

|                                 |   |
|---------------------------------|---|
| <b>Country/entity</b>           | Angola<br>Cabinda   |
| <b>Region</b>                   | Africa (excl MENA)  |
| <b>Agreement name</b>           | Memorandum of Peace and Understanding in Cabinda Province   |
| <b>Date</b>                     | 01/08/2006  |
| <b>Agreement status</b>         | Multiparty signed/agreed  |
| <b>Interim arrangement</b>      | No  |
| <b>Agreement/conflict level</b> | Intrastate/intrastate conflict ( Angolan Civil War (1975 - 2002) )  |
| <b>Stage</b>                    | Framework/substantive - comprehensive (Agreement)   |
| <b>Conflict nature</b>          | Government/territory  |
| <b>Peace process</b>            | 137: Cabinda process  |
| <b>Parties</b>                  | Note: The agreement does not have any signatories, however the preamble states that the peace plan is the product of the Government of the Republic of Angola and the Cabinda Forum for Dialogue  |
| <b>Third parties</b>            | Witnessed by representatives of the Episcopal Conference of Angola and Sao Tome, representatives of the Council of Christian Churches of Angola and representatives of the Inter-Ecclesiastical Council for Peace in Angol.   |
| <b>Description</b>              | This is a publication in the official bulletin containing the resolution (n°27 A/06) of the national assembly to authorise the president of the republic to make peace under the memorandum of understanding for peace and reconciliation in the province of Cabinda, and the resolution (n°27-B/06) approving said memorandum. |

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**Agreement document** [AO\\_060801\\_Memorandum\\_of\\_Peace\\_and\\_Understanding\\_tr.pdf](#) []

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**Agreement document (original language)** [AO\\_060801\\_Memorandum\\_of\\_Peace\\_and\\_Understanding\\_PT.pdf](#) []

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## Groups

|                         |   |
|-------------------------|---|
| <b>Children/youth</b>   | <a href="#">Rhetorical</a><br>Page 39, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas<br>Article 24 (Special powers in the field of social assistance and reintegration)<br>It is the responsibility of the Provincial Government, in the field of social assistance and reintegration:<br>a) to ensure, coordinate, encourage and supervise the province's social protection system by developing child and social education, support for the fight against hunger, emergency aid and social reintegration of the population;... |
| <b>Disabled persons</b> | <a href="#">Rhetorical</a><br>Pages 53, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration<br>ARTICLE 65 (Competences)<br>...   |

6. In the field of Health, Education, Culture, and Rural Development: Social Assistance and Reinsertion:

...

d) to ensure the social assistance and reintegration of the municipality through social support measures to combat the famine of vulnerable and at-risk populations and social reintegration of displaced, refugee and disabled people.

|                                     |  |
|-------------------------------------|--|
| <b>Elderly/age</b>                  | No specific mention.   |
| <b>Migrant workers</b>              | No specific mention.   |
| <b>Racial/ethnic/national group</b> | No specific mention.   |
| <b>Religious groups</b>             | No specific mention.   |
| <b>Indigenous people</b>            | No specific mention.   |
| <b>Other groups</b>                 | No specific mention.   |
| <b>Refugees/displaced persons</b>   | <p><b>Substantive</b></p> <p>Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum A) General:</p> <p>1.2. The cessation of hostilities and reconciliation in the Province of Cabinda implies:</p> <p>b) reconciliation, which includes ....Repatriation and social reintegration of refugee populations in the Province of Cabinda in the national life...</p> <p>Page 11, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:</p> <p>7. Repatriation and social reintegration of the populations of the Cabinda Province refugees in the Republic of Congo and in the Democratic Republic of Congo in national life:</p> <p>7.1. The Parties accept the establishment of the reintegration of the refugees from the Province of Cabinda in the Republic of Congo and in the Democratic Republic of Congo in the national life.</p> <p>7.2. The Government is responsible for the social reintegration of the people of the Province of Cabinda who are refugees in the Republic of Congo and in the Democratic Republic of the Congo, through the Ministry of Social Assistance and Reintegration with the support of the President's House of the General Staff of the Armed Forces of Angola and includes the following:</p> <p>a) implementation of a program to repatriate refugees in the Republic of Congo and the Democratic Republic of Congo to the Province of Cabinda or another province of the country;</p> <p>b) implementation of a resettlement program for repatriated populations with emergency assistance (food, clothing and medical care) to populations repatriated for a period not exceeding six months;</p> <p>c) the implementation of a special agricultural and livestock production program for the repatriated populations with a view to their self-sufficiency.</p> <p>Pages 51, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration ARTICLE 65 (Competences)</p> <p>6. In the field of Health, Education, Culture, and Rural Development: Social Assistance and Reinsertion:</p> |

...

d) to ensure the social assistance and reintegration of the municipality through social support measures to combat the famine of vulnerable and at-risk populations and social reintegration of displaced, refugee and disabled people.

**Social class** No specific mention.

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## Gender

**Women, girls and gender** Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government, ARTICLE 15 (Competences of an economic and social nature)  
The Cabinda Provincial Government has special powers of an economic and social nature:

...

i) to support the development of specific family functions and to promote equal opportunities for women in social and labour spheres.

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors ARTICLE 42 (Competence)

1. The Vice Governor for the economic and productive sector is responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

...

d) ... women's empowerment ...

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** Page 36, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 15 (Competences of an economic and social nature)

The Cabinda Provincial Government has special powers of an economic and social nature:

i) to support the development of specific family functions and to promote equal opportunities for women in social and labour spheres.

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors ARTICLE 42 (Competence)

1. The Vice Governor for the economic and productive sector is responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

...

d) ...family...

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## State definition

### State definition

#### [State configuration](#)

Page 3, Memorandum, CHAPTER I General Provisions of the Memorandum, B) Fundamental principles of the Memorandum of Understanding:

...

1.2. The Parties reiterate the unequivocal acceptance of the Republic of Angola as a unitary and indivisible State under the law; ...

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## Governance

### Political institutions (new or reformed)

#### [General references](#)

ANNEX 1/7 OF ANNEX 7 outlines the governance structure for the Province of Cabinda including TITLE II Government of the Province of Cabinda.

Important provisions include:

CHAPTER IV State Administration in the Province of Cabinda

TITLE II Government of the Province of Cabinda

CHAPTER V Organizational Structure of the Provincial Government [pages 42-43]

CHAPTER VI Statute of Members of the Provincial Government [page 44]

CHAPTER VII Provincial Government Council [pages 43-44]

CHAPTER VIII Governor [pages 45-46]

CHAPTER IX Vice Governors [pages 46-47]

CHAPTER X Provincial Council of Social Conciliation and Arbitration [47-48]

CHAPTER XI Technical Support Services; CHAPTER XII Instrumental Support Services; CHAPTER XIII Executive Services [pages 48-50]

TITLE III Municipal Administration

CHAPTER II Organic Structure of Municipal Administration (page 53);

CHAPTER III Municipal Board of Directors (page 54);

CHAPTER IV Municipal Administrator (page 55);

CHAPTER V Deputy Municipal Administrator (page 56);

CHAPTER VI Municipal Council of Social Conciliation and Arbitration (page 56-57);

CHAPTER VII Technical Support Services (page 57);

CHAPTER VIII Instrumental Support Services (page 58); CHAPTER IX

Executive Services (page 58-59)

TITLE IV Community Administration

CHAPTER II Organic Structure of Communal Administration (page 63); CHAPTER III Council of Communal Administration (page 63-64);

CHAPTER IV Communal Administrator (page 64);

CHAPTER V Communal Deputy Administrators (page 65);

CHAPTER VI Communal Council of Social Conciliation and Arbitration (page 66);

CHAPTER VII Instrumental and Executive Technical Support Services

TITLE V Neighbourhoods and settlements (page 67)

TITLE VI Public Administration in the Province (page 68)

TITLE VII Public-Private Partnerships (page 68)

TITLE VIII Program Contracts and Protocols (pages 68-69)

TITLE IX Economic and Financial Regime of the Provincial Government of Cabinda

**Constitution's  
affirmation/renewal**

Page 3, Memorandum, CHAPTER I General Provisions of the Memorandum, B) Fundamental principles of the Memorandum of Understanding:

1.1. The Parties reaffirm the respect for the Constitutional Law and other legislation and legal precepts in force in Angola;...

Page 34, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER II Objectives and Attributions of the Provincial Government of Cabinda, ARTICLE 10

The Provincial Government of Cabinda has as its objective the development of the province and the Country, through (illegible) National, with the observance of the Constitutional Law, of the deliberations of the National Assembly and the Government, as well as of the other legal precepts.

Page 35, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government ARTICLE 13 (Political-administrative and institutional competences)

The following are the special political, administrative and institutional powers of the Provincial Government of Cabinda:

...

a) carry out the governance of the province, defending compliance with the Constitutional Law and other legislation and precepts in force and ensuring the effectiveness of citizens' fundamental rights and freedoms;...

