

[Home](#) > ... > [Angola](#)

2023 Trafficking in Persons Report: Angola

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

IN THIS SECTION / ANGOLA (TIER 2)

ANGOLA (Tier 2)

The Government of Angola does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Angola remained on Tier 2. These efforts included identifying more victims; training frontline officials on the national referral mechanism (NRM) and standard operating procedures (SOPs); and cooperating with foreign governments on cross-border trafficking cases. However, the government did not meet the minimum standards in several key areas. The government investigated, prosecuted, and convicted fewer traffickers. The government did not have adequate protection services to assist trafficking victims, including shelter services. The government did not allocate sufficient resources to implement its NAP. The government did not have regulations to oversee labor recruitment agencies beyond periodic labor inspections.

PRIORITIZED RECOMMENDATIONS:

- Systematically implement and conduct training for front-line officials on the NRM and SOPs for the proactive screening and identification of victims among vulnerable groups, including foreign nationals such as migrants and refugees, particularly in Lunda Norte, as

well as North Korean and Cuban workers, and refer trafficking victims to appropriate services.

- Increase efforts to investigate and prosecute trafficking crimes, especially sex trafficking and labor trafficking in the construction sector and in animal herding, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Increase access to shelters and services for adult and child trafficking victims, either directly or in partnership with NGOs or international organizations.
- Appropriately fund the Inter-ministerial Commission to Combat Trafficking in Persons (Commission) to effectively coordinate and build capacity across the government and implement the NAP on trafficking in persons.
- Dedicate resources to address vulnerabilities of returned Angolan migrants from Namibia and screen for human trafficking indicators during the ongoing climate crisis in Huíla, Cunene, and Namibe provinces.
- Amend Article 178 to criminalize all forms of internal sex trafficking.
- Establish and implement policies to formally disconnect the requirement of participation in investigations and prosecutions for victim identification and to receive official trafficking victim status.
- Conduct trainings and multi-sector information sharing workshops for law enforcement officials, prosecutors, and the judiciary on implementing the anti-trafficking provisions in Angolan law.
- Expand the collection of law enforcement and victim protection data for trafficking cases, specifically the number of victims referred and provided protective services, and compile data from all provinces.
- Support the provision of legal identity documents among vulnerable Angolan populations, to increase access to services and reduce vulnerability to trafficking.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Angolan law criminalized all forms of labor trafficking and some forms of sex trafficking. Penal Code Article 177 criminalized slavery, with penalties of seven to 15 years' imprisonment, and the buying or selling of a child younger than the age of 14 for the purpose of adoption or slavery, with penalties of five to 10 years' imprisonment. Article 178 criminalized the labor trafficking of

adults and children and prescribed penalties of four to 10 years' imprisonment. Article 189 criminalized some forms of domestic adult sex trafficking and prescribed penalties of one to eight years' imprisonment. Article 190 criminalized transnational adult sex trafficking and prescribed penalties of two to 10 years' imprisonment. Article 196 criminalized child sex trafficking and prescribed penalties of five to 15 years' imprisonment. These penalties were all sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. A 2020 amendment to the penal code removed "sexual exploitation" as a purpose of a trafficking crime in Article 178. Because the other anti-trafficking articles did not criminalize all forms of internal sex trafficking, Angolan law did not criminalize all forms of sex trafficking.

The government initiated eight human trafficking investigations with nine suspects and continued 13 investigations from the previous reporting period, compared with 13 investigations initiated in the previous reporting period. The government did not initiate any new prosecutions for the second consecutive year, but continued prosecution of 10 alleged traffickers from previous reporting periods. The government reported one conviction of a trafficker for forced labor; the court sentenced the trafficker to 18 months in jail. This compared with two convictions in the previous reporting period.

The government did not report any prosecutions or convictions of government employees complicit in human trafficking crimes; however, corruption and complicity remained a significant concern, inhibiting law enforcement action. Observers reported officials in border provinces, specifically Lunda-Norte province, regularly accepted bribes to facilitate illegal entry from the Democratic Republic of the Congo (DRC). Some immigration officers lacked understanding of the definition of human trafficking, conflating it with migrant smuggling, hindering law enforcement efforts. The government initiated investigations during previous reporting periods of allegedly complicit officials, including from the civil registration office and migration and foreigners service involved in trafficking crimes; investigations remained ongoing. For the third consecutive year, the government did not report investigating or resolving disputes involving well-connected individuals allegedly forcing members of the San Indigenous group to work as indentured servants. Observers reported high-ranking government officials were allegedly complicit in facilitating sex trafficking in certain areas of Luanda.

