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In 2020 the Ministry of Culture and the National Institute for Children (INAC) launched a hotline to report violence against children. In March, INAC reported at least 4,700 children had been victims of sexual abuse during the previous 12 months, which was similar to the number it reported in 2021. INAC stated it had launched a campaign in 2021 emphasizing psychosocial support to child victims of sexual abuse and their families, lectures, roundtables, and protests condemning violence against children.

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

There were anecdotal reports that some communities abused women and children due to accusations the latter practiced witchcraft. INAC had educational initiatives and emergency programs to assist children accused of witchcraft.

**Child, Early, and Forced Marriage:** The legal age for marriage with parental consent is 15 for girls and 16 for boys. The government did not enforce this restriction effectively, and the traditional age of marriage among lower income groups coincided with the onset of puberty.

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

Sexual relations between an adult and a child younger than 12 are considered rape, and conviction carries a potential penalty of eight to 12 years' imprisonment. Sexual relations with a child between the ages of 12 and 17 are considered sexual



abuse, and convicted offenders may receive sentences from two to eight years in prison. The legal age for consensual sex is 18. Limited investigative resources and an inadequate judicial system prevented prosecution of most cases. There were reports of prosecutions during the year.

**Displaced Children:** Extreme poverty and the economic decline during recent years led to an increase in the number of children living on the street, especially in urban areas of the capital. These children, estimated to number from the hundreds to several thousand, did not have access to health care or education, often resorted to begging or trash picking for survival, and lived in conditions placing them at great risk for exploitation.

### **Antisemitism**

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

### **Trafficking in Persons**

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

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

**Criminalization:** The constitution prohibits all forms of discrimination but does not specifically address sexual orientation or gender identity. In 2021 changes to the penal code took effect that decriminalized same-sex sexual relations and criminalized acts of violence or discrimination based on a person's sexual orientation. Transgender and intersex persons are not specifically covered in the legislation, nor does it recognize same-sex marriage, leading to problems in adoption and family planning, accompanying family into health-care facilities, and obtaining appropriate identity documents.

**Violence against LGBTQI+ Persons:** Local NGOs reported that lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons faced violence and

harassment, and that police often tolerated violence against LGBTQI+ individuals or against those reporting abuse by failing to investigate or prosecute.

**Discrimination:** Discrimination based on sexual orientation was criminalized in 2021, but LGBTQI+ persons rarely reported incidents to police, and when reported, LGBTQI+ persons asserted that police sometimes refused to register the grievances. LGBTQI+ NGOs assert that societal biases against LGBTQI+ identity result in discrimination in family life, education, health services, and employment. The Ministry of Health continued to collaborate with the National Institute to Fight HIV/AIDS to improve access to health services and sexual education for the LGBTQI+ community.

The Movement EU SOU TRANS Angola reported 10 cases of discrimination against transgender women sex workers in Luanda between 2020 and year's end. The group described eight of the incidents as cases of arbitrary detention due to intolerance and transphobia, one incident of sexual violence by a police officer, and one case of pretrial detention due to charges of sexual abuse of minors.

**Availability of Legal Gender Recognition:** The government does not allow individuals to change their gender identity marker on legal and identifying documents to bring them into alignment with their gender identity. Neither is there an option of identifying as “nonbinary/intersex/gender no-conforming” or other gender identity.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** Involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals occurred but were not well documented. A transgender person reported an involuntary “exorcism,” for instance, because of perceived sexual identity.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** There were no legal restrictions on freedom of expression, association, or peaceful assembly placed on LGBTQI+ groups, some of which have legal recognition as NGOs in the country.

## **Persons with Disabilities**

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

The law also institutes a quota system to encourage the public and private sectors to employ more persons with disabilities, with the public-sector quota set at 4 percent of total employees and the private-sector quota at 2 percent. The government official responsible for overseeing programs to promote inclusion for persons with disabilities acknowledged that both the private and public sectors failed to meet the quota system established by law. Persons with disabilities included more than 80,000 survivors of land mines and other explosive remnants of war. Because of limited government resources and uneven availability, only 30 percent of persons with disabilities were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling.

Women with disabilities were reported to be vulnerable to sexual abuse and abandonment when pregnant. The Ministry of Social Assistance sought to address problems facing persons with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by landmine incidents.

Government inaction to enforce these laws limited the ability of persons with disabilities to participate fully in civil life. Accommodations were made in the August national elections, however, to assist persons with disabilities to fully participate.

## **Other Societal Violence or Discrimination**

Discrimination against those with HIV or AIDS is illegal, but lack of enforcement

allowed employers to discriminate against persons with HIV. There were no media reports of violence against persons with HIV. Reports from local and international health NGOs suggested discrimination against persons with HIV was common. The government's National Institute to Fight HIV/AIDS included sensitivity and antidiscrimination training for its employees when they test and counsel HIV patients.

