assembly and foreign diplomats. Legal requirements for search warrants routinely are disregarded (see Section 2.a.).

There were reports that army units engaged in a scorched earth policy during the year, burning villages and killing civilians during counter-insurgency operations (see Section 1.g.). Government forces reportedly attacked women in their homes, while they were working in the fields, near military camps, and during searches of homes (see Sections 1.c., 1.g., and 5). In May four soldiers were arrested in Namibia for threatening to burn down the home of a young woman who refused to let them into her home. There was no further information available on the case by year's end.

On June 30, the Government began evicting 13,000 families from their homes in the Boa Vista neighborhood in Luanda as part of an urban renewal project; a number of persons were killed, injured, or arrested during the confrontation between police and residents of the neighborhood (see Sections 1.a., 1.c., and 1.d.). The Government did not provide 8 days notice or compensation for those who held title to their homes, as required by law. The Government began razing homes without providing adequate shelter and resources for those who were evicted. The residents were relocated to Zangu-Calombo, an isolated camp 40 miles from Luanda, which effectively denied them access to employment and other services, including public transportation, in the capital (see Section 2.d.). The Government prevented journalists from reporting on the camp (see Section 2.a.).

To enforce laws on mandatory military service, the armed forces and police conducted forced conscription drives in many of the areas under the control of the Government, including Luanda, in which some children may have been recruited. Under the law, military service is obligatory, but recruitment targeted poor communities and unemployed young men. Persons who could prove that they had jobs usually were released, and those with financial means could purchase an exemption from the armed forces. There were credible reports that persons working for NGO's were targeted for forced recruitment; however, they usually were released after their employers intervened with the Government (see Section 4). The Government denied that forced recruiting was taking place; however, there were credible reports that it occurred in the interior of the country and that it increased in areas where there was more intensive military activity and in the latter part of the year. There were reports of forced conscription in Luanda by the police and military; however, the Government denied the reports. There were reports during the year of the forced recruitment of soldiers in Uige; however, it appeared that this was an action by the military to return soldiers to duty who had fled their barracks. In at least one instance, an individual was taken to the barracks and then released when officials discovered he was not in the military. Church groups, civil society institutions, and foreign embassies continued to protest the manner of conscription. In November and December, the Ministry of Defense initiated a highly publicized conscription campaign to recruit 15,000 persons into the FAA. The purpose of the campaign is to better organize the registration of recruits and eliminate the recruitment of juveniles (see Section 5).

In July 2000, the local government in Kwanza Norte evicted journalist Isidoro Natalicio from his home on the grounds that his work for independent and international radio stations violated his lease (see Section 2.a.).

There were no developments in the June 2000 case in which armed individuals dressed as security forces visited the Voice of America (VOA) offices and demanded the addresses of the homes of several independent media correspondents.

UNITA forces reportedly looted and destroyed private property while replenishing their supplies of food and medicine.

UNITA continued to conscript forcibly civilians, including children, for military duty (see Section 1.g.).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Military operations by both the Government and UNITA continued to result in numerous human rights violations. The Government and UNITA continue to use antipersonnel landmines to strengthen defensive positions and, in the case of UNITA, to prevent residents within its own areas from fleeing to government-held

areas (see Section 2.d.). Large areas have been mined since the resumption of fighting in 1999, mostly by UNITA. Military attacks have resulted in indiscriminate and summary killings, torture, abductions, destruction of property, and theft (see Sections 1.a., 1.b., and 1.c.). The provinces most affected during the year were Kwanza Norte, Malange, Bie, and Moxico, although UNITA also increased raids on or near the coastal areas. There were several attacks on Congolese miners during the year. The Government's failure to pay, feed, and equip many of its army and police personnel resulted in frequent extortion and theft of civilian property by security personnel. Government personnel frequently confiscated food, including donated relief supplies, livestock, and personal property and did not compensate donors nor affected individuals.

There were reports that FAA officers throughout the country continued to threaten and harass humanitarian workers. There were reports that army units engaged in a scorched earth policy, burning villages and killing civilians. Human Rights Watch estimated humanitarian aid reached 10-15 percent of the country.

The unstable security situation in the interior of the country impeded relief workers from carrying out their duties. Reports of FAA and police harassment of NGO workers significantly decreased during the year after U.N. civil-military officers were assigned to FAA units; however, there continued to be reports of such harassment, particularly in Malange, Bie, and Kwanza Norte. Humanitarian workers were harassed and threatened by local FAA forces in various provinces throughout the country, with the most serious incidents occurring in Malange (see Section 4). Some organizations reported incidents of harassment to local police that subsequently were investigated and in some cases redressed; however, the general pattern of NGO harassment continued (see Section 4). NGO's reported greater ability in having their complaints of abuses addressed by the Government when the military forces who were responsible for the abuses were stationed locally; it was more difficult to hold military forces in transit accountable for such actions.

On July 26, national police shot at an NGO vehicle after the driver refused to transport them to Malange city; no injuries or deaths were reported in the incident. On July 30, 25 FAA soldiers threatened 2 NGO employees and obstructed their path after the employees refused to take them to Malange. Also on July 30, members of the Rapid Intervention Police (PIR) pointed a gun at an NGO driver and forced the driver to provide them with transportation. On August 2 in Malange, PIR officers threatened NGO workers with bayonets in an effort to get transport and stole the goods that the NGO workers were distributing after they refused to transport the PIR officers. In August there was a report that some FAA soldiers shot their weapons indiscriminately during an argument with a civilian driver of another vehicle. No reported action was taken against the FAA soldiers involved in these incidents.

On June 5, a World Food Program (WFP) airplane was hit by ground fire but landed safely; it was unknown who shot the plane by year's end. On June 15, two WFP airplanes that were marked with U.N. insignia were forced to make emergency landings after they were shot at by a missile fired from Kuito; observers believed that the missile was fired by UNITA forces because of the isolated, rural location of the incident. WFP subsequently suspended food aid to Kuito temporarily.

The Government continued to use forced conscription (see Section 1.f.).

