

07 MRS. 2001



U.S. DEPARTMENT OF STATE

[Home](#) | [Contact Us](#) | [FOIA](#) | [Search](#)[About the State Department](#) | [Travel & Living Abroad](#) | [Business Center](#) | [Other Services](#) | [Employment](#)
[Press & Public Affairs](#) | [Countries & Regions](#) | [International Topics & Issues](#) | [History, Education & Culture](#)

41

Angola

Country Reports on Human Rights Practices -2000
Released by the Bureau of Democracy, Human Rights and Labor
February 2001



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 splinter group 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 Angolan armed forces (FAA) destroyed the conventional military capacity of UNITA, and by January drove the rebels from their heartland on the central plateau into the country's far east and into scattered pockets elsewhere. By March the FAA had consolidated its military control of most of the nation's territory; however, UNITA reorganized itself as a guerrilla force and carried out ambushes or attacks on lightly defended targets. 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 in 2001, but later postponed them until 2002. 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 Armed Forces of Angola (FAA) are responsible for protecting the State against external threats and have intervened in regional conflicts every year since 1996. The FAA claimed that it had integrated more than 10,000 UNITA soldiers since the 1999 fall offensive. With the resumption of localized hostilities within the country, the FAA became involved in counterinsurgency operations against UNITA. 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 Government's security forces remain firmly under civilian leadership. Security forces committed numerous, serious human rights abuses.

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. Forty percent of the budget remains dedicated to defense (or 22 percent of gross domestic product (GDP)). The economy was in disarray and despite abundant natural resources, output per capita is extremely low. Angola produces more than 750,000 barrels of oil per day, a total that is expected to rise to over 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 worth of diamonds in the areas controlled by the Government. There also are lucrative untapped mineral, agricultural, and hydroelectric resources in the country; however, corruption and mismanagement are pervasive in the public sector and widespread in the private sector. The Government has begun to liberalize its import regimes and reform its regulatory agencies to better allow the importation of the goods and services on which the economy depends. Annual per capita GDP was approximately \$450. 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 political unrest.

The Government's human rights record remained poor; although there were some 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. The Government often failed to pay the salaries of the majority of its security service personnel. The poor discipline and poor working conditions of the police force made it the

worst offender; military units generally have 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 through the extortion of the civilian population. Prison conditions were harsh and life threatening. The Government routinely used arbitrary arrest and detention, and lengthy pretrial detention is a problem. Although the Government made some efforts to discipline members of the security services for abuses, the Government often did not punish those in the security services who were responsible for abuses. 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 at times restricted freedom of speech and of the press, and intimidated journalists into practicing self-censorship. A Government crackdown on the independent media continued until March and resulted in the harassment, arrest, detention, and trials of journalists; however, by April the Government expanded the limits 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. The Government continued to limit independent investigations of human rights abuses, although it allowed international human rights organizations, including Amnesty International, to conduct research in the country. Violence and discrimination against women were common; adult and child prostitution are problems; and children and the disabled 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.

The armed faction of UNITA under Savimbi 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 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. 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. Political and Other Extrajudicial Killing

Security forces committed extrajudicial killings. Police participated in shakedowns, muggings, and carjackings. There were reports that army units engaged in a scorched earth policy during the year, burning villages and killing civilians in Cuando Cubango and Lunda Sul provinces. There were also reports that soldiers summarily executed civilians.

There were reports that Government soldiers killed civilians in Namibia. After Namibia decided in December 1999 to allow FAA to launch anti-UNITA attacks from Namibian territory, there was extensive cross-border fighting which resulted in civilian deaths and injuries. FAA soldiers killed a number of Namibian civilians during the year. On January 22, an FAA member killed Thadeus Mubili in Mushangara in western Caprivi. No further information was available on the case at year's end. On May 27, an FAA member killed Thaddeus Vili at Bagani near the Kavango and Caprivi regions. An FAA member was arrested by police in Namibia; there was no further information available on the case at year's end. In July the army executed two Namibian civilians and injured another.

Some individual members of the FAA reportedly also committed summary executions in the Republic of the Congo.