Multiple law enforcement agencies were mandated to investigate human trafficking. The Commission coordinated investigations and prosecutions of trafficking cases with the national police, the Criminal Investigation Services, Migrant and Foreign Services, and the Attorney

General. There were no specialized courts for prosecuting cases of human trafficking and all cases were tried in criminal courts. Observers reported court resources were inadequate to effectively prosecute trafficking crimes. Additionally, law enforcement did not consistently or effectively enforce laws against child sex trafficking. The Ministry of the Interior (Mol), in partnership with an international organization, conducted seven human rights trainings, including on topics related to human trafficking, in the provinces of Benguela, Luanda, Cabinda, Huambo, Huila, Lunda-Sul, and Malanje. The Ministry of Justice and Human Rights (MJHR) and Mol, in partnership with an international organization, held one regional workshop on human trafficking and migrant smuggling for police officers in the province of Benguela. The MJHR and Mol, in partnership with an international organization, convened two trainings on human rights, which included human trafficking modules, for national police officers and prosecutors in Huambo and Malanje provinces. With support from international organizations, the government collaborated with the Governments of Namibia, Mozambique, and South Africa to investigate transnational trafficking crimes.

PROTECTION

The government increased protection efforts. The government reported identifying 70 trafficking victims, including 47 victims of labor trafficking and 23 victims of sex trafficking, and referred 33 victims to services. Identified victims were from Angola, People's Republic of China (PRC), DRC, Laos, and Namibia. This compared with the government identifying 26 trafficking victims and referring an unknown number of victims to services in the previous reporting period. Observers noted that frontline officials did not understand how to identify trafficking victims, therefore many victims were identified by the community or self-identified to receive services.

The government enacted its SOPs for identification of trafficking victims and a NRM for Protection and Assistance to Victims of Trafficking for their referral to care. The government also had SOPs for assisting child victims of violence, including child trafficking. The government, in partnership with an international organization, conducted four workshops for 300 government officials on the implementation of the SOPs and NRM in Uige, Zaire, Cunene, and Benguela provinces and published and disseminated 1,000 copies of the NRM and SOPs. According to the SOPs, the Commission received trafficking victim referrals, and, in partnership with an international organization, screened and identified trafficking victims and referred them to services. The government's centralized response to human trafficking, bureaucratic processes, and limited staffing capacity resulted in delayed access to services for victims. Despite ongoing trainings, observers reported government officials often conflated

human trafficking with other crimes, such as migrant smuggling and child abuse, and some front-line officials misidentified trafficking victims, hindering their access to protection services. Some victims faced delays in accessing emergency services while awaiting formal certification and extended waiting periods before victims could be repatriated or reintegrated into their home communities.

The government did not have adequate protection services to assist trafficking victims, including access to shelter services. The government provided services to eight trafficking victims and civil society provided services to five trafficking victims. The government, through the National Institute of Children (INAC), operated child support centers for vulnerable children in all 18 provinces that could assist child trafficking victims with food, shelter, basic education, and family reunification. Additionally, the Ministry of Social Action, Family and Promotion of Women managed a national network of safe houses for vulnerable women, counseling centers, and children's centers, which trafficking victims could access. NGOs and religious organizations also operated centers and provided services for trafficking victims; the government did not report providing any financial or in-kind support. The government could also provide foster care and family tracing services for child trafficking victims, as well as legal representation, social workers, and counseling to all victims. Observers reported limited shelter options were available, especially for adults and outside urban areas, and shelter staff lacked specialized training on human trafficking.

The government provided some victim-witness assistance to support participation in the investigation and prosecution of trafficking crimes; both access to care and immigration-related benefits were reportedly not contingent upon the commencement of a criminal investigation and the victim's testimony. Angolan law permitted live teleconference testimony, allowing foreign victims to pursue repatriation to their home countries while still participating in trials, although the government did not report any cases warranting use of this capability during the reporting period. While foreign victims remained in the country, Angolan law provided for immigration relief, including temporary residence documents and the right to seek asylum; the government reported providing one residency permit to a trafficking victim. Observers reported that family tracing and reunification for trafficking victims was delayed due to pandemic-related border closures in the reporting period. Victim-witnesses were eligible for government-provided legal representation, medical and mental health services, some financial support, family tracing assistance, and access to education, while having immunity from crimes committed as a result of their trafficking; the government did not report if any victims received this assistance. In the one conviction during the reporting period, the government reported judges ordered restitution paid to the victims.

With support from an international organization, the government cooperated with the governments of the DRC, Portugal, and Nigeria to identify and repatriate trafficking victims. Despite a high prevalence of transnational trafficking, law enforcement routinely detained and deported undocumented migrants crossing the Angola-DRC border without screening for human trafficking. As a result, authorities may have inappropriately penalized trafficking victims for unlawful acts committed as a result of being trafficked, particularly for immigration violations.

PREVENTION

The government maintained efforts to prevent human trafficking. The Commission, led by the MJHR and the National Directorate of Human Rights, met quarterly and convened regularly with civil society organizations. The Commission did not have a dedicated budget to combat human trafficking or implement its NAP and relied on previously allocated Ministries' general funding to support anti-trafficking activities. The government, in collaboration with international organizations and NGOs, continued to implement its 2020-2025 NAP on Preventing and Combating Trafficking in Persons with donor funding. The government provided anti-trafficking training in 18 provincial workshops for every provincial Human Rights Committee. The government conducted awareness raising initiatives, including television programs and radio broadcasts at the national level, and held anti-trafficking events in Cunene, Uige, and Zaire provinces. The government, with support from an international organization, held cross-border forums on mixed migration and human trafficking with the Governments of Namibia and the DRC to advance cooperation and collaboration on cross-border trafficking. The INAC supported a civil society organization to operate a hotline for crimes against children, including trafficking; the hotline identified 10 trafficking victims and the cases were referred to the national police. The MJHR also operated a hotline for potential victims of crime, including trafficking. The government did not report its efforts to increase data collection pertaining to human trafficking during the reporting period.