In May 2000, the U.N. estimated that as many as 7 million landmines have been laid in the country, and new landmines were laid during the year. There were numerous injuries and deaths resulting from landmine explosions. Various NGO's participated in landmine clearance operations during the year, and the Government implemented a Mine Action Plan. The National Institute for the Removal of Explosive Obstacles and Devices, a government agency, reported in 2000 that 100 persons were killed and 327 were injured by landmine explosions during the first half of 2000; most of the incidents occurred in areas that had been mined by UNITA. Updated statistics were not available by year's end. On March 1, at least 20 persons were killed and 27 were injured when the truck they were riding in drove over an anti-tank mine on the road between Mungo and Huambo. On August 10, approximately 250 persons, mostly civilians, were killed after a UNITA landmine near Zenza do Itumbe, Kwanza Norte province, exploded under a passenger train; there were reports that UNITA forces shot passengers who were fleeing the wreckage of the train. UNITA later acknowledged responsibility for the attack. In May the director of an NGO was killed when her vehicle hit a landmine in an area that recently had been mined by government troops near Huambo. Since December 1999, more than 100 persons have been killed by landmines laid by both FAA and UNITA forces in the Kavango and Western Caprivi regions of Namibia (see Sections 1.c. and 2.d.). At the end of September, the Government reported that more than 130 persons had been killed or injured by landmines in Namibia.

There were credible reports that military forces and local leaders increasingly displaced civilians forcibly during the year as part of the military's counterinsurgency strategy; the Government failed to provide these IDP's with adequate shelter and aid (see Sections 1.f. and 2.d.). For example, in July the FAA forcibly relocated the entire population of a village in Moxico to Luena with only 1-hour notice before the relocation.

The number of IDP's continued to increase during the year (see Section 2.d.).

Reports that government forces raped women in the central highlands increased during the year; rapes by government forces were reported most commonly in the Bie, Huambo, and Uige provinces (see Sections 1.c., 1.f., and 5).

UNITA forces routinely violated citizens' rights in pursuit of military objectives. UNITA use of guerilla tactics during attacks against civilian populations resulted in hundreds of casualties. There were continued reports of deaths resulting from UNITA attacks on villages throughout the country and executions of suspected government supporters by UNITA forces (see Section 1.a.). The Government attributed the discovery of mass graves to UNITA actions (see Section 1.a.). Security forces failed to respond promptly to attacks on civilians, which contributed to civilian deaths and loss of property. For example, on April 15, UNITA forces killed seven

civilians after they attacked Dombe-Grande in Benguela province and looted a warehouse holding relief supplies of humanitarian organizations (see Section 1.b.). After UNITA forces attacked Caxito on May 5, security forces did not arrive to assist civilians until several hours after the rebels had fled the town. In May 11 civilians were killed and 17 were injured when UNITA attacked a commercial convoy on the road between Huambo and Kuito (see Sections 1.a., 1.c., and 2.d.). On May 5, UNITA forces killed approximately 100 persons when they attacked the town of Caxito and raided food stores; UNITA forces also forced 61 children to carry the stolen goods out of the town; the children were released after the incident was publicized internationally. On May 21, UNITA attacked the town of Golungo Alto, killing and injuring an unknown number of civilians. The Government blamed UNITA for killing seven persons and torturing and mutilating a Portuguese truck owner during a June attack on their vehicle southeast of the city of Benguela. In late June, UNITA attacked the town of Uige and killed an unknown number of civilians. In a series of UNITA attacks in April and May, near Dombe Grande, approximately 12 persons were killed, and there was an unconfirmed report that 30 children were abducted during the attacks.

UNITA forces kidnaped civilians, including children, during raids on villages (see Section 1.b.).

In August UNITA claimed responsibility for an August 10 attack on a passenger train transporting approximately 500 civilians 80 miles southeast of Luanda near Zenza do Itumbe. More than 250 persons were killed when the train hit a landmine that the rebels had laid on the tracks, which exploded, and UNITA soldiers shot and killed civilians as they ran from the train (see Section 2.d.). On August 31 near Cacolo, UNITA reportedly killed 53 passengers in an attack on a bus. On September 30, there was an unconfirmed report that at least 15 persons were killed during a UNITA attack on a village in Bie province.

There were unconfirmed reports that UNITA rebels targeted for killings and other abuses citizen NGO employees in the country, using their darker skin color as the primary means of distinguishing them.

UNITA carried out forced recruiting, including of children, throughout all of the country's disputed territory. Recruits were taken to isolated military camps and subjected to psychological stress and extreme hardships; those who attempted to desert were executed. Women, many as young as 13 years of age, were recruited forcibly to serve as porters and camp followers, and reports of sexual assault were widespread and credible.

UNITA and the separatist group FLEC-FAC killed foreign nationals. FLEC-FAC forces tortured and killed civilians in the Cabinda region (see Section 1.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression and of the press and specifically provides that the media cannot be subject to ideological, political, or artistic censorship; however, the Government does not always respect this right in practice. Since April 2000, the Government has increased incrementally media freedom; however, journalists were subjected to harassment and surveillance. Unlike in the previous year, the Government did not detain for up to several months journalists; however, it continued to place under investigation journalists who reported on sensitive issues, including military operations, government corruption, and UNITA, especially Jonas Savimbi. There was increasing private media attention to corruption, economic mismanagement, and opposition politics. Journalists acknowledge that they exercise self-censorship when reporting on the military situation, internal security, or other highly sensitive matters.

Defamation against the President or his representatives is a criminal offense, punishable with imprisonment or fines. There is no truth defense to defamation charges; the only allowable defense is to show that the accused did not produce the actual writing alleged to have caused harm. Unlike in the previous year, there were no reports that journalists were charged with defamation during the year. Charges of defamation against Gilberto Neto, a journalist for the independent *Folha 8*, were dropped in 1999; however, he was prohibited from traveling outside of the country during the year on the basis of the charge. Neto was arrested and interrogated on July 7, and his documentation and equipment was confiscated. During the year, Rafael Marques, a director for the international NGO Open Society and an occasional commentator in the independent media, was granted amnesty from defamation charges under the new law (see Section 1.e.). In January 2000, he was arrested and detained for a July 1999 article critical of President Dos Santos; he was released on bail after 45 days of preventive detention. His trial for defamation of the President in March 2000 was closed to the public (although members of the Bar Association could observe); the judge refused to allow Marques's lawyer to present evidence regarding the truth of what Marques wrote. Marques was convicted and given a suspended sentence of 6 months, the maximum under the law, as well as a large fine. In April 2000, police again interrogated Rafael Marques after he wrote an article that criticized the Government for the reinstitution of the military draft. In November 1999, Isidoro Natalicio was convicted of defamation. He appealed the decision and was acquitted in 2000.