Page 44, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER VII Provincial Government Council ARTICLE 35 (Definitions, roles, and competences)

...

4. The matters of specific interest to the province, observing the Constitutional Law and other legislation and legal precepts in force and without prejudice to the attributions and competences of the Central Government, are as follows:

- a) matters, for which the Provincial Government of Cabinda has, within the scope of its attributions, special powers of general and specific scope;
- b) other matters considered important.

Page 45, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER VIII Governor ARTICLE 40 (Competence)

1. It is the responsibility of the Provincial Governor: a) to ensure compliance with the constitution and other legal acts; ...

Page 55, TITLE III Municipal Administration, CHAPTER IV Municipal Administrator ARTICLE 71 (Competence)

1. The Municipal Administrator shall be responsible for:

- a) ensuring compliance with the constitution and other legal acts; ...

Pages 62, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE III Municipal Administration, CHAPTER II Communal Administrator and Deputy Communal Administrator SECTION 1 Communal Administrator, ARTICLE 95 (Competence)

1. The Community Administrator shall be responsible for:

a) ensuring compliance with the constitution and other legal provisions;

Page 65, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER IV Communal Administrator ARTICLE 101 (Competence)

1. The Communal Administrator shall be responsible for:

a) ensuring compliance with the constitution and other legal provisions;

**Constitutional reform/making**

Page 7, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

1. Special Statute of the Province of Cabinda:

1.1. The Parties agree to the establishment of the special status of the Cabinda Province in a political-administrative scope.

1.2. The task for the establishment of the special status for the Province of Cabinda is the responsibility of the Government and includes the following:

a) The adoption of a complementary legal document to the decree-law on the organization of Provincial Governments and Municipal and Communal Administrations in order to grant to the Government of the Province of Cabinda a special organisational statute, as regards its nature and attributions, aiming at the realization of the economic and social development of the Cabinda;

b) the adoption of the special status of the Province of Cabinda in accordance with Annex 6 of this Memorandum of Understanding.

Page 31, Memorandum, ANNEX 1/7 OF ANNEX 7, Draft Resolution

...

Accordingly, there is also a need to adapt the decree-law on the organization of Provincial Governments and Municipal and Municipal Administrations, harmonizing it with the requirements of the country's development, under paragraph (c) of article 88 and (b) of article 90, both of the Constitutional Law, the National Assembly issues the following resolution:

1o. - The Government is authorized to make changes to the organizational structure of the Provincial Governments and Municipal and Communal Administrations.

2o. - The authorization includes the approval of a Special Statute for the Province of Cabinda that contemplates the general basis of the organization, competence, functioning and regulatory power of the Administration of the (illegible) Cities and the limits of the Constitutional Law and other legislation in force.

**Elections**

Page 35, Memorandum, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 13 (Political-administrative and institutional competences)

The following are the special political, administrative and institutional powers of the Provincial Government of Cabinda:

...

o) to collaborate, at the provincial level, with the bodies and bodies of the electoral process, namely the Electoral Process Commission and the National Electoral Commission, in conducting electoral registration and other legal activities inherent to the presidential, legislative and local elections; ...

Page 51, Memorandum, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration

ARTICLE 65 (Competences)

1. In the administrative-institutional and legal framework:

...

i) to ensure, in coordination with the competing agencies and bodies, the electoral registration and other legal operations inherent to the presidential, legislative and local elections;..

Pages 61, Memorandum, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER I Definition and Competences of the Communal Administration  
ARTICLE 92 (Competence)

....

h) to ensure, in coordination with the competent organs and agencies, the electoral registration and other legal operations inherent to presidential, legislative and local elections;...

### **Electoral commission**

Page 35, Memorandum, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 13 (Political-administrative and institutional competences)

The following are the special political, administrative and institutional powers of the Provincial Government of Cabinda:

...

o) to collaborate, at the provincial level, with the bodies and bodies of the electoral process, namely the Electoral Process Commission and the National Electoral Commission, in conducting electoral registration and other legal activities inherent to the presidential, legislative and local elections; ...

### **Political parties reform**

[Rebels transitioning to political parties](#)

Pages 6-7, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

4. Extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself and its transformation into a national civil political party under the law:

4.1. The Parties accept the establishment of the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue and its transformation into a national civil political party under the law.

4.2. The task for the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself, and its transformation into a national civil political party under the law, comprises the following:

a) the formalization of personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue that will integrate the Armed Forces, the National Police, public enterprises, the Government of Unity and National Reconciliation, as well as the surplus personnel that will be socially reinserted into national life;

b) the formal and definitive extinction of FLEC and other organizations under the authority of the Cabinda Forum for the Dialogue, by means of a declaration by the Cabinda Forum for Dialogue, as described in Annex n.05 of this Memorandum;

c) the transformation of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for civilians of national character under the law.

Page 11, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

8. Transformation of FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for civilians of national character under the law:

8.1. The Parties accept the establishment of the transformation of former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself into a national civil political party under the law, which is responsible for the Cabinda Forum for Dialogue and understands the following:

a) the scrupulous fulfilment of the formal termination of the Cabinda Forum for Dialogue and the observance of the formal conclusion of the full implementation of all the tasks and activities provided for in the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province, as well as the formal extinction of Joint Commission;

b) the scrupulous fulfilment of the legal and administrative precepts related to the constitution and functioning of the national civil political party.

#### **Civil society**

Summary: The Cabinda Forum for Dialogue which is an umbrella organisation that includes civil and religious groups is referenced throughout the agreement.

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE I General Principles on the Special Statute of the Province of Cabinda, CHAPTER X Provincial Council of Social Conciliation and Arbitration

ARTICLE 44 (Composition) The Provincial Council of Social Conciliation and Arbitration is chaired by the Provincial Governor and includes the following members:

- a) Vice Governors;
- b) provincial secretaries;
- c) municipal administrators;
- d) representatives of traditional authorities;
- e) representatives of trade union associations;
- f) representatives of the public and private business sector;
- g) representatives of peasant associations;
- h) representatives of churches recognized by law;
- i) NGO representatives;
- j) other entities whose presence the Governor considers relevant.

Page 57, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER VI Municipal Council of Social Conciliation and Arbitration ARTICLE 75 (Composition)

1. The Municipal Council of Social Conciliation and Arbitration is chaired by the Municipal Administrator and includes the following members:

- a) Deputy Municipal Administrator;
- b) common administrators; c
- ) head of municipal distribution;
- d) representatives of traditional authorities;
- e) representatives of the public and private business sector;
- f) representatives of peasant associations;
- g) representatives of churches recognized by law;
- h) representatives of NGO.

Page 66, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER VI Communal Council of Social Conciliation and



Arbitration

ARTICLE 105

(Composition)

1. The Communal Council of Social Conciliation and Arbitration is chaired by the Communal Administrator and includes the following members:

- a) Communal Deputy Administrator;
- b) heads of communal offices and heads of sections;
- c) representatives of traditional authorities;
- d) representatives of the public and private business sector;
- e) representatives of Peasants' associations;
- f) representatives of the Churches recognized by law;
- g) NGO representatives.

**Traditional/religious  
leaders**

Pages 62-63, Memorandum, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER II Communal Administrator and Deputy Communal Administrator SECTION 1 Communal Administrator ARTICLE 95 (Competence)

1. The Community Administrator shall be responsible for:

...

- a) monitoring and coordinate with the traditional authorities the implementation of community actions among the populations; ...

Page 65, Memorandum, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER IV Communal Administrator ARTICLE 101 (Competence)

1. The Communal Administrator shall be responsible for:

...

- g) monitoring and coordinating with the traditional authorities the implementation of community actions among the populations; ...

**Public administration**

Pages 6-7, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

4.2. The task for the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself, and its transformation into a national civil political party under the law, comprises the following:

- a) the formalization of personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue that will integrate ... public enterprises ...

Page 9, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

...

4.2. The task of integrating personnel from the former FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in public enterprises is the responsibility of the Government through the Secretariat of the Council of Ministers and includes the following:

- a) the placement of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, in corresponding positions, namely:

In SONANGOL-EP:

Non-executive director at SONANGOL-EP;  
Non-executive director at SONANGOL-EP;  
Deputy Territorial Director at SONANGOL in the Province of Cabinda;  
Management Advisor at SONANGOL-Distribuição;  
Adviser of Administration at SONANGOL-Logística;  
Advisor of Administration at SONAIR.

In the public companies in the Province of Cabinda:

Angola-Telecom (2 management positions);  
TPA (2 management positions);  
RNA (2 management positions);  
Port of Cabinda (2 management positions); Cabinda Airport (2 management positions).

b) the formation, by the competent institutions of public companies, of the admitted and in-service personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

Pages 11-12, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

9. Rules for the individual participation of personnel from the former FLEC and the other former organizations under the authority of the Cabinda Forum for Dialogue in ... public enterprises, ...;  
9.1. The Parties agree to the establishment of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue ... in public enterprises...;  
9.2. Compliance with the norms of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in ...public enterprises... to be taken individually, at the time of incorporation, admission or possession, and in the performance of their functions and / or duties, includes the following:

...