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

In December 1999, there was an unconfirmed report that the FAA killed 47 civilians during operations in the Lunda Sul province. There was no investigation into the incident nor was any action taken by year's end. In February 1999, government forces reportedly killed several civilians after retaking the town of Mbanza Congo from UNITA. There was no investigation into the incident nor action taken by year's end.

There were no investigations into, nor was any action taken against those responsible for the extrajudicial killings of more than 40 persons during 1998, including the UNITA provincial secretary in Xa-Cessau, the UNITA communal secretary of Quibaxe, and the local UNITA secretary of Cangundu.

Numerous localities changed hands during the year, a process that often involved the extrajudicial killing of government or UNITA administrators and persons accused of collaboration. Internally displaced persons and refugees risked their lives to flee 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. Strong anecdotal information suggested that both sides summarily executed prisoners of war (POW's).

On January 12, over 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.

During the year, there was a conviction in the case of the 1996 killing of state-television reporter Antonio Casimiro (see Section 2.a.).

UNITA used landmines in Namibia, which resulted in dozens of deaths and numerous injuries of civilians and security force officers. At the end of September, the Government reported that more than 130 persons had been killed or injured by landmines in Namibia. Landmine explosions killed at least 10 civilians and injured 36 others in the Kavango region of the country by the end of June.

Both Government and UNITA forces continued to use antipersonnel landmines (see Section 1.g.). According to the National Institute for the Removal of Explosive Obstacles and Devices, a government agency, 100 persons were killed and 327 were injured by landmine explosions during the first half of the year; most of the incidents occurred in areas that had been mined by UNITA. There was an unconfirmed report that on February 17, 10 persons were killed and 18 were injured when a truck hit an antitank mine. In April 33 persons were killed and 17 injured, including two young children, in two landmine attacks in the province of Uige. The Government blamed UNITA rebels for the deaths.

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 extrajudicial killings during attacks on villages. Interviews with many refugees indicated that UNITA committed abuses, including public extrajudicial killings, as a deliberate policy. On February 6, UNITA shelled and attacked Santa Clara in Cunene province; at least 26 civilians were killed and more than 40 were injured. There was an unconfirmed report that on March 21, UNITA rebels stoned and crucified six children for allegedly giving information to the Government. On May 20 and 21 in Bie province, UNITA attacked and looted a hospital in Camacupa. On June 7, the government press reported the discovery of 17 mass graves in the Bie province, each containing more than 100 bodies; however, the report was not confirmed by independent sources by year's end. On July 8, an orphanage in Huambo province was attacked and looted, reportedly by 100 UNITA bandits; a teenager was killed, 4 were injured, and 25 were kidnapped. On August 8, UNITA rebels killed four civilians during an attack on the town of Catete.

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. Many such attacks occurred on the Malanje-Luanda road during the year.

UNITA forces reportedly killed 80 Christians during the year for providing information to the Government (see Section 2.c.).

During raids in the Kavango and Caprivi regions of Namibia, UNITA forces killed civilians. On January 9, suspected UNITA forces shot and killed two civilians outside of Rundu. In February UNITA forces killed three civilians and burned nine houses in Shinyungwe village.

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

On October 2, the body of journalist Antonio Paciencia 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.

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 extrajudicial killings in UNITA-held areas. Two former UNITA secretaries general, a former head of UNITA intelligence, and others reported that Savimbi personally ordered extrajudicial killings 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 further developments into the September 1999 case in which National Assembly Deputy Joao Ngolongombe Jacob, who was a member the non-Savimbi faction of UNITA, was killed by unknown persons. In January 1999, a U.N. chartered aircraft was shot down; there was no further information available on the case at year's end. In January 1999, Father Albino Saluaco and two catechists were killed by armed men in Huambo (see Section 2.c.); although no group claimed responsibility for the killings, there were credible reports that it was UNITA.

UNITA and the separatist group FLEC-FAC killed foreign nationals. For example, on April 27, FLEC-FAC killed a foreign national during an ambush north of Dingo.