A draft press law was introduced in the National Assembly in 2000. The draft was criticized widely for not allowing the expansion of political dialog and discussion and for increasing the criminal penalties for defamation. The Committee to Protect Journalists (CPJ) recommended the withdrawal of the draft law. In October the Government suspended the drafting process, withdrew its draft, and announced its intention to appoint a committee consisting of both government and nongovernment representatives to reconsider the drafting process; however, no further action was taken by year's end.

The majority of the media is state-run and carries very little criticism of the Government; however, the Government has tolerated progressively more criticism of its policies and actions in the independent media.

There are five private weekly publications with circulations in the low thousands and readerships in the tens of thousands. A committee composed of the Minister of Social Communication, the spokesman of the presidency, and the directors of state-run media organizations controls policy and censorship authority. The MPLA's secretary general also influences the content and tone of state-run media reporting. The Government used its control of the media to engage in a propaganda campaign against UNITA, including unconfirmed allegations of UNITA massacres, as a means of influencing local and international public opinion. The state press often criticizes independent journalists and opposition leaders, but has limited access for these journalists to respond. For example, the official daily *Jornal de Angola* refused to publish the response of William Tonet, editor of the independent weekly *Folha 8*. In August the *Jornal de Angola* refused to publish the response of Reginaldo da Silva, a local BBC correspondent, to accusations of bias against the Government.

Provincial governments, particularly in Malanje and Kwanza Norte, limited press freedom and harassed independent journalists during the year. Local authorities also sometimes prohibited independent journalists from traveling to the provinces during the year.

The news ban on war coverage that was instituted in 1999 remained effective; however, the strong discouragement of negative news coverage by the Government that occurred in 1999 continued to decrease during the year.

The Government discouraged potential advertisers from buying advertising space in independent newspapers, which threatened their financial viability.

The Government continued to intimidate and threaten journalists into practicing self-censorship. There were reports that the Government paid journalists to publish progovernment stories.

The Government continued to harass, arrest, and detain journalists on charges of slander, and crimes against the security of the State during the year; however, such incidents decreased during the year. Journalists who received amnesty under the new law were not informed officially of their status for defamation and other charges. If the defendant is not informed officially of his or her amnesty status, the charges or the conviction pending against him or her remains valid.

In November government authorities threatened William Tonet, an independent journalist and editor, and his informant to reveal their sources for a story that exposed scandal in the Ministry of the Interior; no further government action was taken by year's end.

In July in Malanje, police confiscated the material and reports of a journalist for the independent weekly *Folha 8* from his home without a warrant; his materials were returned a few days later but his reports remained in police custody at year's end.

In July authorities threatened nine journalists in N'dalatando, Kwanza Norte province, because of high-level contacts they maintained with UNITA-Renovada.

In December 1999, in Kwanza Norte province, police arrested and detained Andre Mussamo, correspondent for Angolan National Radio and contributor to *Folha 8*, for a "violation of a state secret." In May 2000, the charges were dropped when it was shown that Mussamo had not published any material from a secret document; however, the person who provided Mussamo with the document was convicted. The Union of Angolan Journalists criticized the Government's actions in the Mussamo case.

There also are five commercial radio stations including the Catholic Radio Ecclesia, and Radio Lac Luanda, which openly criticized aspects of government policies and highlighted poor socioeconomic conditions. On July 9, Radio Ecclesia suspended its regular programming for 2 days to protest against editorial interference by the Government. The station managers reported that the radio was under political pressure to modify coverage of opposition activities and broader issues that the government press had criticized as sympathetic to UNITA. The station's general manager subsequently denied any political pressure.

In February Isaias Soares, a correspondent for VOA and Radio Ecclesia, was attacked in his home by armed men after he reported on crime in the Malanje region; the identity of the attackers remained unknown at year's end. In August 1999, the Government banned Soares from covering official events or reporting on military issues in Malanje. In July and August 2000, the Government continued to harass Soares, and the provincial government seized his motorcycle, which was his only means of transport.

On November 5, a Kwanza Sul judge acquitted independent radio journalist Isidoro Natalicio of charges that he used his private home, which was rented from the Government, as a reporter's office. He had been evicted from the home in 2000 (see Section 1.f.).

In July 2000, individuals claiming they represented government authorities kidnaped Catholic Radio Ecclesia director Paulo and forced him to drive at gunpoint to the outskirts of Luanda, where he managed to escape unhurt. The Government later disclaimed responsibility for the assault.

The Government generally did not restrict the activities of foreign media, including the British Broadcasting Corporation (BBC) and VOA; however, it continued to refuse to allow direct retransmission of their broadcasts. Foreign journalists must obtain authorization from the Ministry of the Interior in order to obtain access to government officials or to travel within the country. Media requests to travel to areas that were not controlled by the Government routinely were denied. The Government placed no abnormal visa restrictions on foreign

journalists and allowed them freedom to report on all aspects of society. In April the Government forced three Portuguese television crews, who were reporting on FLEC-FAC forces in the bush, to leave Cabinda. In July police briefly prevented Associated Press (AP) and BBC journalists from reporting on Zangu-Calombo, the relocation camp for residents who had been evicted from Boa Vista (see Section 1.f.).

UNITA does not permit freedom of expression in the areas under its control.

Academic life has been circumscribed severely by the civil war; however, there generally is academic freedom, and academics do not practice self-censorship. Students are permitted to speak and read freely; however, student and all other protests remained tightly controlled by the Government (see Section 2.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government strictly controls this right in practice, although official tolerance for public protest increased. The law requires a minimum of 3 days' prior notice before public or private assemblies are held, and makes participants liable for "offenses against the honor and consideration due to persons and to organs of sovereignty." Applications for progovernment assemblies are granted routinely without delay; however, applications for protest assemblies rarely are granted. However, during the year, the Government allowed at least five nonofficial public demonstrations against government policy in Luanda, an increase from previous years.

On January 24, 25 members of the small opposition Party for Democratic Support and Progress of Angola (PADPA) staged a hunger strike in front of the presidential palace to protest the lack of government accountability and transparency. Police arrested four of the protesters and charged them with violating a law that restricts demonstrations to outside 100 meters of the palace; they were released within 72 hours after a judge ruled that the demonstrators complied fully with the law (see Section 1.d.).