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors  
ARTICLE 42 (Competence)

2. The Vice Governor for the social and organizational sector shall be responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

...

d) ... public administration...

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## Power sharing

### **Political power sharing**

#### [Sub-state level](#)

Summary: Extensive sub-state power-sharing is provided for, see below.

#### [Executive coalition](#)

Pages 6-7, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

4.2. The task for the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself, and its transformation into a national civil political party under the law, comprises the following:

a) the formalization of personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue that will integrate ... the Government of Unity and National Reconciliation, ....

Pages 16-17, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

5. Integration of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation:

5.1. The Parties accept the establishment of the integration of personnel from former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation.

5.2. The task for the integration of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation is the responsibility of the Government and includes the following:

a) the placement of staff from the former FLEC and of other former organizations under the authority of the Cabinda Forum for Dialogue, positioned as follows:

In the Central Government:

Minister Without Specific Ministry;

Deputy Minister of the Interior; Deputy Minister of Petroleum;

Deputy Minister of Agriculture (for forest resources).

In the Government of the Province of Cabinda:

Vice governor;

Deputy Provincial Director;

Deputy Provincial Director;

Deputy Provincial Director; Deputy Municipal Administrator of Cabinda;

Deputy Municipal Administrator of Cacongo;

Deputy Municipal Administrator of Buco Zau;

Deputy Municipal Administrator of Belize.

Pages 11-12, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

9. Rules for the individual participation of personnel from the former FLEC and the other former organizations under the authority of the Cabinda Forum for Dialogue in ... the Government of Unity and National Reconciliation and the political-party life;

9.1. The Parties agree to the establishment of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the ... Government of Unity and National Reconciliation and in the political-party life.

9.2. Compliance with the norms of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the ... Government of Unity and National Reconciliation and the party-political life, to be taken individually, at the time of incorporation, admission or possession, and in the performance of their functions and / or duties, includes the following:

a) acceptance and fulfilment of the Memorandum of Understanding and the untying of separatist, subversive and terrorist organizations in the Province of Cabinda;

b) acceptance and observance of the rules of operation of the political system and national life, rejecting any attempt of violation in force in the Republic of Angola, condemning, unreservedly, as criminal, unjustifiable and unacceptable, all acts of political subversion and Terrorism, wherever and by whomsoever committed, since such acts violate law, order and against the rule of law, that is, they endanger and destroy human lives and social and economic order in the country;

c) acceptance and compliance with the rules governing the operation of public administration, in

particular, the general principles of employment in the civil service, the regime, and structure of careers, remuneration, social security, promotion and discipline in the civil service;  
d) respect and institutional solidarity in the Government and in the organs and organisms of the Government.

#### Other

Pages 9-10, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

5.2. The task for the integration of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation is the responsibility of the Government and includes the following:

....

In the Embassies of Angola Abroad:

Minister Counsellor / 1st Secretary at the Embassy of the Republic of Angola in the Republic of Mozambique;

Minister Counsellor / 1st Secretary at the Embassy of the Republic of Angola in the United Republic of Tanzania;

Minister Counsellor / 1st Secretary at the Embassy of the Republic of Angola in the Republic of Ghana;

Minister Counsellor / 1st Secretary at the Embassy of the Republic of Angola in the Republic of Slovakia;

Minister Counsellor / 1st Secretary at the Embassy of the Republic of Angola in the Republic of Serbia and Montenegro;

1st / 2nd / 3rd Secretary at the Embassy of Angola in the Republic of Congo;

1st / 2nd / 3rd Secretary at the Embassy of the Republic of Angola in the Democratic Republic of the Congo; 1st / 2nd / 3rd Secretary at the Embassy of the Republic of Angola in the Republic of Gabon.

b) The formation, by the competent Government institutions, of the appointed and incumbent personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue

Page 20-22, 1. The institutional coordination structures of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province are as follows:

Joint Commission;

Mixed Military Commission.

And the following rules of operation:

a) composition:

The Joint Commission consists of:

Seated as members; Government; Cabinda Forum for Dialogue.

Seated as an observer;

Representatives of the Episcopal Conference of Angola and Sao Tome; Representatives of the Council of Christian Churches of Angola;

Representatives of the Inter-Ecclesiastical Committee for Peace in Angola.

b) attributions:

The Joint Commission shall have the following responsibilities:

Define the working guidelines and adopt the necessary decisions for the implementation of the

Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda;

Ensure implementation of all provisions of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province;

Analyse and decide on any issues that may condition, limit or prevent the effective implementation of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province.

c) operating rules:

The Joint Commission shall have the following rules of operation:

It has its headquarters in Cabinda, but may hold its meetings, if necessary, in any other place in the national territory;

It is chaired alternately by the Government and the Cabinda Forum for Dialogue; Decides by the consensus of the Parties;

It inaugurates on the day of signing the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda and it will be extinguished (illegible) Memorandum of Understanding.

## **Territorial power sharing**

### **Local/municipal government**

1. Special Statute of the Province of Cabinda:

1.1. The Parties agree to the establishment of the special status of the Cabinda Province in a political-administrative scope.

...

1.2. The task for the establishment of the special status for the Province of Cabinda is the responsibility of the Government and includes the following:

a) The adoption of a complementary legal document to the decree-law on the organization of Provincial Governments and Municipal and Communal Administrations in order to grant to the Government of the Province of Cabinda a special organisational statute, as regards its nature and attributions, aiming at the realization of the economic and social development of the Cabinda;

Summary: Annex 2/7 providing the draft Special Statute on Cabinda Province, contains provision for municipal administration and 'Community administration'.

### **Autonomous regions**

Page 3, Memorandum, CHAPTER I General Provisions of the Memorandum, B) Fundamental principles of the Memorandum of Understanding:

...

1.3. The Parties recognize that, in the Angolan national context, the Province of Cabinda has a specificity which requires that shall be adopted a Special Statute for the Province of Cabinda, in accordance with the legal precepts on the Law of the Organisation of Provincial Governments and Municipal and Communal Administrations, within the framework of Provincial Governance.

Pages 7, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

1. Special Statute of the Province of Cabinda:

1.1. The Parties agree to the establishment of the special status of the Cabinda Province in a political-administrative scope.

1.2. The task for the establishment of the special status for the Province of Cabinda is the responsibility of the Government and includes the following:

- a) The adoption of a complementary legal document to the decree-law on the organization of Provincial Governments and Municipal and Communal Administrations in order to grant to the Government of the Province of Cabinda a special organisational statute, as regards its nature and attributions, aiming at the realization of the economic and social development of the Cabinda;
- b) the adoption of the special status of the Province of Cabinda in accordance with Annex 6 of this Memorandum of Understanding.

Page 49-50, Memorandum Annex 7 (August 2006)ANNEX 7

Document relating to the special status of the Province of Cabinda

1. In order to materialise the provisions of Point C (National Reconciliation), Point C. 1 (Special Statute of the Province of Cabinda), Point 1.2 (b) of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, Government and the Cabinda Forum for Dialogue accept the document on the special status of the Province of Cabinda expressed in Annex 1/7 and Annex 2/7 of this Annex 7.

Summary: Annex 1/7 contains a resolution committing to the special status. Annex 2.7 provides the text of the Special Statute, in essence a sub-state constitution for Cabinda,

ANNEX 7

Document relating to the special status of the Province of Cabinda

1. In order to materialise the provisions of Point C (National Reconciliation), Point C. 1 (Special Statute of the Province of Cabinda), Point 1.2 (b) of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, Government and the Cabinda Forum for Dialogue accept the

document on the special status of the Province of Cabinda expressed in Annex 1/7 and Annex 2/7 of this Annex 7.

Summary: includes ANNEX 1/7 OF ANNEX 7 which is a Draft Resolution and ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda (pages 32-75)

## **Economic power sharing**

### **Sharing of resources**

Pages 37-38, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

#### **ARTICLE 18**

(Special competency in the field of finance)

It is the responsibility of the Provincial Government, in the field of finance:

a) to dispose of, in accordance with the legal provisions, the revenues of the General State Budget, from the Central Government's tax benefits resulting from the State's petroleum tax revenues in the Province, from the Central Government's tax benefits resulting from (illegible) Of local revenue generated in the province, as well as other revenues attributed to them and to allocate them to their expenses;

b) to prepare and submit the provincial budget proposal for inspection by the Court of Auditors, General Inspectorate of State Administration and of Ministry of Finance;

- c) to submit the execution of the provincial budget to the supervision of the Court of Auditors, the General Inspectorate of State Administration and of the Ministry of Finance;
- d) to supervise the collection of taxes and other revenues due to the State that is affected, following the law;
- e) to promote the application of the special customs regime of the province;
- f) to administer and dispose of the patrimony of the Provincial Government and conclude acts and contracts in the interest of the province, in the terms and legal precepts.