## **Section 7. Worker Rights**

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

The law provides for most workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits some forms of antiunion discrimination but does not explicitly prohibit employer interference with union activity. Legal restrictions limit these rights. The law does not permit members of the armed forces, police, firefighters, members of sovereign bodies, and public prosecutors to form and join independent unions or initiate strikes. The government generally did not effectively enforce labor laws. Labor courts functioned but were overburdened by a backlog of cases and inadequate resources. The law provides for penalties for violations of the law and labor contracts, which are commensurate with those for other laws involving denials of civil rights, but the penalties were not an effective deterrent due to the inefficient functioning of the courts. Penalties were rarely applied against violators.

To establish a trade union, at least 30 percent of workers in an economic sector in a province must follow a registration process and obtain authorization from government officials. The law provides for the right to collective bargaining except in the civil service. The government labels many workers "essential," beyond those sectors defined as essential by the International Labor Organization (ILO), including the transport sector, communications, waste management and treatment, and fuel distribution. In exceptional circumstances involving national interests, authorities have the power to requisition workers in the essential services sector. While the law allows unions to conduct their activities without government interference, it also places some restrictions on their ability to strike. Before engaging in a strike, workers must negotiate with their employer for at least 20 days prior to a work stoppage. Should they fail to negotiate, the government may

deny the right to strike. The government may intervene in labor disputes that affect national security and energy sectors. Collective labor disputes are to be settled through compulsory arbitration by the Ministry of Public Administration, Labor, and Social Security (Ministry of Labor). The law prohibits employer retribution against strikers, but it does not contain effective measures to deter such retribution. The law permits the government to force workers back to work for “breaches of worker discipline” or participation in unauthorized strikes. Nonetheless, the law prohibits antiunion discrimination and stipulates that worker complaints should be adjudicated in the labor court. The Ministry of Labor had a hotline and two service centers in Luanda for workers who believed their rights had been violated. By law employers are required to reinstate workers who have been dismissed for union activities.

During the year, there were several strikes in the public and private sector concerning disputes between employers and workers. There were also allegations of retribution against strikers during the year. Between March and April, doctors undertook a 35-day strike after negotiations with the government for increased salaries and improved hospital conditions failed. The Angolan Doctor’s Union reported that the Ministry of Health, allegedly working with hospital directors, had suspended physicians’ salaries, prevented doctors from entering their workplaces to perform minimal services, and threatened to fire them.

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

The government was the country's largest employer, and the Ministry of Labor mandated government worker wages with no negotiation with the unions. In 2020, President Lourenco created an advisory body, the Economic and Social Council, with 45 members representing large sectors of the country's society but did not include labor representatives. Public-sector labor unions used strikes and protests to advance labor rights. In January taxi drivers held a large strike to protest the administration's COVID-19 restrictions and political grievances.

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

The law prohibits and criminalizes all forms of forced or compulsory labor. The government did not effectively enforce the law due in part to an insufficient number of inspectors and to systemic corruption.

Forced labor of adults occurred in fisheries, agriculture, construction, domestic service, and artisanal diamond-mining sectors, particularly in Lunda Norte and Lunda Sul Provinces. Migrant workers were subject to seizure of passports, threats, denial of food, and confinement. Forced child labor occurred (see section 7.c.). See also the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

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

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

The labor law prohibits discrimination in employment and occupation based on race, color, sex, ethnic origin, country origin and social condition, religion, political opinion, union membership, disability, or language, and the government in general effectively enforced the law in the formal sector. The ILO, however, noted the law did not clearly define discrimination. The constitution prohibits all forms of discrimination. The country's law bans employment discrimination on the basis of sexual orientation and criminalizes sexual harassment. The law provides for equal pay for equal work, but gender pay disparities existed. The law provides that both employers and workers be treated with respect. There were

legal restrictions on women's employment in occupations considered dangerous, in factories, and in industries such as mining, agriculture, and energy.

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

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

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

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

The standard workweek in the private sector is 44 hours, while in the public sector it is 35 hours. In both sectors, the law mandates at least one unbroken period of 24 hours of rest per week. In the private sector, when employees engage in shift work or a variable weekly schedule, they may work up to 54 hours per week before the employer must pay overtime. In the formal sector, there is a prohibition on

excessive compulsory overtime, defined as more than two hours a day, 40 hours a month, or 200 hours a year. The law also provides for paid annual holidays. By law employers must provide, at a minimum, a bonus amounting to 50 percent of monthly salary to employees each year in December and an annual vacation. The law does not cover domestic workers, but a 2016 presidential decree extended some protections and enforcement standards to domestic workers. Workweek standards were not enforced unless employees filed a formal complaint with the Ministry of Labor. The law protects foreign workers with permanent legal status or a temporary work visa.

**Occupational Safety and Health:** Occupational safety and health (OSH) standards are required for all sectors of the economy. Employees have the right to remove themselves from hazardous working conditions without jeopardy to their employment.

**Wage, Hour, and OSH Enforcement:** The government effectively enforced the minimum wage law within the formal labor sector, and penalties were commensurate with those for similar infractions. The Ministry of Labor is charged with implementing and enforcing the law. An insufficient number of adequately trained labor inspectors hampered enforcement efforts. Inspectors have the authority to conduct unannounced inspections and initiate sanctions, but some companies received advance warning of impending labor inspections. The government did not always proactively enforce occupational safety and health standards nor investigate private company operations unless complaints were made by NGOs and labor unions.

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



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