FLEC-FAC forces tortured and killed civilians in the Cabinda region (see Section 1.a.). In May FLEC-FLAC forces kidnapped three foreign and one local employee of a construction company.

On June 2, 12 persons were killed and 52 were injured when a group of children brought a discarded missile into a refugee camp near Malanje, and it exploded.

On June 10, polio vaccination workers passing through the Huambo area discovered an ambushed truck with 7 dead persons inside.

On July 9, approximately 100 members of UNITA attacked a residential school and training center in Huambo Province; the UNITA members kidnaped 21 children, killed 1 boy, and injured at least 4 others.

On October 20, there were reports that dozens of persons were killed during an attack by unknown gunmen on two buses and a car. Reportedly a bus was set on fire with the passengers still inside; the gunmen also burned the other two vehicles.

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 disappeared.

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. Those who escaped UNITA custody and were able to return to government-held areas reported that they were subjected to torture, beatings, and sexual abuse (see Section 1.c.). There was an unconfirmed report that on January 29, six armed men abducted two teenage girls from a village near the border. UNITA rebels were suspected in the incident; however, no further information was available on the incident by year's end. On July 9, approximately 100 members of UNITA attacked a residential school and training center in Huambo Province; the UNITA members kidnaped 21 children, killed 1 boy, and injured at least 4 others. On July 18, UNITA kidnaped two priests, eight nuns, and five students during an armed attack on a Roman Catholic mission in Benguela Province. The kidnaped persons were released on July 26.

There were also reports that members of the FLEC-FAC separatist group kidnaped civilians. On May 25, members of FLEC-FAC kidnaped three foreign and one local employee of a Portuguese company in Cabinda; FLEC-FAC claimed that they still were holding them at year's end.

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 human rights organizations reported 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 regularly are detained under inhuman conditions and are subjected to primitive and brutal forms of interrogation. Nonpolitical criminal suspects also are subjected to detention and abuse, although to a much lesser extent. There have been no cases in which an army or police official has been disciplined for the use of excessive force against an UNITA suspect. Police often beat and released suspects in lieu of trials (see Section 1.d.). Police frequently participate in shakedowns, muggings, carjackings, and killings. Police also extorted money from travelers at checkpoints, and routinely harassed refugees (see Section 2.d.).

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.

Police officers and soldiers reportedly harassed internally displaced persons (IDP's) and denied them humanitarian assistance due to misappropriation of supplies (see Section 2.d.).

There were reports that police beat protesters during demonstrations in February (see Section 2.b.).

There were numerous reports of abuses of Namibian citizens by the FAA in the border areas. A Namibian human rights organization reported that in July the army executed two Namibian civilians and wounded another (see Section 1.a.).

Some individual members of the FAA reportedly committed acts of rape and looting in the Republic of the Congo (see Section 1.a.).

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

The U.N. and 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 of 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 with information on UNITA or from fleeing to government-controlled areas. On July 9, approximately 100 members of UNITA attacked a residential school and training center in Huambo Province; the UNITA members kidnapped 21 children, killed 1 boy, and injured at least 4 others.

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

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

Prison conditions are harsh and life-threatening. Cells are overcrowded and lack basic sanitary facilities. 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 the Government and the National Assembly Committee on Human Rights acknowledged that conditions are inhuman and announced modest appropriations for improvements in the Sao Paulo Prison hospital in Luanda and Viana prison outside the capital. Members of the Committee 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. 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 were also housed with other prisoners.

The Government permitted foreign diplomatic personnel and local and international human rights monitors to visit prisons during the year, and unlike in the previous year, they were permitted to visit individual prisoners. A local NGO was launched to document prison conditions in Luanda (see Section 4).

The conditions of UNITA's prisons were not known; 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. Security forces used arbitrary arrest and detention during the year. 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. 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. Such rights are frequently ignored in practice; however, the Government paid increased attention to the rights of prisoners during the year; however, there was no substantial change in practice by year's end. There is 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 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 over 135 days without trial. The National Security Law provides for a maximum of 180 days of preventive detention. In practice, laws regarding preventative detention frequently are ignored. Over 90 percent of inmates in Luanda still are awaiting trial, and it is believed that the national average is over 50 percent. Inmates who have been awaiting trial for 2 or 3 years are common. In many cases, police beat and then released detainees rather than make any effort to prepare a formal court case.

