

ANGOLA (Tier 2 Watch List)

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans are reportedly forced to labor in agriculture, construction, domestic service, and artisanal diamond mines within the country. Chinese nationals in Angola exploit Angolan children in brick-making factories and rice farming. There are reports of girls as young as 13 years old in prostitution in the provinces of Luanda, Benguela, and Huila. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as couriers as part of a scheme to skirt import fees in cross-border trade with Namibia. Angolan adults may use children under the age of 12 for forced criminal activity, as children cannot be tried in court. Angolan women and children are subjected to domestic servitude in South Africa, the Democratic Republic of the Congo (DRC), Namibia, and European countries, primarily Portugal. Angolan men are victims of labor trafficking in the Netherlands. Vietnamese and Brazilian women in prostitution in Angola may be victims of sex trafficking. Chinese women are recruited by Chinese gangs and construction companies with promises of work but later are deprived of their passports, kept in walled compounds with armed guards, and forced to pay back the costs of their travel by engaging in prostitution. Chinese, Southeast Asian, Namibian, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; conditions include the withholding of passports, threats, denial of food, and confinement. The Chinese workers are brought to Angola by Chinese companies who have obtained large construction or mining contracts; the companies do not disclose the terms and conditions of the workers at the time of their recruitment before they arrive in Angola. Undocumented Congolese migrants enter Angola for work in its diamond-mining districts, where some experience conditions of forced labor or forced prostitution in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from DRC's Kasai Occidental province to Angola for various forms of exploitation.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts since the previous reporting period; therefore, Angola is placed on Tier 2 Watch List for a third consecutive year. Angola was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Overall, the government continued to demonstrate minimal political will to address trafficking offenses in Angola involving both Angolans and foreign nationals. The government has never convicted a trafficking offender. It also made negligible efforts to increase understanding of trafficking on the part of government officials and the Angolan population generally, a major factor inhibiting progress. Despite undertaking law enforcement action in partnership with Chinese authorities to repatriate 37 alleged trafficking offenders and 14 trafficking victims to China and its investigation of one potential internal trafficking case, the government has failed to prosecute trafficking offenses vigorously. The government neither adopted amendments to its penal code to prohibit trafficking in persons nor finalized draft anti-trafficking legislation, both pending from previous reporting periods. Although it identified and assisted 54 potential child trafficking victims, the government did not complete development of a manual to assist law enforcement officials in identifying victims of trafficking among vulnerable populations; the lack of victim identification may have contributed to the arrests and deportation of foreign victims during the year.

Recommendations for Angola: Amend the penal code to prohibit and punish all forms of human trafficking and provide sufficient protections for victims; train law enforcement officials to use relevant portions of the existing penal

code to prosecute trafficking offenses involving Angolan or foreign victims and convict offenders; investigate and prosecute forced labor abuses in the construction sector; develop and implement procedures for the identification of trafficking victims among vulnerable populations; train law enforcement, social services, and immigration officials in identification and referral procedures; collect and analyze anti-trafficking law enforcement data; expand nationwide anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Angola continued to make minimal law enforcement efforts during the year. Although the government cooperated with Chinese authorities to allow Chinese trafficking offenders to be taken to China and opened one investigation into potential internal labor trafficking, it failed to initiate the prosecution of trafficking offenders in 2012 and has never convicted a trafficking offender. Angola does not have a criminal law that specifically prohibits all forms of trafficking, though the constitution promulgated in February 2010 prohibits human trafficking. The penal code, in force since 1886, is undergoing a comprehensive review and update, which remained pending; thus, the penal code has not yet been amended to incorporate this constitutional provision. Draft comprehensive anti-trafficking legislation also remained pending with the assembly. Some articles of the current penal code may cover trafficking crimes. Article 406 of the current penal code prohibits corruption of those under 21 and imposes an insufficiently stringent penalty of between three months' and one years' imprisonment and a fine. These penalties are not commensurate with those prescribed for other serious crimes, such as rape. Article 4 of the General Labor Law prohibits forced, coerced, or bonded labor, but also prescribes insufficient penalties of a fine of between five and 10 times the average workers' salary. In August 2012, the government adopted the Law on the Protection and Integral Development of Children, which, in Article 7, prohibits the exploitation of children and, in Article 33, the kidnapping, sale, trafficking, or prostitution of children; however, the law fails to define and prescribe penalties for these crimes, limiting its utility.