Page 68-69, ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda, TITLE VIII, Program Contracts and Protocols

ARTICLE 118

(Definition and object)

1. Program contracts and protocols may be established by means of which the Central Government shall make public funding available to the local government bodies for the attainment of concrete objectives that cannot be met under the normal Financing of the same institutions.
2. The program contracts and protocols shall specify the subject matter, the reciprocal obligations of the parties, the financial resources to be transferred, the duration, the mechanisms for monitoring and the monitoring of the implementation of the agreed funding.

[Fiscal federalism](#)

Page 14-15,

4. Integration of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in public enterprises:

4.1. The Parties accept the establishment of the integration of the cadres from the former FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in public enterprises;

4.2. The task of integrating personnel from the former FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in public enterprises is the responsibility of the Government through the Secretariat of the Council of Ministers and includes the following:

- a) the placement of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, in corresponding positions, namely:

In SONANGOL-EP:

Non-executive director at SONANGOL-EP; Non-executive director at SONANGOL-EP;  
Deputy Territorial Director at SONANGOL in the Province of Cabinda;  
Management Advisor at SONANGOL-Distribuição; Adviser of Administration at SONANGOL-Logística;  
Advisor of Administration at SONAIR.

In the public companies in the Province of Cabinda:

Angola-Telecom (2 management positions);  
TPA (2 management positions); RNA (2 management positions);

Port of Cabinda (2 management positions); Cabinda Airport (2 management positions).

b) the formation, by the competent institutions of public companies, of the admitted and in-service personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

5. Integration of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation:

5.1. The Parties accept the establishment of the integration of personnel from former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation.

## **Military power sharing**

### **Merger of forces**

Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum A) General:

1.2. The cessation of hostilities and reconciliation in the Province of Cabinda implies:

b) reconciliation, which includes the mutual understanding on the special status of the Province of Cabinda, the integration of personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces; The integration of staff from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in the National Police;..

Page 5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

...

3.2. The task for establishing the demilitarization of the FLEC Military Forces and the other organizations under the authority of the Cabinda Forum for Dialogue includes the following:

....

i) the presentation by the Government, through the General Staff of the Angolan Armed Forces and the General Command of the National Police, of the necessary requirements for entry into the Angolan Armed Forces and National Police, personnel from the FLEC Military Forces and other Organizations under the authority of the Cabinda Forum for Dialogue;

j) the definition by the Cabinda Forum for Dialogue of the personnel of the units and structures of the FLEC Military Forces and of other organizations under the authority of the Cabinda Forum for Dialogue that will integrate the Angolan Armed Forces and the National Police, namely:

i) Up to 1675 personnel for the Angolan Armed Forces, in the categories of:

Up to 11 general officers (being generals 2, lieutenants-generals 3 and brigadiers 6);

Up to 38 senior officers (being colonels 8, lieutenant-colonels 12 and majors 18);

Up to 138 officers captains and subordinates (being captains 22, lieutenants 54, lieutenants 30 and aspirants 32);

Up to 268 sergeants and cables (chief sergeants 12, 1st sergeants 34, 2nd sergeants 36 and 3rd sergeants 38, 1st non-commissioned officer 62 and 2nd non-commissioned officer 76);

Up to 1220 soldiers:

ii) Up to 126 personnel for the National Police in the categories of:

Up to 3 commissioning officers (being sub-commissioners 3);

Up to 14 senior officers (being 1st superintendents 3, superintendents 4, intendants 4 and subintendants 6);

Up to 14 inspectors and sub-inspectors (7 inspectors and sub-inspectors 7);

Up to 45 sergeants (1st, sergeants 15, 2nd sergeants 12 and 3rd sergeants 18);



Up to 50 agents.

...

Pages 8, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

3. Integration of military personnel from former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police:

3.1. The Parties accept the establishment of the integration of military personnel from former military forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police.

...

Pages 11-12, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

9. Rules for the individual participation of personnel from the former FLEC and the other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces...

9.1. The Parties agree to the establishment of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces...

9.2. Compliance with the norms of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces... at the time of incorporation, admission or possession, and in the performance of their functions and / or duties, includes the following:

- a) acceptance and fulfilment of the Memorandum of Understanding and the untying of separatist, subversive and terrorist organizations in the Province of Cabinda;
- b) acceptance and observance of the rules of operation of the political system and national life, rejecting any attempt of violation in force in the Republic of Angola, condemning, unreservedly, as criminal, unjustifiable and unacceptable, all acts of political subversion and Terrorism, wherever and by whomsoever committed, since such acts violate law, order and against the rule of law, that is, they endanger and destroy human lives and social and economic order in the country;
- c) acceptance and compliance with the rules governing the operation of public administration, in particular, the general principles of employment in the civil service, the regime, and structure of careers, remuneration, social security, promotion and discipline in the civil service;
- d) respect and institutional solidarity in the Government and in the organs and organisms of the Government.

Page 13,

3. Integration of military personnel from former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police:

3.1. The Parties accept the establishment of the integration of military personnel from former military forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police.

3.2. The task of integrating military personnel from the former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum (illegible) through the General Command of the National Police and comprises the following:

- a) the incorporation of the police in the National Police, including the patenting of military personnel

from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, according to subparagraph 1.2 of point 1.2 of point (B) 3, placing them in the following structures and positions:

In the General Command of the National Police:

Deputy Chief of the National Directorate of Public Order of the National Police;

Deputy Chief of the National School of Police of Public Order.

In the Provincial Command of the National Police in Cabinda:

2nd Provincial Commander of the National Police in Cabinda;

Provincial Director of Inspection of the Provincial Command of the National Police in Cabinda.

b) the formation, by the competent institutions of the National Police, of the cadres and military personnel incorporated from FLEC;

c) the training by the competent National Police institutions of the military personnel incorporated and active from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

#### [Joint command structures](#)

Page 5, Page 5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

3. Demilitarization of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue:

(K) 1st line illegible.

General of the Angolan Armed Forces, surplus staff of the units and structures of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue; (L) the placement of the demobilized personnel of the former FLEC Military Forces and of the other organizations under the authority of the Cabinda Forum for Dialogue, in the administrative dependency of the General Staff of the Angolan Armed Forces, through the Command of the 2nd. Military Region;

(M) the formal and definitive extinction of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, through a statement from the Cabinda Forum for Dialogue.

Pages 7-8, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

2. Integration of military personnel from former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces:

2.1. The Parties accept the establishment of integration in the Armed Forces of military personnel from the former Military Forces of the former FLEC and of the other former organizations under the auspices of the Cabinda Forum for Dialogue in the Angolan Armed Forces.

2.2. The task for the integration of military personnel from the former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces is the responsibility of the Government through the General Staff of the Angolan Armed Forces, and it comprises the following:

a) military incorporation into the Angolan Armed Forces, including the patenting of military personnel from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, according to paragraph 2 (ii)(j), placing it in the following

structures and positions:

1 Vice-Chief of the General Staff of the Angolan Armed Forces; Deputy Chief of the General Staff of the Angolan Armed Forces; Deputy Chief of Staff of the Army.

In the 2nd Military Region Command (Cabinda):

2nd Commander of the 2nd Military Region;

Deputy Chief of the General Staff of the 2nd Military Region;

Deputy Chief of the General Staff of the 2nd Military Region;

Deputy Chief of Staff of the Brigade of the 2nd Military Region;

Deputy Commander of the Battalion of the 2nd Military Region;

Deputy Commander of the 2nd Region Battalion Military;

Deputy Commander of the Battalion of the 2nd Military Region;

Deputy Commander of the Battalion of the 2nd Military Region; Deputy Commander of the Battalion of the 2nd Military Region;

Deputy Commander of the 2nd Military Region Battalion.

In the military units and establishments of the 2nd Military Region:

In the Infantry Brigades;

In the Independent Battalions.

(B) the formation, by the legitimate institutions of the Angolan Armed Forces, of the military personnel, incorporated and active from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

Page 8,

3.2. The task of integrating military personnel from the former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum (illegible) through the General Command of the National Police and comprises the following:

a) the incorporation of the police in the National Police, including the patenting of military personnel from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, according to subparagraph 1.2 of point 1.2 of point (B) 3, placing them in the following structures and positions:

In the General Command of the National Police:

Deputy Chief of the National Directorate of Public Order of the National Police;

Deputy Chief of the National School of Police of Public Order.