In February police disrupted several demonstrations; they arrested and detained protestors (see Section 2.b.).

On October 27, the Independent Union of Maritime and Association Workers of Angola (SIMA) engaged in a strike. Management threatened to fire the striking workers in retaliation, but all of the striking workers retained their jobs. Police arrested six strikers, but they were released on October 30 and acquitted of charges of disturbing the peace.

In December 1999, a journalist, Andre Domingos Mussamo, was arrested and held in preventive detention for 3 months on charges of defamation before being released on bail in March (see Section 2.a.). Although the Press Law only allows a maximum of 15 days in detention, and other laws allow for a maximum detention of 45 days, the provincial Attorney General extended Mussamo's detention to 90 days; in April Mussamo was released without a trial, and in May all criminal charges against him were dropped.

The Government holds an unknown number of suspected UNITA officials and supporters in areas where

government control was regained. In past years, the Government invariably 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.

UNITA continued to kidnap and detain persons primarily from rural areas against their will. The number of such persons is unknown.

The Lusaka Protocol provides for the release, under International Committee of the Red Cross (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. 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.

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 court 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 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. 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. During the trial of Rafael Marques and Aguiar Dos Santos, the judge closed proceedings to the general public (except for members of the Bar Association), although visitors were allowed to observe the closing statements and the announcements of the final ruling (see Section 2.a.).

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. 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 are usually lay persons, not licensed lawyers. The judge and two lay persons elected by the full court act as the jury.

On November 24, the MPLA introduced a general amnesty bill to the National Assembly, which was approved on November 29. Although the non-Savimbi faction of UNITA introduced its own version, it later withdrew the proposal. The bill requires a voluntary request for amnesty by any individual and covers national security crimes, honesty (defamation), military crimes and common crimes. The bill also includes a 90-day period during which an individual is allowed to request amnesty. The bill was not implemented formally by year's end; however, many prisoners were released under its provisions during the year.

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 about 5 percent of the country, and 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 are numerous confirmed reports that UNITA holds political detainees. 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.

There were reports that army units engaged in a scorched earth policy during the year, burning villages and killing civilians (see Section 1.a.). 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.c.).

On June 20, 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; the addresses were not given to them. The Government did not acknowledge nor attribute responsibility for the incident.

The Government threatened to evict from his home a journalist who had been charged with defamation (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 minors may have been recruited. Under the law, military service is obligatory, but the pattern of the forced 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. The Government denied that forced recruiting was taking place. Church groups, civil society institutions, and foreign embassies protested the manner of conscription.

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

UNITA continued to conscript civilians, including children forcibly, 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 were Lunda Norte, Lunda Sul, Malange, Bie, and Moxico, although UNITA also has mounted raids on or near the coast. 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. Government personnel frequently confiscated food, including donated relief supplies, livestock, and personal property; however, respect for humanitarian workers and property by security forces improved during the year as the result of an order from the Armed Forces Chief of Staff and better liaison between the Government and the U.N. on such problems.

There were reports that army units engaged in a scorched earth policy, burning villages and killing civilians (see Section 1.a.).

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

In July 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.).

In May the U.N. estimated that as many as 7 million landmines have been laid in the country, and new mines were laid during the year. There were numerous injuries and deaths resulting from landmines (see Sections 1.a. and 1.c.). Various NGO's participated in landmine clearance operations during the year, and the Government implemented a Mine Action Plan.

UNITA forces routinely violated citizen's rights in pursuit of military objectives. UNITA attacks against civilian populations as a guerrilla strategy 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.).

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

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.

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. Although the Government's respect for freedom of the press improved marginally beginning in March, the Government continued to intimidate and threaten journalists into practicing self-censorship. There were reports that the Government pays journalists to publish progovernment stories. The Government detained for up to several months or placed under investigation journalists who reported on sensitive issues, including military operations, government corruption, and UNITA, especially Jonas Savimbi. However, 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.