In September the provincial government of Luanda rejected the request of residents of Boa Vista for official permission to hold a protest march (see Section 1.f.). The Government later televised warnings against demonstrations in Boa Vista, advising that any person violating the order would be punished severely. There was no further action or incident by year's end.

No action reportedly was taken against members of the police who beat protesters and used excessive force to disperse several demonstrations in February 2000, including a PADPA demonstration in front of a church in Luanda (see Section 1.d.).

The Constitution provides for the right of association; however, the Government restricts this right in practice. Legislation allows the Government to deny registration to private associations on security grounds; however, in practice the Government approves most applications, including those for political parties. Democratic opposition parties were permitted to organize and hold public meetings without government interference in Benguela, Huila, Namibe, Malange, Cabinda, and Bengo provinces. However, there were government constraints on the operation of associations. The Government arbitrarily limits organized activities deemed adverse to its interests, by refusing to grant licenses and through other means, such as police or official harassment. During the year, the Ministry of Justice blocked the registration of the Association of Peace, Justice, and Democracy by not taking official action on its application on the basis that the organization's monitoring and documenting prison abuses and due process violations was outside the realm of responsibility of an NGO; however, the association continued to function at year's end.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Government does not require religious groups to register. Colonial era statutes banned all non-Christian religious groups from the country; while those statutes still exist, they are no longer enforced. In March Minister Tijillica announced that a colonial-era law granting civil authority to the churches is to be put back into effect.

A Luanda Catholic FM radio station, Radio Ecclesia, broadcasts weekly several hours of church services and overtly religious programming. In February Radio Ecclesia began airing daily, 1 hour, short-wave broadcasts across the entire country. State-owned television also broadcasts live Sunday morning Catholic Church services.

Members of the clergy in government-held areas regularly use their pulpits to criticize government policies. There were unconfirmed reports that on May 1, the state radio censored remarks made by Dom Zacarias Kamuenho, the Archbishop of Lubango, publicly criticizing both the Government and UNITA on behalf of the Catholic Church after a UNITA raid on the town of Caxito on May 5; however, the Government permitted Dom Zacharia's statement to be broadcast in full on Catholic Radio Ecclesia. Church-based organizations called for peace and dialog, particularly the ecumenical Inter-Church Committee for Peace in Angola (COIEPA) and the Catholic Pro Pace movement. Clergy members also began to criticize the growing numbers of religious groups in the Lunda provinces and in Uige. There also was growing hostility against traditional religions that involve shamans.

While in general UNITA permits freedom of religion, interviews with persons who left UNITA-controlled areas reveal that the clergy does not enjoy the right to criticize UNITA policies.

In January 1999, unknown gunmen killed Father Albino Saluaco, a Catholic parish priest, and two catechists in a town in the province of Huambo that was under UNITA military occupation. No group has claimed responsibility for the incident.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement and residence, and freedom of exit from and entry into the country; however, the Government does not respect these rights in practice. A network of government security checkpoints throughout the country interfered with the right to travel. Such checkpoints serve also as the principal source of income for many of the country's security service personnel. Extortion at checkpoints is routine in the center of Luanda and pervasive on major commercial routes. Police routinely harassed refugees at checkpoints (see Section 1.c.). The Government routinely cuts off access to areas of the country that are deemed insecure or beyond the administrative authority of the State. Insecurity prevented persons from transporting goods during the year (see Section 1.g.). General insecurity, poor infrastructure, and landmines also inhibited the free movement of persons throughout the country.

There were some reports that the MPLA attempted to restrict the ability of opposition deputies to travel within the country.

There were reports that police and army members obstructed the movement of NGO's in the country (see Sections 1.c., 1.g., and 4).

Landmines are a major impediment to freedom of movement. UNITA used landmines primarily on roads and trails to disrupt transportation, and to control village populations. Government mining generally was confined to strategic positions around towns for defensive purposes, and government use of landmines reportedly declined during the year. There are an estimated 7 million landmines deployed throughout the country. Fear of injury and death from landmines effectively imprisoned and impoverished entire communities. There were numerous deaths and injuries resulting from landmine explosions during the year (see Section 1.g.).

The Government temporarily prohibited journalists who were convicted of defamation from traveling outside of the country (see Section 2.a.). Foreign journalists must obtain authorization from the Ministry of the Interior in order to obtain access to government officials or to travel within the country. Media requests to travel to areas that were not controlled by the Government were routinely denied.

The Government did not place restrictions on emigration and repatriation; however, there were some reports that immigration officials harassed and extorted money from foreign businessmen.

The number of IDP's continued to increase during the year; however, the exact number of IDP's is unknown because of continuing insecurity. Between January and August, there were approximately 300,000 new IDP's in the country. According to the U.N. Office for the Coordination of Humanitarian Affairs (OCHA), more than 3 million IDP's have been reported since the resumption of the conflict in 1998; approximately 1.8 million IDP's have been identified. In 2000 the Ministry of Assistance and Social Re-insertion (MINARS) estimated that there were 3,800,000 war-affected persons in the country. In 2000 the U.N. reported that there were 1,480,942 confirmed IDP's and a total of 2,299,314 reported IDP's in the country. Many IDP's are returned refugees from neighboring countries who were reintegrated into the country from 1994 to 1998. The majority of registered IDP's were located in Bie, Huambo, and Malange provinces in the interior of the country. IDP's who arrived from UNITA-controlled areas displayed signs of abuse and severe malnutrition. MINARS has primary responsibility for IDP's and implemented housing and resettlement programs; however, these efforts remained inadequate.

According to the Government, there are 120 IDP camps in the country, 35 of which were remote from urban centers, and there is a lack of adequate water supply in these areas. IDP's frequently were harassed in camps. For example, there was a credible report that in April, the coordinator for the Mussende Camp in Viana insisted that camp residents pay for water. In some camps, IDP's are required to contribute labor, and coordinators occasionally required IDP's to pay for the materials that go into bricks for constructing structures in the camps. There also were reports that the camp coordinator threatened to deny food aid to camp residents who refused to pay for their water. There were instances in which police officers and soldiers harassed IDP's, and IDP's were denied humanitarian assistance due to the misappropriation by the authorities who were stealing supplies. IDP's were conscripted forcibly in both government and UNITA controlled areas (see Section 1.f.). There also have been reports of male IDP's being forced by authorities to leave IDP camps and return to their places of origin. However, the IDP's overall situation improved during the year. In November 2000, the U.N. High Commissioner for Refugees (UNHCR) began new IDP assistance programs and provided protection and assistance in three northern provinces during the year. The UNHCR IDP assistance program was scheduled to end in 2002.