In the Provincial Command of the National Police in Cabinda:

2nd Provincial Commander of the National Police in Cabinda; Provincial Director of Inspection of the Provincial Command of the National Police in Cabinda.

b) the formation, by the competent institutions of the National Police, of the cadres and military personnel incorporated from FLEC;

c) the training by the competent National Police institutions of the military personnel incorporated and active from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

[Proportionality](#)

Pages 20-22,

A) Coordination and implementation of the Memorandum: 1. The institutional coordination structures of the Memorandum of Understanding for Peace and

Reconciliation in Cabinda Province are as follows:

Joint Commission;

Mixed Military Commission.

...

3. The Joint Military Commission shall have the following composition, powers, and rules of operation:

a) composition: The Joint Military Commission is composed of:

Representatives of the Angolan Armed Forces;

Representatives of the FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue;

b) attributions: The Joint Military Commission has the following duties: Assist the Joint Commission in the performance of its duties;

Ensure the compliance of all provisions concerning the cessation of hostilities and ceasefire, the demilitarization of FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue, the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, the integration of military personnel from former FLEC military forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces and the integration of military personnel from the former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police; Organize ad-hoc meetings with military experts to study the causes of possible difficulties preventing the effective implementation of the Memorandum of Understanding on issues concerning the performance of the Joint Military Commission.

c) operating rules: The Joint Military Commission has the following rules of operation: It meets regularly and extraordinarily;

It is chaired alternately by a representative of the Angolan Armed Forces and by FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue;

Decides by consensus of the Parties;

It inaugurates on the day of signing the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda and it will be extinguished with the conclusion of the implementation of the Memorandum of Understanding.

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## Human rights and equality

- Human rights/RoL** Page 35, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government
- ARTICLE 13  
(Political-administrative and institutional competences) The following are the special political, administrative and institutional powers of the Provincial Government of Cabinda:
- ...
- a) carry out the governance of the province, defending compliance with the Constitutional Law and other legislation and precepts in force and ensuring the effectiveness of citizens' fundamental rights

and freedoms;...

**Equality** No specific mention.

**Democracy** No specific mention.

**Protection measures** [Protection of civilians](#)

Page 8, End of hostilities

f) guarantee the protection and free movement of persons and goods.

[Other](#)

Page 9, End of hostilities

g) the quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, which includes reception, protection, accommodation, food, medical and medical attention, personnel of FLEC Military Forces and other organizations under authority of the Cabinda Forum for Dialogue and their families, according to Annex n. 04 of this Memorandum;

Page 59, CHAPTER III Special Powers of the General Government Provincial Government  
ARTICLE 15 (Competences of an economic and social nature) The Cabinda Provincial Government has special powers of an economic and social nature: a) to promote economic and social organization in the province, in accordance with legal precepts, based on the primacy of work, aiming to ensure social welfare and justice, observing the principles, on one hand, of subordination of the provincial economy to the decisions of the Government Provincial and Central Government, the coexistence of public, private and cooperative sectors owned by the means of production, State ownership of natural resources and means of production, protection and preservation of the environment, and on the other hand, valorising social and equal opportunities for citizens in access to living conditions and public goods;

Page 63, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 19 (Special competency in trade)

f) to promote consumer protection measures;

Page 65, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

Article 24 (Special powers in the field of social assistance and reintegration) It is the responsibility of the Provincial Government, in the field of social assistance and reintegration: a) to ensure, coordinate, encourage and supervise the province's social protection system by developing child and social education, support for the fight against hunger, emergency aid and social reintegration of the population;

Page 84, TITLE III Municipal Administration CHAPTER I Definition and Competences of Municipal Administration

ARTICLE 65 (Competences)

2. In the context of National Defence, Internal Protection and Preservation of State Security: a) to practice all acts and ensure adequate support, in accordance with the legal provisions, concerning the execution of decisions of the Central Government concerning national security and defence in the territory of the commune;

Page 84, TITLE III Municipal Administration CHAPTER I Definition and Competences of Municipal Administration

ARTICLE 65 (Competences)

Page 85,

5. In the context of Urban Planning and Environment, Public Works, Energy and Water and Transport:  
a) to guarantee municipal responsibilities in terms of the organisation of the use of the land and urban planning, such as the preparation of the plans for the organisation of municipal lands and master plans of urban centres, organisation of membership, measures to provide land for urban subdivision and the promotion of a project to support Municipal environmental obligations such as environmental protection and natural heritage and environmental education of the population;

Page 99, TITLE IV Community Administration CHAPTER I Definition and Competences of the Communal Administration

ARTICLE 92 (Competence)

4. In the context of valuation and social protection: a) to promote and provide health coverage in the commune; b) to promote and monitor educational assistance in the commune;

## Human rights framework

### Isolated rights

Summary: Provision is made for particular rights throughout the agreement

## Civil and political rights

No specific mention.

## Socio-economic rights

### Health

Pages 40-41, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 28 (Special competences in the field of health)

It is the responsibility of the Cabinda Provincial Government, in the field of health:

a) to ensure the right to health of the population in the province, through various measures and actions in order to reduce the risk of disease and equal access to health services and care;

### Education

Page 39, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 29 (Special competences in the field of education)

The Provincial Government in the field of education is especially responsible for the following:

a) to guarantee the right of the population to education in the province, promoting conditions for the education through teaching and other educational means to contribute to the full training of citizens in the spirit of tolerance, mutual understanding and responsibility and their preparation for life, work and social progress of the Province of Cabinda and the Country;

b) to fulfil the duty of the State in the province with education by guaranteeing the operation of compulsory primary and secondary education:...

### Social security

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government,

ARTICLE 15 (Competences of an economic and social nature)

The Cabinda Provincial Government has special powers of an economic and social nature:

...

g) to guarantee the right to social security and socio-cultural enhancement, and therefore social promotion and full realization of the citizens, under the legal precepts and as the highest organ of State Administration in the province;...

### Cultural life

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 15 (Competences of an economic and social nature)

The Cabinda Provincial Government has special powers of an economic and social nature:

...

g) to guarantee the right to social security and socio-cultural enhancement, and therefore social promotion and full realization of the citizens, under the legal precepts and as the highest organ of State Administration in the province;...

Page 41, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas ARTICLE 30 (Special jurisdiction in the field of culture)

The Cabinda Provincial Government, in the field of culture, is responsible for the following:

a) to guarantee the population the full exercise of cultural rights and access to cultural resources in the province in order to enhance the cultural heritage of the Province of Cabinda within the framework of the cultural diversity of the Republic of Angola and the affirmation of national cultural identity;..

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

**Mobility/access** Pages 42-43, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER VI Statute of Members of the Provincial Government  
ARTICLE 33 (Statute)  
2. The members of the Provincial Government have the following status:  
[...]  
d) enjoy rights and benefits, including free transit in public places of conditioned access in the province in the exercise of their duties, as well as subsidies and other benefits, in accordance with legal precepts.

**Detention procedures** No specific mention.

**Media and communication** [Governance of media](#)

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda CHAPTER IX Vice Governors

ARTICLE 42 (Competence)

2. The Vice Governor for the social and organizational sector shall be responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

...

d) justice, family and women's empowerment, media, public administration, employment and social security, science and technology;...

**Citizenship** No specific mention.

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## Justice sector reform

|   |                      |
|---|----------------------|
| <b>Criminal justice and emergency law</b> | No specific mention. |
| <b>State of emergency provisions</b>      | No specific mention. |
| <b>Judiciary and courts</b>               | No specific mention. |
| <b>Prisons and detention</b>              | No specific mention. |
| <b>Traditional Laws</b>                   | No specific mention. |

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## Socio-economic reconstruction

|   |   |
|---|---|
| <b>Development or socio-economic reconstruction</b> | <p><a href="#">Socio-economic development</a></p> <p>Page 12, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:</p> <p>10. Stabilization and development of the Province of Cabinda:</p> <p>10.1. The Parties accept the establishment of governmental measures and actions to accelerate the reconstruction and development of the Province of Cabinda.</p> <p>10.2. The measures and government actions to accelerate the reconstruction and development of Cabinda Province include:</p> <p>a) promotion by the Central Government of measures and actions aimed at strengthening state authority and security and stability in the Province of Cabinda, as well as those aimed at reducing regional asymmetries and the greater integration of the province into the national space within a framework of interdependence With the rest of the country;</p> <p>b) the promotion by the Provincial Government of Cabinda of measures and actions aimed at the regular functioning of the organs and services of the Provincial Government and greater articulation of provincial life, which aim to improve the efficiency of state administration and socio-economic recovery.</p> <p>References to competences in the area of socioeconomic development, social assistance and reintegration into the population of the province are included throughout ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda.</p> <p>Important provisions include:</p> <p>ANNEX 2/7 OF ANNEX 7 Special Statute of the Province of Cabinda,<br/>TITLE II Government of the Province of Cabinda<br/>CHAPTER III Special Powers of the General Government Provincial Government,<br/>ARTICLE 14 (Competences of a security nature and national defence) [pages 35-36]<br/>ARTICLE 15 (Competences of an economic and social nature) [page 36]</p> <p>TITLE II Government of the Province of Cabinda<br/>CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas<br/>ARTICLE 17 (Special competency in the field of planning) [page 37]</p> |
|---|---|



Article 24 (Special powers in the field of social assistance and reintegration) [page 39]

ARTICLE 28 (Special competences in the field of health) [page 40-41]

ARTICLE 29 (Special competences in the field of education) [page 41]

Pages 51-53, TITLE III Municipal Administration CHAPTER I Definition and Competences of Municipal Administration, ARTICLE 65 (Competences)

Pages 60-61, TITLE IV Community Administration CHAPTER I Definition and Competences of the Communal Administration ARTICLE 92 (Competence)

**National economic plan** No specific mention.

**Natural resources** Page 10, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum, C) Reconciliation:  
5.2. The task for the integration of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation is the responsibility of the Government and includes the following:  
a) the placement of staff from the former FLEC and of other former organizations under the authority of the Cabinda Forum for Dialogue, positioned as follows:  
...  
Deputy Minister of Agriculture (for forest resources)...