Systemic corruption among labor officials and lack of resources prevented effective enforcement of labor laws, including against forced labor. The government did not have procedures to oversee and regulate labor recruitment beyond periodic labor inspections. The government did not report training labor inspectors on trafficking crimes or reporting any potential trafficking crimes to law enforcement. Personnel and financial deficiencies hampered efforts to identify forced and child labor, with a lack of funding to cover transportation expenses for labor inspectors, and limiting inspections to the formal economy, where only one-quarter of Angolans work. In addition, despite the presence of young

children in forced and child labor, labor inspectors focused on children ages 14-17 who had the legal authority to work.

The government demonstrated minimal efforts to issue identification documents to Angolans following its mass registration campaign in 2021. Without proper documentation, Angolans were not able to access most services leaving them vulnerable to trafficking. The Foreign Ministry, in partnership with the MJHR and an international organization, conducted one anti-trafficking training for 200 Angolan diplomats using its new training module integrated into the Foreign Ministry training academy in the previous reporting period. The government did not provide anti-trafficking training to its troops prior to their deployment as peacekeepers. The government did not make efforts to reduce the demand for commercial sex.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Angola, and traffickers exploit victims from Angola abroad. Traffickers exploit Angolans, including children as young as 12 years old, in forced labor in the brick-making, domestic service, construction, agriculture, fisheries, and artisanal diamond mining sectors. Angolan girls as young as 13 are victims of sex trafficking, and girls in domestic work within private homes in Angola are vulnerable to labor trafficking. Angolan adults use children, including Congolese children, younger than 12 in forced criminal activity, such as petty street crimes, because children cannot be criminally prosecuted. Children of refugees lack legal identity documents preventing them from obtaining a secondary education and making them vulnerable to exploitation. As a result of the pandemic, “handlers” increasingly bring children from rural areas to Luanda for street work, including begging, shoe shining, car washing, and parking assistance, where they are vulnerable to forced labor from their handlers and other traffickers. Extreme poverty, economic decline, rising unemployment, and inflation in recent years has led to a significant increase in the number of children using the streets as a source of livelihood, especially in urban areas of the capital.

The provinces of Luanda and Benguela, and the border provinces of Cabinda, Cunene, Lunda Norte, Namibe, Uige, and Zaire are the most high-risk areas for trafficking activities. Government officials in Lunda Norte province continued to deport thousands of undocumented Congolese workers subjecting them to human rights abuses, including rape, leaving them vulnerable to trafficking. Climate change, including slow-onset events like drought in Cunene and Huila provinces, increased displacement, forcing children in some villages to drop out of school to gather water, dig wells, and herd cattle or relocate to urban

areas where they faced increased vulnerabilities to trafficking. Severe food insecurity and malnutrition across the southwestern provinces of Angola increased migration into Namibia.

Transnational traffickers take advantage of Angola's numerous unsecured, informal, and heavily used border crossings. Traffickers take some Angolan boys to Namibia for forced labor in cattle herding and force others to serve as couriers to transport illicit goods as part of a scheme to skirt import fees in cross-border trade with Namibia. Other recruiters take Angolan adults and children to Namibia for work in agriculture, construction, mineral extraction, and unlicensed street vending, where they may be exploited by employers. Traffickers exploit Angolan women and children in forced labor in domestic service and sex trafficking in South Africa, Laos, Namibia, and European countries, including the Netherlands and Portugal. Some men, originally from Algeria and Mauritania, operating small grocery stores – known as *cantinas* – in Angola reportedly forced their wives and children to return to their countries where they may be exploited in domestic servitude.

Trafficking networks recruit and transport Congolese girls as young as 12 years old from Kasai Occidental in the DRC to Angola for labor and sex trafficking. Undocumented Congolese migrants, including children, enter Angola for work in diamond-mining districts, where traffickers exploit some in forced labor or sex trafficking in mining camps. Traffickers also exploit adult and child Congolese economic migrants in forced labor in construction. Women from Brazil, Cuba, DRC, Namibia, and Vietnam engaged in commercial sex in Angola do not have access to their legal identity documents and may be victims of sex trafficking, including in massage businesses and hotels. Large corporations operating in Angola employ Angolan children to work in brick making. PRC national-owned companies with large construction or mining contracts bring PRC workers to Angola, which increased during the pandemic; some companies do not disclose the terms and conditions of the work at the time of recruitment. There are reports that PRC-owned and -operated construction companies exploit Brazilian, PRC, Kenyan, Namibian, Southeast Asian, and possibly Congolese migrants in forced labor, including through withholding passports, threats of violence, denial of food, and confinement. These companies also at times coerce workers to operate in unsafe conditions, which reportedly have sometimes result in deaths. The Cuban government may have forced their citizens to work in Angola, including at least 256 Cuban doctors sent to Angola to combat the pandemic.

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