On January 5, the Government passed a decree that assigns the provinces responsibility for IDP resettlement. It specifies a minimum amount of cultivable land for each family, provides for freedom from landmines and provisions for health centers, schools, water, drainage, equipment, and farm supplies, and it includes requirements for coordination between the provinces and traditional authorities.

The governor of Malange province reportedly moved displaced populations that were suspected of sympathizing with UNITA into villages that were located in the path of oncoming rebel attacks. Provincial governments in the country at times relocated IDP's to areas with security problems. There were credible reports that military forces and local leaders increased the forcible displacement of civilians during the year as

part of the military's counterinsurgency strategy; the Government failed to provide these populations with adequate shelter and aid (see Section 2.d.). Residents of Boa Vista who were evicted by the Government in June were relocated to a camp without adequate water and sewer systems; at least 5,000 continued to reside at the camp, which was intended to become their permanent residence, at year's end (see Section 1.f.). In July the FAA forcibly relocated the entire population of a village in Moxico to Luena with only 1 hour prior notice. Many IDP's were moved from transit camps and urban warehouses with poor conditions to rural, safe security areas, and provided with homes, small land parcels, medical care, and education by the Government, U.N. agencies, and NGO's.

According to UNHCR, more than 400,000 citizens have sought refugee status in neighboring countries since the conflict began. The largest numbers of Angolan refugees are in the DRC, where 180,000 refugees resided and in Zambia, where 210,000 refugees were located at year's end. Throughout the year, new Angolan refugees continued to flee to the DRC, Zambia, and Namibia. Access to the DRC and Zambia was unhindered; however, the closure of Namibia's border with the country prevented some refugees from gaining asylum in Namibia.

In August more than 600 Angolan refugees reportedly returned from the Republic of Congo to Cabinda under UNHCR auspices. In November 2000, the UNHCR reported that between 15,000 and 18,000 citizens gathered near the border with the DRC; they remained near the border at year's end. Thousands of citizens reportedly crossed into Namibia during the year, although there were unconfirmed reports that some refugees were denied entry into Namibia early in the year.

The law provides for the granting of refugee and asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the UNHCR and other human rights organizations in assisting refugees. According to the UNHCR, the Government provides first asylum to approximately 12,000 refugees from the DRC. An eligibility committee to evaluate asylum claims meets regularly to evaluate asylum requests.

There were no reports of the forced return of persons to a country where they feared persecution.

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

The Constitution provides all adult citizens with the right to choose the President of the Republic and deputies in the 220-seat National Assembly by secret ballot in direct multiparty elections; however, in practice citizens have no effective means to change their government. The Lusaka Protocol established the mechanism for returning the country to an electoral calendar. The Constitutional Committee of the National Assembly continued to work on a new constitution and a new electoral law; however, the process was not completed by year's end. During the year, progress on constitutional reform was blocked by deadlock between the opposition and the ruling MPLA party in the National Assembly. The Government stated its intention to hold elections by year's end, but later postponed them until 2003.

The President is elected by absolute majority. If no candidate wins such a majority, a runoff must take place between the two candidates with the most votes. Of the 220 deputies in the National Assembly, 130 are elected on a national ballot, and 90 are elected to represent the provinces. The Electoral Law also calls for the election of three additional deputies to represent citizens living abroad; however, those positions were not filled in the 1992 elections.

Ruling power is concentrated in the President and other members of the Council of Ministers, through which the President exercises executive power. The Council can enact decree-laws, decrees, and resolutions, thereby controlling most functions normally associated with the legislative branch. Although the Constitution establishes the position of Prime Minister, the President dismissed the Prime Minister during the MPLA Party Congress at the end of 1998, assumed the position himself by decree, and continued to hold the position at year's end. The National Assembly has, since its inception, served as a rubber stamp for the Council of Ministers. However, with opposition deputies holding approximately 43 percent of National Assembly seats, substantive debates sometimes took place on issues such as the peace process, the Government's budgeting priorities and accountability, and constitutional reform. During the year, regular parliamentary sessions were held according to an annual schedule.

The 1992 elections were the first multiparty democratic elections in the country's history; they were conducted with U.N. supervision and financial support. MPLA president Jose Evaristo dos Santos won a plurality of votes cast in the presidential election (49 percent), and UNITA leader Jonas Savimbi finished second (40 percent). Although local and international observers declared the election to be generally free and fair and called on UNITA to accept the results, UNITA claimed that the elections were fraudulent, rejected the results, and returned the country to civil war. The runoff election between dos Santos and Savimbi was never held. The Lusaka Protocol stated that it would take place following a U.N. determination that requisite conditions exist. The National Assembly voted in June 1999 to cancel the runoff election, pending a determination that conditions are appropriate for a new election.

In 1997 UNITA and 10 smaller opposition parties joined the ruling MPLA in a government of national unity and reconciliation. In 1998 UNITA officials assumed 4 ministerial and 7 vice-ministerial positions, and 70 UNITA deputies took their seats. UNITA governors, vice governors, and local administrators were nominated, but remaining positions were filled by members of a splinter UNITA group, UNITA-Renovada, which is recognized and assisted by the Government. The National Assembly promulgated a special status for Savimbi, declaring him to be the leader of the largest opposition party and providing him with 5 official residences and a bodyguard contingent of 400 personnel. The National Assembly revoked Savimbi's status in 1998 for abrogating his duties under the Lusaka Protocol. In 1999 the Government declared Savimbi a war criminal and

issued a warrant for his arrest; the warrant remained outstanding at year's end.

During the year, the Ministry of Justice launched a program to issue new identity cards to citizens for voter registration purposes.