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government, ARTICLE 15 (Competences of an economic and social nature)  
The Cabinda Provincial Government has special powers of an economic and social nature:  
a) to promote economic and social organization in the province, in accordance with [...]State ownership of natural resources and means of production...

Page 38, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas ARTICLE 20 (Special competency in the field of hospitality and tourism)  
...  
b) to develop the touristic potential of the province, exploring and valuing its resources in terms of fauna, flora and landscape exoticism; [...]  
ARTICLE 22 (Competences in the field of industry) It is the responsibility of the Provincial Government, in the field of industry:  
[...]

b) to participate in the definition of major industrial projects for the province designed by the Central Government and to submit proposals related to the industry that supports the oil sector.

Page 38-39, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas ARTICLE 21 (Special powers in the field of agriculture and rural development)

It is the responsibility of the Provincial Government, in the field of agriculture and rural development, the following:

...  
b) to submit proposals for action on the repopulation of the Maiombe Forest and other forest reserves in the province;...

Page 46, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors ARTICLE 42 (Competence)

1. The Vice Governor for the economic and productive sector is responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

...

b) water, energy, mines and oils;...

**International funds** No specific mention.

**Business** Page 35, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 13 (Political-administrative and institutional competences)

The following are the special political, administrative and institutional powers of the Provincial Government of Cabinda:

...

g) to participate in the definition of policy measures by the Central Government, concerning the areas for which the Provincial Government has special powers, namely, trade, hotel and tourism, agriculture and rural development, public works, energy Water, health, education, culture, business and private investment;...

k) to guide, coordinate, direct and supervise local public institutes and enterprises;...

l) to superintend the institutes and companies of national scope with representation in the province, whenever matters of specific provincial interest are concerned; ...

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 15 (Competences of an economic and social nature) The Cabinda Provincial Government has special powers of an economic and social nature:

... c) to carry out, in accordance with the legal provisions, planning, incentive and inspection functions, as the highest organ of the State Administration in the province and, consequently, as normative agent and regulator of economic activity;

d) to promote the development of the economy of the province, through the development of and the commercial services sector (in particular trade, hotel and tourism, banking, insurance , Transport) with a view to ensuring that production and productivity are increased to meet internal needs by ensuring economic infrastructures, fostering national entrepreneurship and encouraging foreign business and monitoring compliance by companies with legal obligations, in particularly the ones related to labour, tax, and environmental orders;

e) to promote and build economic infrastructures that can contribute to the better functioning of the State Administration, the development of the economy and the improvement of the quality of life of the population;...

Page 37, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 17 (Special competency in the field of planning)

It is the responsibility of the Provincial Government, in the field of planning:

...

- b) to plan tasks in the context of economic development, which is decisive for the public sector and indicative for the private sector;...
- c) to establish measures to organize and produce statistics on the economic and social life of the province; ...

Page 38, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 19 (Special competency in trade)

The Provincial Government, in the field of trade, is especially responsible:

- a) to guarantee the operation of the commercial circuit of the province in order to ensure regular public supply and standardization of prices, in a dynamic of commercial networks that reinforce the economic integration of the province with the rest of the country;
- b) to stimulate trade by taking into account demographic growth and the gradual raising of the standard of living of the population;
- c) to stimulate the creation of transparent commercial channels between the producer, the trader, and the consumer, with a real and effective disciplining role of supply and demand;
- d) to promote the construction of commercial infrastructures in the province;
- e) to stimulate rural markets to make them more responsive and adapted to the parameters of the economic and social situation of the province;
- f) to promote consumer protection measures;
- g) to follow and monitor compliance with established trade rules, with a view to eliminating administrative offenses and preventing the occurrence of offenses such as (illegible) Elimination of competition, an arbitrary increase in profits and price speculation.

Page 38, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 20 (Special competency in the field of hospitality and tourism)

It is the responsibility of the Provincial Government, in the field of hospitality and tourism,

- a) to guarantee the increase of the offer of the hotel chain and of the poles of tourist attraction in the province in order to promote tourism;
- b) to develop the touristic potential of the province, exploring and valuing its resources in terms of fauna, flora and landscape exoticism;
- c) to stimulate the improvement of the quality and efficiency of hotel and tourism services through professional training and the adoption of other measures that result in improved and efficient supply;
- d) to promote measures to build and expand the road network and other means of access that contribute to the promotion of tourism in the province.

Page 38-39, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 21 (Special powers in the field of agriculture and rural development)

It is the responsibility of the Provincial Government, in in the field of agriculture and rural development, the following:

- a) to ensure the creation of conditions to promote the development of structural and productive factors in agriculture by stimulating the conditions necessary for the viability of traditional and modern agricultural enterprise, such as land tenure and agricultural and livestock farming and silvicultural development, and the infrastructure to support rural life, stimulating the enhancement of the professional capacity of rural workers and the capacity of intervention of rural entrepreneurs;..

Page 39, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 22 (Competences in the field of industry)

It is the responsibility of the Provincial Government, in the field of industry:

- a) to promote the structural and productive development of the industrial sector of the province, particularly in the branches of industrial activity that will be of most interest to provincial economic and social development, ensuring conditions that enable micro, small and medium enterprises and socio-professional and economic development of workers and entrepreneurs;
- b) to participate in the definition of major industrial projects for the province designed by the Central Government and to submit proposals related to the industry that supports the oil sector.

Page 42, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas ARTICLE 31 (Special competences in the project donor and private investment)

The Cabinda Provincial Government is particularly responsible for entrepreneurship and private investment:

- a) to promote measures to develop the business sector with a focus on small and mediumsized enterprises and their investments which are feasible in order to increase production of goods and services and increase employment in the province;
- b) to participate in the assessment and approval of private investment projects for the province by the Central Government (through ANIP), in order to monitor and control the volume of investments, encourage reinvestment and regulate repatriation of capital.

Page 46, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors ARTICLE 42 (Competence)

1. The Vice Governor for the economic and productive sector is responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

- a) economic planning; ...
- c) agriculture, fisheries, industry, commerce, hotels and tourism; ...

Page 51, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration ARTICLE 65 (Competences)

1. In the administrative-institutional and legal framework:

...

- g) to create and ensure the orientation, coordination and monitoring of municipal services and municipal enterprises, according to the legal precepts; ...
- j) to guarantee municipal responsibilities for licensing and inspection, in the cases and terms established by law, such as the granting of licenses for civil construction and conducting inspections;

Page 52, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration CHAPTER I Definition and Competences of Municipal Administration ARTICLE 65 (Competences)

...

3. In the area of Planning and Finance: a) to promote, guide, monitor and monitor the development of public investment projects; b) to promote and support the companies and economic activities that are most important to the economic and social development of the municipality; ...

Page 52, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration CHAPTER I Definition and Competences of Municipal Administration ARTICLE 65 (Competences)

...

4. In the field of Trade and Agriculture and Rural Development:

- a) to promote the commercial circuit of the municipality, licensing, regulating and to supervise the commercial activity, stimulating the construction of commercial infrastructures, supporting the municipal fairs, and rural commerce and to ensure the management and maintenance of the municipal markets;
- b) to promote the development of agriculture in the municipality, licensing agricultural and forestry enterprises and to support agricultural activity by facilitating access to land and ensuring rural infrastructure and services, as well as the training of entrepreneurs and workers Rural areas...

Page 56, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER IV Municipal Administrator ARTICLE 71 (Competence)

1. The Municipal Administrator shall be responsible for

...

- i) approving private construction projects and supervising their implementation; [...]
- l) exercising control over the use of past licenses to traders, industrialists, and others, whose activity is justified; ...

Page 60-61, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration CHAPTER I Definition and Competences of the Communal Administration ARTICLE 92 (Competence)

...

2. In the context of finance, trade, and agriculture:

...