In January 2013, the national police intercepted a truck carrying 54 children from Huila to Namibe province, allegedly for work on tomato farms; this investigation—the first involving potential Angolan trafficking victims in more than four years—remained pending, with the suspects in detention. The national director of the National Institute of Children (INAC) led a delegation to these provinces to investigate this case, and met with the potential victims, their families, police, the Ministry of Social Assistance and Reintegration (MINARS), the Ministry of Public Administration, Employment, and Social Security (MAPESS), traditional authorities, and farmers. In August 2012, Angolan authorities allowed Chinese authorities to repatriate 37 alleged trafficking offenders and 14 sex trafficking victims whom Chinese law enforcement authorities had identified during their operations within Angola. In 2012, the Angolan government did not initiate criminal prosecutions in this or any other trafficking case. One suspected trafficking offender, arrested and charged with organized crime after a raid on a Chinese construction site in Luanda in April 2011, remained in jail pending trial. Although the government began implementation of a labor agreement with China that requires Chinese companies to follow Angolan labor laws, Angolan authorities have not sought to criminally prosecute Chinese construction companies for alleged forced labor abuses. The government took no action to address allegations of official complicity in trafficking from this or previous reporting periods. For example, in 2012, there were allegations that officials condoned forced child labor at Chinese-owned brick companies and rice farms. Overall, due to a culture of corruption, law enforcement efforts are stymied in many areas, including counter-trafficking. IOM instructed 107 officials on identifying and protecting trafficking victims during two training sessions held in government facilities in Zaire and Uige provinces.

Protection

The government made minimal efforts to protect victims during the year. Though the government identified one case of suspected trafficking and provided short-term assistance to 54 potential victims, both a systematic process for the identification of trafficking victims and legal remedies for victims remained lacking. INAC oversaw child protection networks (CPN) in all 18 provinces that offered health care, legal and social assistance, and family reunification for crime victims under the age of 18. Following their rescue, INAC and MINARS assisted the 54 potential child trafficking victims, providing shelter, food, clothing, and counseling through INAC and MINARS social workers and psychologists. MINARS, the Ministry of Family and Women's Promotion (MINFAMU), and the Organization of Angolan Women operate 27 victim counseling centers, seven multi-purpose shelters, and 51 children's shelters that trafficking victims could access. The 54 children remained one night in a MINARS shelter in Namibe and one night in a MINARS shelter in Huila before being reunited with their families.

Law enforcement, immigration, and social services personnel continued to lack a formal system for proactively identifying victims of trafficking among vulnerable groups, including women in prostitution and undocumented immigrants. During the reporting period, the Ministry of Interior continued its partnership with IOM to develop manuals and standard operating procedures on victim identification based on manuals created for the southern African region. Without standardized procedures for identifying trafficking victims among vulnerable populations, some trafficking victims were likely penalized for unlawful acts committed as a direct result of being trafficked. The government did not offer victims long-term assistance and did not provide foreign victims with temporary residency or other legal alternatives to their removal to countries where they may face retribution or hardship. In addition, documented and undocumented foreign workers are not screened for trafficking victimization and may be arrested and deported for unlawful acts committed as a result of having been trafficked, including immigration and employment violations. For example, if during inspections, workers are found to be without work permits, authorities fine employers and arrest and deport the workers. Even when authorities identified Chinese trafficking victims, the Angolan government routinely repatriated them to China without providing care or ensuring proper treatment upon their arrival in China. The Ministry of Exterior Relations (MIREX) and MINFAMU are responsible for coordinating the repatriation of and providing assistance to Angolans victimized abroad; MIREX investigated cases involving Angolans, mostly women, used to smuggle drugs internationally but determined that they were not trafficked.

Prevention

The government made limited efforts to prevent human trafficking during the reporting period. The government failed to launch any new anti-trafficking awareness campaigns for a second consecutive year. INAC and the Ministry of Social Communication continued to publish anti-trafficking advertisements in the press. In addition, following discovery of 54 children being moved for farm labor in Namibe province in January 2013, INAC officials made unannounced visits to farms in the province to investigate the extent of child labor and meet with MAPESS and local farming associations to request collaboration in preventing child labor in the agricultural sector. The national director of labor led an inter-ministerial commission, formed in May 2012, to examine Chinese labor in Angola and implement a labor accord with the Chinese government, which was signed into effect by the president in March 2012 and called for proper treatment of Chinese workers and compliance with Angolan labor law by Chinese employers and recruitment firms. The government did not make efforts to reduce the demand for commercial sex acts during the year. Angola is not a party to the 2000 UN TIP Protocol.