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 lessened during the year.

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. In June journalist Gustavo Costa, the editor of a Portuguese newspaper, was convicted of defamation against the Governor of Kwanza North, Manuel Pacavira. In June the director of the independent weekly *Agora*, Aguiar Dos Santos, and a columnist for *Folha 8*, Rafael Marques, were found guilty of defamation. On October 27, the Supreme Court upheld the convictions of Marques, Aguiar Dos Santos, and Costa. Aguiar Dos Santos was sentenced to 2 months in prison, a fine, and travel restrictions; their sentences were suspended for 3 years. Costa was sentenced to 8 months for defamation, which also was suspended for 3 years, and travel restrictions were imposed on him. On December 11, the Supreme Court ordered the police to lift the travel restrictions that had been imposed on Marques, Dos Santos, and another journalist, Antonio Freitas; however, on December 12, government officials prevented Marques from leaving the country and temporarily confiscated his passport. Travel restrictions subsequently were lifted for the three journalists.

In January Rafael Marques, a columnist for the independent weekly, *Folha 8* who was arrested and detained for a July 1999 article critical of President Dos Santos, was released on bail after 45 days of preventive detention (see Section 1.d.). His trial for defamation of the President in March 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. On April 27, 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, and his appeal was pending at year's end. During the year, the local government threatened to evict Natalicio from his home, and filed another defamation charge against him. In July the local government in Kwanza Norte evicted him from his home on the grounds that his work for independent and international radio stations violated his lease.

In August 1999 the Government banned Isaias Soares, a VOA and Radio Ecclesia journalist, from covering official events or reporting on military issues in Malange. In July and August, the Government continued to harass Soares, and the provincial government seized his motorcycle, which was his only means of transport.

In 1999 the Government harassed, arrested, and detained more than 20 journalists on charges of slander, defamation, and crimes against the security of the State; however, such incidents decreased during the year. In July 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. In December 1999, police arrested and detained in Kwanza Norte province Andre Mussamo, correspondent for Angolan National Radio and contributor to *Folha 8*, for "violation of a state secret." On May 31, 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. Mussamo reportedly still is under investigation, and he has been barred from leaving the country or from practicing journalism. The Union of Angolan Journalists criticized the Government's actions in the Mussamo case.

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. There are also 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. 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 hostile propaganda campaign against UNITA, including unconfirmed allegations of UNITA massacres, as a means of influencing local and international public opinion.

There were some attempts by the Government to improve relations with the media, including visits to independent radio and newspapers by the Vice-Minister of Social Communication. Media harassment diminished in most areas in the latter half of the year, with the exception of Kwanza Norte and Malange, where the Government continued to target journalists.

As a result of the Marques trial, the Government decided to revise the press law. In August a committee appointed by the President released a draft law for public comment. Despite wide criticism of the new text, the Government encouraged a series of public seminars, and radio and television programming on the topic. In September the Government extended the original 6-week review period by 3 weeks to accommodate public feedback. 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, the process had not begun by year's end.

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 were routinely denied. The Government placed no abnormal visa restrictions on foreign journalists and allowed them freedom to report on all aspects of society.

During the year, there was a conviction in the case of the 1996 killing of state-television reporter Antonio Casimiro (see Section 1.a.).

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 is academic freedom, and academics do not practice self-censorship.

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.

On February 18, 25 members of the Party for the Support of Democracy and Progress in Angola (PADPA) members demonstrated in front of the Carmo Church in downtown Luanda in a highly publicized hunger strike against an increase in fuel prices. Police dispersed the demonstration on the grounds that the police had not received the required 3-day notification prior to the demonstration, and police detained 12 protestors. There also were allegations of police assault against protestors. On February 23, police dispersed a demonstration outside the Luanda Provincial Government and reportedly beat some demonstrators. On February 24, police with rifles dispersed a demonstration, arrested 10 protestors, including the leaders of 2 opposition parties, and reportedly beat some of the protestors. On February 25, the police issued an apology for the arbitrary arrests.