- c) to promote and support commercial activity in the commune, ensuring communal markets;
- d) to promote and support the agricultural activity in the commune, ensuring the small rural infrastructures.

Pages 62-63, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER II Communal Administrator and Deputy Communal Administrator SECTION 1 Communal Administrator ARTICLE 95 (Competence)

1. The Community Administrator shall be responsible for:

...

- m) organising and control communal markets; ...

Page 65, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER IV Communal Administrator ARTICLE 101 (Competence)

1. The Communal Administrator shall be responsible for:

...

- i) exercising control and control over the use of the license concessions granted to merchants, farmers, industrialists and the like in its area (Illegible) Necessary measures against actions detrimental to the environment; ...

Page 65, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE IV Community Administration, CHAPTER V Communal Deputy Administrators ARTICLE 103  
(Competence)

1. The Communal Deputy Administrator shall:
  - a) coordinate economic, social and productive sectors;...

Page 68, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,  
TITLE VII Public-Private Partnerships  
ARTICLE 116 (Definition and nature)

1. For the purposes of the present decree-law, a public-private partnership means the contract by which private entities are obliged, on a lasting basis, before a public partner to ensure the development of an activity aimed at satisfying a need And where the financing and responsibility for the investment and the exploitation are wholly or partly owned by the private partner.
2. Provincial Governments and municipal and communal administrations should promote publicprivate partnership, be it with public enterprises, cooperatives, NGOs or other private non-profit institutions.

Page 68, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,  
TITLE VII Public-Private Partnerships  
ARTICLE 117 (Purpose and forms)

1. Increased efficiency in the allocation of public resources and the quantitative and qualitative improvement of the service, induced by effective forms of control that allow its evaluation by potential users and the public partner, are essential objectives of public-private partnerships.
2. The public-private partnership may assume, among others, the functions of the public works concession contract, public service concession contract, continuous supply contract, service contract and management contract.
3. Own legislation shall regulate the terms and conditions of the public-private partnership.

## **Taxation**    [Power to tax](#)

Page 35, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,  
TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General  
Government Provincial Government

ARTICLE 13 (Political-administrative and institutional competences)

The following are the special political, administrative and institutional powers of the Provincial  
Government of Cabinda:

[...]

- d) to elaborate and approve the Provincial Government Program and the provincial budget, as well as the Provincial Government Annual Activity Plan and present them to the Secretariat of the Council of Ministers for ratification by the Central Government;
- f ) to prepare and approve the implementation reports regarding the Provincial Government Program of the provincial budget and the Annual (illegible) To the Secretariat of the Council of Ministers, for due ratification by the Central Government; ...

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,  
TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General  
Government Provincial Government

ARTICLE 15 (Competences of an economic and social nature) The Cabinda Provincial Government has special powers of an economic and social nature:

...

- d) to promote the development of the economy of the province, through [...]tax

...

- f) to proceed, in accordance with legal provisions, the structuring of the financial, fiscal and customs

system in the province, in order to ensure the public financial resources and private savings necessary for provincial economic and social development...

Pages 37-38, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 18 (Special competency in the field of finance)

It is the responsibility of the Provincial Government, in the field of finance:

- a) to dispose of, in accordance with the legal provisions, the revenues of the General State Budget, from the Central Government's tax benefits resulting from the State's petroleum tax revenues in the Province, from the Central Government's tax benefits resulting from (illegible) Of local revenue generated in the province, as well as other revenues attributed to them and to allocate them to their expenses;
- b) to prepare and submit the provincial budget proposal for inspection by the Court of Auditors, General Inspectorate of State Administration and of Ministry of Finance;
- c) to submit the execution of the provincial budget to the supervision of the Court of Auditors, the General Inspectorate of State Administration and of the Ministry of Finance;
- d) to supervise the collection of taxes and other revenues due to the State that is affected, following the law;
- e) to promote the application of the special customs regime of the province;
- f) to administer and dispose of the patrimony of the Provincial Government and conclude acts and contracts in the interest of the province, in the terms and legal precepts.

Page 51, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration  
ARTICLE 65 (Competences)

1. In the administrative-institutional and legal framework:

...

- e) to elaborate and approve the municipal administration plan and the municipal budget, as well as the annual work plan of the municipal administration;
- f) to prepare and approve the implementation reports, respectively, of the municipal administration plan and the municipal budget as well as the annual work plan of the municipal administration;...

Page 52, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration  
ARTICLE 65 (Competences)

...

3. In the area of Planning and Finance:

...

- c) to supervise the collection of financial resources derived from taxes on taxes and other revenues due to the State, to be carried out in the Municipality, in accordance with the legislation in force;
- d) to administer and conserve the assets of the municipal administration...

Page 60-61, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration CHAPTER I Definition and Competences of the Communal Administration

ARTICLE 92 (Competence)

...

2. In the context of finance, trade, and agriculture:

- a) to supervise the collection of financial resources from taxes, fees and other revenues due to the

State, to be carried out in its activity in the commune, in accordance with the legislation in force; ...

Pages 63, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER III Council of Communal Administration ARTICLE 97 (Definition, function and competences)

...

3. It shall be incumbent upon the Council of Communal Administration:

...

- b) approve the Communal Administration Plan, the Communal Budget Allocation as well as the Annual Working Plan of the Communal Administration;
- c) to approve the implementation reports, respectively of the Communal Administration Plan and of the Budget Allocation as well as the Annual Working Plan of the Communal Administration;...

Page 70, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IX Economic and Financial Regime of the Provincial Government of Cabinda, CHAPTER II Business, SECTION II Budget, Revenues, Expenses and Public Debt ARTICLE 123 (Provincial and municipal revenues)

Constitute revenue sources of the Provincial Government and the Municipal Administrations, in accordance with legal requirements, the following:

- a) transfers or budgetary appropriations from the General State Budget;
- b) the financial results for the benefit of Central Government tax measures related to oil revenues in Cabinda Province;
- c) the financial resources arising from the collection of taxes, fees and other types of local revenue;...

Pages 70-71, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IX Economic and Financial Regime of the Provincial Government of Cabinda, SECTION II Budget, Revenues, Expenses and Public Debt, CHAPTER II Business, CHAPTER III Tax Benefits of the Provincial Government of Cabinda ARTICLE 126 (Tax benefits)

1. In accordance with the legal provisions, the Provincial Government of Cabinda enjoys the tax benefits, namely:

- a) Tax benefits of central government resulting from oil tax revenues held in the Province of Cabinda;
2. The tax benefits of the Central Government that result from the collection of taxes, fees and other types of local revenue are derived from:

- a) Self-employment Income Tax;
- b) Income Tax on behalf of Others;
- c) Group C Industrial Tax;
- d) Capital Gains Tax;
- e) Urban Property Tax;
- f) Succession and Donation Tax;
- g) SISA's tax;
- h) Consumption tax;
- i) Stamp Tax;
- j) Rate of Traffic Circulation and Surveillance;
- k) Household income;
- l) Revenues from Community Services;
- m) additional 10% on the value of the fines, in the terms of article 2.0 of Decree n. 17/98, from July 29;
- n) rates inherent in the use and profits of the land, the use of services and assets, or other assets under the management of local State bodies.



Page 71, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IX Economic and Financial Regime of the Provincial Government of Cabinda, SECTION II Budget, Revenues, Expenses and Public Debt, CHAPTER IV Customs Regime of the Province of Cabinda ARTICLE 127 (Special customs regime)

The Provincial Government of Cabinda enjoys the special customs regime, in accordance with the legal precepts.

**Banks** [Personal or commercial banking](#)

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government

ARTICLE 15 (Competences of an economic and social nature)

The Cabinda Provincial Government has special powers of an economic and social nature:

...

d) to promote the development of the economy of the province, through the development of and the commercial services sector (in particular trade, hotel and tourism, banking, insurance , Transport) with a view to ensuring that production and productivity are increased to meet internal needs by ensuring economic infrastructures, fostering national entrepreneurship and encouraging foreign business and monitoring compliance by companies with legal obligations, in particularly the ones related to labour, tax, and environmental orders;...

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## Land, property and environment

**Land reform/rights** [Land reform and management](#)

Page 38-39, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 21 (Special powers in the field of agriculture and rural development)

It is the responsibility of the Provincial Government, in in the field of agriculture and rural development, the following:

a) ...land tenure and agricultural and livestock farming and silvicultural development...

Page 40, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas

ARTICLE 27 (Special competences in urban planning and environment)

...

e) to conclude leases for which the rights of precarious occupation of lands of the State's public and private domain are constituted, in the terms to be defined by regulations;

f) to observe the provisions of the legal precepts on the granting of a charter to the urban centres and to the administration of the land, public and private domain of the State, as well as in the land law and its regulations; [...]

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors ARTICLE 42 (Competence)

1. The Vice Governor for the economic and productive sector is responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

c) ...land use planning and the environment;...