Opposition parties complained of harassment and intimidation by the Government. There were reports of localized harassment of individuals who were not members of the ruling party, particularly after increased UNITA military activity. For example, after a series of UNITA attacks, members of UNITA-Renovada in Uige went into hiding because of fear of reprisals from the local population. There also were reports that members of the MPLA beat and detained UNITA-Renovada members whom they accused of supporting Savimbi in Uige and Kwanza Norte. In August authorities detained seven MPLA members in Lubango, Huila, for invading and vandalizing UNITA-Renovada's municipal office.

The percentage of women in government or politics does not correspond to their percentage of the population; however, there are no legal barriers to the participation of women in the political process. Women occupy 10 of 83 cabinet positions, 35 of 220 seats in the National Assembly, and none of the 9 places on the Supreme Court.

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

The Government does not prohibit independent investigations of its human rights abuses; however, it fails to cooperate and often uses security conditions as a false justification to deny access to affected areas.

There were more than 120 registered NGO's operating in the country; approximately 45 were domestic NGO's. Local NGO's actively promoted human rights during the year. During the year, the Ministry of Justice blocked the registration of the Association of Peace, Justice, and Democracy by failing to respond to its application (see Section 2.b.).

There were reports of FAA and police harassment of NGO workers during the year. Some organizations reported incidents of harassment to local police that subsequently were investigated and in some cases redressed; however, the general pattern of NGO harassment continued (see Sections 1.c. and 1.f.). There were credible reports that persons working for NGO's were targeted for forced recruitment; however, they usually were released after their employers intervened with the Government. There were unconfirmed reports that UNITA rebels targeted citizen NGO employees in the country, using darker skin color as the primary means of distinguishing them from foreign employees.

The Government allowed the discussion of human rights violations and problems relating to the war, including conferences by the Open Society Institute and Women's Movement for Peace and Development, during the year.

Several international organizations have a permanent presence in the country, including the ICRC and the human rights division of the U.N. Unlike in the previous year, Human Rights Watch did not visit the country.

Human rights organizations were constrained by the general insecurity that existed outside the capital.

The Constitution provides for the creation of an Office of the Provider of Justice, or Ombudsman, designated by the National Assembly for a 4-year-term, to defend citizens' rights and liberties. However, this office was not established by year's end.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Under the Constitution, all citizens are equal before the law and enjoy the same rights and responsibilities regardless of color, race, ethnicity, sex, place of birth, religion, ideology, degree of education, or economic or social condition. The Government does not have the ability to enforce these provisions effectively.

Women

Domestic violence against women was widespread. Credible evidence indicated that a significant proportion of homicides was perpetrated against women, usually by spouses. The Ministry of Women and Family deals in part with violence against women, and the Government continued its project to reduce violence against women and improve the status of women; efforts during the year included a public education campaign. Domestic violence is prosecuted under rape and assault and battery laws. Rape is defined as a forced sexual encounter and is punishable by up to 20 years in prison; the law treats sex with a minor as nonconsensual. However, an inadequate judicial system obstructs investigation and prosecution of such cases. Allegations of rape by government forces in the central highlands increased during the year (see Section 1.c.). During the year, four FAA soldiers were convicted of the rape of a pregnant woman. They were tried first in a military court and sentenced to 7 years imprisonment; a civil court subsequently sentenced them to the maximum 20 years punishable for the offense. There were reports of rape by UNITA forces.

Sexual harassment was a problem, which has been publicized in the official media. There is no specific legal provision regarding sexual harassment; however, such cases can be prosecuted under assault and battery

and defamation charges.

The Constitution and Family Code provide for equal rights without regard to gender; however, societal discrimination against women remained a problem, particularly in rural areas. In addition a portion of the Civil Code dates to colonial times and includes discriminatory provisions against women in the areas of inheritance, property sales, and participation in commercial activities. There are no effective mechanisms to enforce child support laws, and women carry the majority of responsibilities for raising children. Due to poor economic conditions, an increasing number of women engaged in prostitution. The law provides for equal pay for equal work; however, in practice women rarely are compensated equally. Some women hold senior positions in the armed forces (primarily in the medical field) and civil service, but women mostly are relegated to low-level positions in state-run industries and in the small private sector. In much of the country, women constituted a growing percentage of persons with disabilities, as they were most likely to become victims of landmines while foraging for food and firewood in agricultural areas. Under the law, adult women may open bank accounts, accept employment, and own property without interference from their spouses. Upon the death of a male head of household, the widow automatically is entitled to 50 percent of the estate with the remainder divided equally among legitimate children.

Women increasingly were active in lobbying for rights during the year. Rede Mulher/Angola, an association of organizations that advocates for women's rights, pressured the Government to increase awareness of women's concerns in the country. In October the association participated in the International Women's March Against Poverty and Violence Against Women. The organization addressed violence in the home and workplace, education, and IDP problems.

A series of national conferences on women's rights, partially funded by foreign donors, continued to call for the Government to amend the Civil Code to end women's legal inequality, create a social welfare program, and strengthen enforcement mechanisms for existing legislation.

Children

Approximately 50 percent of the population is believed to be under the age of 15; however, the Government paid little attention to children's rights and welfare. The Ministry of Education barely functioned due to a lack of resources and corrupt administration. Private religious, community, or corporate groups have been unable to fill this vacuum.

Primary and secondary education is free and compulsory until the age of 14; however, students often have to pay significant additional expenses. Although primary education was compulsory, there were not enough schools, and many children had to work to support their families. Teachers were chronically unpaid and often demanded unofficial payment or bribes from students. Teachers engaged in strikes in provinces throughout the country during the year (see Section 6.a.). The net enrollment rate of school-age children is 40 percent; however, while 50 percent of children 5 to 14 years of age are in school, only 30 percent of children remain in school after grade 5. There was an 18 percent enrollment rate gap favoring boys over girls. Almost 1 million children are estimated to be out of school, with no prospect of integrating them into the education system. Most of the educational infrastructure was either partially or totally damaged and lacks basic equipment and teaching materials. Only 42 percent of the population was literate, and the illiteracy rate for women is almost twice that of men.

Children often were victims in the civil war. The mortality rate for children under 5 years of age increased; UNICEF reported a child mortality rate of 295 per 1,000 in 2000. Malnutrition among children was a problem. UNICEF documented that during the period between 1995 and 2000, 42 percent of children under 5 years of age moderately were underweight and 14 percent severely were underweight. Government and UNITA forces killed, kidnaped, and injured children during attacks throughout the year (see Sections 1.a., 1.b., 1.c., and 1.g.). Children continued to be killed and injured by landmine explosions (see Section 1.g.). According to the Angolan National Institute for the Removal of Explosive Obstacles and Devices (INAROE) and the U.N. Development Fund, out of a total of 427 landmine accidents in 2000, 101 involved children under the age of 18.