The Government became more tolerant of public protest during the latter half of the year. On March 11, officials permitted an opposition march by 100 members of opposition parties against high fuel prices; this was the first authorized opposition demonstration since 1992.

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 accepts virtually all applications, including those for political parties. However, there are informal 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.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government 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.

Members of the clergy in government-held areas regularly use their pulpits to criticize government policies.

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 had claimed responsibility for the incident by year's end (see Section 1.a.).

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

Journalists who were convicted of defamation were temporarily prohibited by the Government from traveling outside of the country (see Section 2.a.).

Landmines are a major impediment to the 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. Estimates of the total number of landmines deployed throughout the country range into the millions. Fear of injury and death from landmines effectively imprisoned and impoverished entire communities. There were at least 100 fatalities due to landmine explosions during the year, and there are over 80,000 survivors of landmine explosions (see Section 1.g.).

In April the Angolan Ministry of Assistance and Social Re-Insertion (MINARS) estimated that there were 3,800,000 IDP's in the country. In the same month, the U.N. reported 1,480,942 confirmed IDP's and a total of 2,299,314 reported IDP's in the country. There are 120 IDP camps in the country, 35 of which were inaccessible due to their distance from urban centers, and there is a lack of adequate water supply in these areas. Many IDP's are former returnees from neighboring countries who were reintegrated into the country from 1994 to 1998. There were instances in which IDP's were harassed by police officers and soldiers, and denied humanitarian assistance due to misappropriation by the authorities. IDP's were conscripted forcibly in both Government and UNITA controlled areas (see Section 1.f.). Provincial governments in the country at times relocated IDP's to areas with security problems. On June 2, 9 persons were killed and 50 were injured when a discarded missile exploded in an IDP camp (see Section 1.a.). There have also 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. 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 and UNHCR. In November the UNHCR began new IDP assistance programs and now provides protection and assistance in three provinces.

Approximately 170,000 citizens sought refuge in the Democratic Republic of the Congo (DRC) as a result of the conflict. In November the UNHCR reported that between 15,000 and 18,000 citizens gathered near the border with DRC; they remained near the border at year's end. Thousands of citizens reportedly crossed into Namibia during 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 U.N. High Commissioner for Refugees. The Government provides first asylum to refugees. An eligibility committee to evaluate asylum claims meets regularly to evaluate asylum requests. According to UNHCR, the country has approximately 12,000 refugees, 90 percent of whom are from the DRC.

There were no reports of the forced expulsion of persons with valid claims to refugee status.

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

The Constitution provides all adult citizens with the right to vote by secret ballot in direct multiparty elections to choose the President of the Republic and deputies in the 220-seat National Assembly; however, in practice citizens have no effective means to change their government. The Lusaka Protocol establishes 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, the Government announced that elections were scheduled for 2001, but later postponed them until 2002. Opposition parties complained of harassment and intimidation by the Government.

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. Nevertheless, with opposition deputies holding about 43 percent of National Assembly seats, substantive debates sometimes took place on issues ranging from the peace process to the Government's budgeting priorities and accountability. In August the parliamentary opposition held a 3-day conference in a National Assembly annex with the specific objective of organizing an electoral coalition; the conference included 300 activists from seven opposition parties.

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 Edardo 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.

There are no legal barriers to the participation of women in the political process; however, women are underrepresented in government and politics. 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. In October a local NGO, Maos Livres, was launched to document and expose prison conditions in Luanda. During the year, Maos Livres also provided free legal counsel to detained strikers from an independent longshoremen's union (see Section 6.a.).

Several international organizations have a permanent presence in the country including the ICRC and the human rights division of the U.N. Human Rights Watch visited the country three times during the year.

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 had not been established at year's end.

During the year, U.N. activities in the country resumed with a limited mandate and staff.

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

Violence against women was widespread. Credible evidence indicated that a significant proportion of homicides was perpetrated against women, usually by spouses. In 1997 the Ministry of Women and Family was created to deal in part with violence against women. The Government continued its project to reduce violence against women and improve the status of women, and efforts during the year included public education campaign. Allegations of rape by Government forces in the central highlands increased during the year (see Section 1.c.). There were some unconfirmed reports of rape by UNITA forces.