The Government took some steps to protect children's rights during the year. The Government publicly criticized the kidnaping of 60 children in Caxito by UNITA in May. The Government launched an 18-month campaign to register and identify an estimated 5 million children, many of whom were separated from their families during the war. The campaign was designed to improve children's access to government services and to offer greater protection against underage recruitment into the armed forces; the campaign continued during the year. On August 7, the Ministry of Justice launched an 18-month campaign to register and provide identity papers to minors up to the age of 17 and announced that churches would be allowed to perform civil registration. As a result of the war and increasing numbers of IDPs, millions of persons lack birth certification and identification documents, making proof of age impossible for schools, employers, and conscription. The Government continued to publicize the problems of street and homeless children during the year. The Government considers its registration program to be a first step in addressing the number of homeless children.

The UNICEF in 1998 estimated that there were approximately 5,000 street children in Luanda; some were orphans or abandoned while others ran away from their families or government facilities that were unable to support them. Living conditions in government youth hostels are so poor that the majority of homeless children preferred to sleep on city streets. Street children shine shoes, wash cars, and carry water, but many resort to petty crime, begging, and prostitution in order to survive (see Section 6.d.). The government-sponsored National Institute for Children was established in the late 1980's to enforce child protection, but it lacks the capacity to work adequately with international NGO's. The institute reported that in a sample from Cachingo,

the number of street children assisted by the institute doubled from 7,890 in 2000 to 14,000 during the year, and that more than 90 percent of these children suffer from malnutrition.

An international NGO that works with street children estimated that there are 500 to 1,000 underage prostitutes in Luanda. There are no laws that specifically prohibit child prostitution; however, child prostitution is prohibited by a general criminal statute. The age of sexual consent is 12 years, and any sexual relations with a child under 12 years of age is considered rape. Sexual relations with a child between the ages of 12 and 17 can be considered sexual abuse. There are no laws specifically against child pornography; however, pornography is prohibited statutorily. The Ministry of Family and Women's Affairs enforces and oversees special family courts, and the National Institute for Assistance to Children has daily responsibility for children's affairs.

In July the Government began to implement a civil registration campaign to facilitate the adherence to the minimum age requirement of 18 years for military recruitment. In November and December, the Government began a conscription campaign that focused on legal compliance with age restrictions; however, significant numbers of children reportedly continued to be recruited as a result of the absence of civil registration and the inability to prove dates of birth (see Section 1.f.). There continued to be reports of forced recruitment of children in the provinces. There were credible reports that UNITA often forcibly recruits children as young as 10 years of age into its armed forces (see Section 1.f.).

There are no active domestic private children's rights advocacy groups; however, several international organizations advocate for children's rights in the country.

Persons with Disabilities

The number of persons with physical disabilities includes an estimated 80,000 disabled landmine survivors. While there was no institutional discrimination against persons with disabilities, the Government did little to improve their physical, financial, or social conditions. There is no legislation mandating accessibility for persons with disabilities in public or private facilities, and, in view of the degradation of the country's infrastructure and high unemployment rate, it was difficult for persons with disabilities to find employment or participate in the education system.

Indigenous People

The population includes 1 to 2 percent of Khoisan and other linguistically distinct hunter-gatherer tribes scattered through the provinces of Namibe, Cunene, and Cuando Cubango. There is no evidence that they suffer from official discrimination or harassment, but they do not participate actively in the political or economic life of the country, and they have no ability to influence government decisions concerning their interests.

There was a lack of adequate laws to protect the rights of traditional pastoral communities of the Ovimbundu, Nanheca, and Ovambu, in the Cunene and Huila provinces as the Government attempted to clarify land titles in the region. Property laws inherited from the colonial era protected the power of large landholders and threatened the existence of traditional communities. In July the Ministry of Agriculture, in conjunction with the U.N. Food and Agriculture Organization, began fencing off plots of land for pastoral groups in these provinces. Associacao Leonardo Sikufinde-Shalom Angola (ALASSA), a Catholic organization that advocates for indigenous people's rights, criticized the Government for providing plots that were too small and for failing to include persons most affected in government planning; the case continued at year's end. Unlike in the previous year, there were no reports that some members of indigenous groups committed suicide upon loss of their wealth or property.

National/Racial/Ethnic Minorities

Years of war and internal dislocation have produced substantial integration of ethnic and linguistic groups, particularly in the coastal areas, where as much as half of the population resides. The largest ethno-linguistic group, approximately 40 percent of the country's population, is Ovimbundu, whose traditional region includes much of the south-central part of the country. Although the Ovimbundu form the base for UNITA, there is little evidence of systematic discrimination against them by the Government or other groups. Other important ethno-linguistic groups include the Bakongo in the north; Kimbundu in the north-central area; and Chokwe in the far east. The coastal population centered in Luanda and, to a lesser extent, Benguela-Lobito, predominantly speaks Portuguese as a first language. The Portuguese-speaking group includes a large minority of "Mesticos" of mixed European and African ancestry and a small, white, predominantly Portuguese-descended population. In addition approximately 30,000 Portuguese citizens live in the country, forming the bulk of the nonrefugee expatriate community.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form and join trade unions, engage in union activities, and strike; however, the Government does not respect these rights consistently in practice. The Government dominates the National Union of Angolan Workers (UNTA), which is the labor movement affiliated with the ruling MPLA party; however, there are two independent unions, the General Center of Independent and Free Labor Unions of Angola (CGSILA) and the small Independent Union of Maritime and Related Workers (SIMA). The CGSILA has a membership of approximately 50,000 members, and UNTA claims to have more than 400,000 members. There are tensions between the two organizations. There were reports that members of the CGSILA were fired

from their jobs for recruiting UNTA members to join the CGSILA. The law requires that labor unions be recognized by the Government. Restrictions on civil liberties potentially prevent any labor activities not approved by the Government and constitute an obstacle to trade union activities which the Government considers against its interests; however, the major impediment to labor's ability to advocate on behalf of workers is the 60 percent formal sector unemployment rate.

The Constitution provides for the right to strike. Legislation passed in 1991 provides the legal framework for, and strictly regulates that right. The law prohibits lockouts and worker occupation of places of employment and provides protection for nonstriking workers. It prohibits strikes by armed forces and police personnel, prison workers, and fire fighters. The law does not prohibit employer retribution against strikers effectively. The law permits the Government to force workers back to work for breaches of worker discipline and participation in strikes.

SIMA strikes continued during the year, and there were spot strikes elsewhere in the country.

In January UNTA led general strikes by public employees to demand an increase in the minimum wage (see Section 6.e.). In June the Government agreed to increase the monthly public sector minimum wage from approximately \$15 (400 kwanzas) to approximately \$50 (1,500 kwanzas).

In May workers in Uige province held a protest march against high living costs and late salary payments.

Teachers and nurses continued to engage in wildcat strikes during the year.

In December 2000, UNTA organized a 3-day strike demanding an increase in the minimum wage. The CGSILA refused to cooperate and openly criticized UNTA for coopting CGSILA's long-standing support for a minimum wage increase, but demanding half of the amount that the CGSILA had advocated.

Unions have the right to affiliate internationally. The CGSILA cooperates with the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) and participates in the International Labor Organization (ILO). Individual trade unions maintain relations with counterpart unions in other countries.

b. The Right to Organize and Bargain Collectively

The Constitution provides for the right to organize and for collective bargaining; however, the Government does not respect these rights in practice. The Government does not facilitate a positive environment for constructive labor management negotiations. The Government dominates the economy through state-run enterprises. The Ministry of Public Administration, Employment, and Social Security sets wages and benefits on an annual basis. Legislation prohibits discrimination against union members and calls for worker complaints to be adjudicated in regular civil courts. Under the law, employers found guilty of antiunion discrimination are required to reinstate workers who have been fired for union activities. In practice neither the Labor Code nor the judicial system are capable of defending these rights, and the Government has been unwilling to enforce them.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor; however, it also permits the Government to force public sector workers back to work for breaches of worker discipline and participation in strikes. There were reports that the army forcibly conscripted persons (see Section 1.f.).

The law prohibits forced and bonded child labor, and there are no reports that such labor occurs in government-held areas; however, the Government does not have the capacity to enforce this legislation in nongovernment-held areas (see Section 6.d.).

UNITA forces regularly abducted children for military service and other forms of forced labor (see Sections 1.b., 1.f., and 5). UNITA depended on forced labor for much of its logistical support. Refugees and IDP's reported that rural women frequently were forced to work as porters for UNITA military units and kept in life-threatening conditions of servitude. There continued to be some reports of sexual assault of abductees during the year.

d. Status of Child Labor Practices and Minimum Age for Employment

The legal minimum age for employment is 14 years. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort, and children under 16 years of age are prohibited from factory work; however, these provisions generally are not enforced. The Inspector General of the Ministry of Public Administration, Employment, and Social Security is responsible for enforcing labor laws. Although child labor law enforcement is under the jurisdiction of the courts, in practice, the court system does not provide adequate protection for children. Child labor violations were punishable with fines and restitution. There is no formal procedure for inspections and investigations into child labor abuses outside of the family law system, although private persons can file claims for violations of child labor laws. The Ministry maintains employment centers where prospective employees register, and the center screens out applicants

under the age of 14; however, many younger children work on family farms, as domestic servants, and in the informal sector as street vendors. Family-based child labor in subsistence agriculture is common. Children under 12 years of age work for no reimbursement for their families and in apprenticeships. Poverty and social upheavals have brought large numbers of orphaned and abandoned children, as well as runaways, into unregulated urban employment in the informal sector.

The Government ratified ILO Convention 182 on the worst forms of child labor during the year.

The law prohibits forced and bonded child labor; however, the Government is unable to enforce these provisions, and children were regularly abducted by UNITA forces for forced labor (see Sections 6.c. and 6.f.).

e. Acceptable Conditions of Work

The minimum wage set by the Ministry of Public Administration, Employment, and Social Security was approximately \$30 (600 kwanzas) per month for the first half of the year; however, the Government does not enforce this standard. The majority of urban workers earn less than \$10 (200 kwanzas) per month. Most workers hold second jobs, engage in subsistence agriculture, rely on aid from relatives, or engage in corruption to supplement their incomes. Neither the minimum wage nor the average monthly salary, which are estimated at \$20 (400 kwanzas) to \$200 (4,000 kwanzas) per month, are sufficient to provide a decent standard of living for a worker and family. As a result, most wage earners depend on the informal sector, subsistence agriculture, corruption, or support from abroad to augment their incomes. CGSILA continued to demand a minimum wage increase and better working conditions during the year. The Government took no measures to rectify the national system of setting the minimum wage during the year; however, during the year, the Government established a working group to examine the minimum wage issue, and in June the Government agreed to raise the public sector minimum wage to approximately \$50 per month (see Section 6.a.).

Employees receiving less than the legal minimum wage have the right to seek legal recourse; however, it is uncommon for workers to do so.

On January 7, oil workers seized a foreign-owned oil rig to demand payment of severance packages. The workers took 50 foreign workers hostage but released them on January 10; they then flew to Luanda, where they were arrested but subsequently released within 72 hours.

A 1994 government decree established a 37-hour workweek; however, the Ministry of Public Administration was unable to enforce this standard, just as it was unable to enforce existing occupational safety and health standards. Workers cannot remove themselves from dangerous work situations without jeopardizing their continued employment.

Foreign workers (legal or illegal) are not protected under the labor law. They receive legal protection if they work under contract, otherwise they receive protection only against criminal acts.

f. Trafficking in Persons

The Constitution prohibits human bondage, although no legislation exists to enforce this position. There are reports that Angolans are trafficked to the United Kingdom for labor exploitation and that women are trafficked to South Africa. There also continued to be allegations that UNITA abducted persons, including children, for forced labor and military service, and abducted women for use as sex slaves. There were credible reports that UNITA forcibly recruited children into its military (see Section 5).

In July the Government implemented measures to register children to protect them against potential trafficking (see Section 5). The Ministry of Social Reinsertion (MINARS) worked with UNICEF and NGO's to provide treatment and housing for freed children. For example, in March 2000, 42 children who had been separated from their families were traced and reunited.

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