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 the disabled, 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.

A series of national conferences on women's rights, partially funded by foreign donors, continued to produce calls 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 gave 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. Although primary and secondary education was free, 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.

UNITA and the Government allowed 8,000 child soldiers to be demobilized in 1996-97. The Government has not brought any significant numbers of children back into the armed forces, although some children have been caught up in forced recruitment campaigns (see Section 1.f.). There were credible reports that UNITA often forcibly recruits children as young as 10 years of age into its armed forces.

Children often were victims in the civil war. Government and UNITA forces killed, kidnaped, and injured children during attacks throughout the year (see Sections 1.a., 1.b., and 1.c.). Children were killed and injured by landmine explosions in increasing numbers (see Section 1.a.).

The U.N. Children's Fund 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.). 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.

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 to assist dispossessed youth. The Government publicized the problems of street and homeless children during the year. There are no active private children's rights advocacy groups.

People with Disabilities

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

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, about 40 percent of the country's population, is Ovimbundu, whose traditional region includes much of the south-central part of the country. Although they 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 about 30,000 Portuguese citizens live in the country, forming the bulk of the nonrefugee expatriate community.

The population also 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.

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 over 400,000 members. There are tensions between the two organizations. 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; 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.

There were several strikes during the year by teachers. On August 7, teachers in four provinces engaged in strikes to protest lack of training and low wages (see Section 5). In September the Angolan Teachers Union organized a protest to demand a salary increase and back pay. Although teachers were paid arrears in Benguela, Lobito, and Kwanza South, other provinces claimed they were unable to make payments, and teachers returned to work by year's end. On October 27, the Independent Union of Maritime and Association Workers of Angola (SIMA) engaged in a strike. Management threatened to fire the striking workers in retaliation, but all of the striking workers retained their jobs. Police arrested six strikers, but they were released on October 30 and acquitted of charges of disturbing the peace. On December 12, UNTA organized a 3-day strike for 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. The minimum wage had not been increased by year's end. In 1999 the National Union of Teachers, affiliated with CGSILA, twice called for a national strike to demand better and regular pay in order to correct the Government's chronic failure to pay teachers on schedule. On the first occasion, the Government negotiated with the union, but on the second occasion some members of the union were arrested and tried for acts against the State, although none were convicted or imprisoned as a result.

Unions have the right to affiliate internationally.

b. The Right to Organize and Bargain Collectively

The Constitution provides for the right to organize and for collective bargaining; however, the Government generally does not respect those rights in practice. 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.

On November 5, several railroad workers were ordered home after they reportedly attempted to change their union affiliation from UNTA to CGSILA; none of the workers were fired, and they continued to belong to UNTA at year's end.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law permits the Government to force workers back to work for breaches of worker discipline and participation in strikes, and has been cited by the International Labor Organization (ILO) as an example of forced labor in violation of ILO conventions. There were reports that the army forcibly conscripted persons (see Section 1.f.). The law prohibits forced or 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.

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 internally displaced persons 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 has not ratified ILO Convention 182 on the worst forms of child labor; however, there are no reports that such child labor exists in the country.

The law prohibits forced or bonded child labor; however, the Government is unable to enforce these provisions, and children were regularly abducted by UNITA forces for forced labor (see Section 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 during 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. The Government took no measures to rectify the national system of setting the minimum wage during the year. Employees receiving less than the legal minimum wage have the right to seek legal recourse; however, it is uncommon for workers to do so.

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.

f. Trafficking in Persons

The Constitution prohibits trafficking in persons; however, there continued to be allegations that UNITA abducted persons, including children, for forced labor, and abducted women for use as sex slaves. There were reports that the Government forcibly recruited persons (see Section 1.f.). There were credible reports that UNITA forcibly recruited children into its military (see Section 5).

[End.]

[Privacy Notice](#) | [Disclaimers](#) | [Archive](#)