Pages 52, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration ARTICLE 65 (Competences)

5. In the context of Urban Planning and Environment, Public Works, Energy and Water and Transport:  
a) to guarantee municipal responsibilities in terms of the organisation of the use of the land and urban planning, such as the preparation of the plans for the organisation of municipal lands and master plans of urban centres, organisation of membership, measures to provide land for urban subdivision and the promotion of a project to support Municipal environmental obligations such as environmental protection and natural heritage and environmental education of the population;...

Page 55, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER IV Municipal Administrator ARTICLE 71 (Competence)

1. The Municipal Administrator shall be responsible for

...

n) granting land, in the municipal cemeteries, for graves and tombs and for ensuring their conservation;...

Page 65, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER IV Communal Administrator ARTICLE 101 (Competence)

1. The Communal Administrator shall be responsible for:

... l) granting land in the cemeteries for graves and graves and to ensure its preservation;..

**Pastoralist/nomadism  
rights**

No specific mention.

**Cultural heritage**

**Tangible**

Page 52, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration ARTICLE 65 (Competences)

5. In the context of Urban Planning and Environment, Public Works, Energy and Water and Transport:  
f) to guarantee the functioning of the cultural activity of the municipality by promoting cultural events and preservation of buildings, monuments, and sites classified as national and local historical heritage located in the territory of the municipality.

Page 61, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE IV Community Administration, CHAPTER I Definition and Competences of the Communal Administration

ARTICLE 92 (Competence)

4. In the context of valuation and social protection:

...

c) to promote and monitor cultural manifestations and the preservation of buildings, monuments and sites classified as national and local historical heritage located in the commune;...

**Promotion**

Page 41, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial

Government of Specific Areas

ARTICLE 30 (Special jurisdiction in the field of culture)

The Cabinda Provincial Government, in the field of culture, is responsible for the following:

- a) to guarantee the population the full exercise of cultural rights and access to cultural resources in the province in order to enhance the cultural heritage of the Province of Cabinda within the framework of the cultural diversity of the Republic of Angola and the affirmation of national cultural identity;
- b) to support and encourage the valorisation and diffusion of the cultural manifestations of the province, as well as of all the initiatives that stimulate the individual and collective creation, in its multiple forms and expressions and a greater circulation of the works and cultural goods of quality;
- c) to encourage and ensure the access of all citizens to the means and instruments of cultural action To increase knowledge and production of cultural goods and values;
- d) to establish incentives to increase the production of cultural goods and values;
- e) to create and preserve municipal and communal libraries, as well as guarantee their equipping with the bibliographic material;
- f) to promote the construction of infrastructures that contributes to the flourishing of cultural life.

**Environment**

Page 36, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER III Special Powers of the General Government Provincial Government,

ARTICLE 15 (Competences of an economic and social nature)

The Cabinda Provincial Government has special powers of an economic and social nature:

- a)... protection and preservation of the environment,...
- d) to promote the development of the economy of the province, through ...environmental orders...

Page 38, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas ARTICLE 20 (Special competency in the field of hospitality and tourism)

...

- b) to develop the touristic potential of the province, exploring and valuing its resources in terms of fauna, flora and landscape exoticism; ...

Page 40, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas,

ARTICLE 27 (Special competences in urban planning and environment)

...

- d) to authorize the transmission or constitution of fundamental rights on rural, agrarian and forest land of an area equal to or less than 1000 hectares, as well as urban land; ...
- i) to establish measures for the assessment and monitoring of environmental quality;
- j) to promote environmental education campaigns among the populations.

Page 47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE II Government of the Province of Cabinda, CHAPTER IX Vice Governors ARTICLE 42 (Competence)

1. The Vice Governor for the economic and productive sector is responsible for assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

- c) ... the environment; ...

Page 56, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE III Municipal Administration, CHAPTER IV Municipal Administrator ARTICLE 71 (Competence)

1. The Municipal Administrator shall be responsible for:

...

m) carrying out actions that prevent the destruction of flora and fauna and contribute to the defence and preservation of the environment; ...

Page 62, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE III Municipal Administration, CHAPTER II Communal Administrator and Deputy Communal

Administrator SECTION 1 Communal Administrator

ARTICLE 95 (Competence)

1. The Community Administrator shall be responsible for:

...

j) preventing the destruction of flora and fauna and to take the necessary measures against action prejudicial to the environment; ...

**Water or riparian rights or  
access**

Page 40, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE II Government of the Province of Cabinda, CHAPTER IV Special Responsibilities of the Provincial Government of Specific Areas, ARTICLE 26 (Competences in the field of energy and water)

It is incumbent especially in the Provincial Government, in the field of energy and water, as follows: a) to ensure the promotion of works to improve and expand the province's energy and water infrastructures of interest to the economy and to the lives of citizens; ...

Page 53, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE III Municipal Administration, CHAPTER I Definition and Competences of Municipal Administration

ARTICLE 65 (Competences)

5. In the context of Urban Planning and Environment, Public Works, Energy and Water and Transport:

...

c) to ensure the operation of the city's energy and water, ensuring the management of drinking water supply and electricity supply, in accordance with legal provisions; ...

Page 56, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE III Municipal Administration, CHAPTER IV Municipal Administrator ARTICLE 71 (Competence)

1. The Municipal Administrator shall be responsible for

...

o) energizing the distribution of water and electricity in the areas under its jurisdiction;...

Page 61, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE IV Community Administration CHAPTER I Definition and Competences of the Communal

Administration ARTICLE 92 (Competence)

3. In the field of social infrastructures and equipment:

a) to promote basic infrastructures, such as potable water supply stations, including fountains and fountains, electricity supply network, streets, sanitation and drainage of storm water, housing projects and roads; ...

Page 62-63, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda,

TITLE III Municipal Administration, CHAPTER II Communal Administrator and Deputy Communal

Administrator SECTION 1 Communal Administrator, ARTICLE 95 (Competence)

1. The Community Administrator shall be responsible for:

...

n) promoting the collection, treatment, transport and distribution of drinking water and electricity of the commune; ...

---

## Security sector

**Security Guarantees** No specific mention.

**Ceasefire** [Ceasefire provision](#)

Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum A) General:

1.1. The cessation of hostilities and reconciliation in the Province of Cabinda consists of the commitment by the Government of the Republic of Angola and the Cabinda Forum for Dialogue to a commitment to the end of the conflict and the achievement of peace.

1.2. The cessation of hostilities and reconciliation in the Province of Cabinda implies:

a) the cessation of hostilities, which includes a mutual understanding of the conflict between the Government and the Cabinda Forum for Dialogue; ... the cessation of hostilities, the ceasefire,...

Pages 4-5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

2.2. The task for establishing the cessation of hostilities comprises the following:

- a) the acceptance and issuance by the Government of the Republic of Angola through its competent organs and by the Cabinda Forum for Dialogue through its competent organs of a declaration of recognition of the cessation of hostilities with a view to ending the military-political conflict in Towards peace and reconciliation in Cabinda Province, as described in Annex 3 of this Memorandum;
- b) the cessation of all hostile actions both in Angola and abroad;
- c) the effective ceasefire in the entire territory of the Province of Cabinda;
- d) failure to carry out military movements either by the Angolan Armed Forces, or by the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue to strengthen or occupy new military positions, as well as the non-performance of acts of violence against civilian population and destruction of public and private resources and assets;
- e) regular information on the situation regarding the positioning and logistic movements of the units and other structures of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue, in areas or areas of probable military tension;
- f) guarantee the protection and free movement of persons and goods.

Page 25, Memorandum, ANNEX 04 Document on the declaration of cessation of hostilities (August 2006) includes ANNEX 1/4 OF ANNEX 4, Declaration of cessation of hostilities between the Government and the Cabinda Forum for Dialogue; ANNEX 4/4 TO ANNEX 4 Statement of ceasefire between FLEC military forces and other organizations under the authority of the Cabinda Forum for Dialogue and the Angolan Armed Forces (July 19, 2006).

**Police** Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum A) General:

1.2. The cessation of hostilities and reconciliation in the Province of Cabinda implies:

b) reconciliation, which includes... the conclusion of the reintegration into national life of the personnel presented from FLEC and other organizations, as well as the norms of individual participation of staff and personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in Angolan Armed Forces, in the National Police, in public enterprises and in the Government of Unity and National Reconciliation.

Page 5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

...

3.2. The task for establishing the demilitarization of the FLEC Military Forces and the other organizations under the authority of the Cabinda Forum for Dialogue includes the following:

....

i) the presentation by the Government, through the General Staff of the Angolan Armed Forces and the General Command of the National Police, of the necessary requirements for entry into the Angolan Armed Forces and National Police, personnel from the FLEC Military Forces and other Organizations under the authority of the Cabinda Forum for Dialogue;

j) the definition by the Cabinda Forum for Dialogue of the personnel of the units and structures of the FLEC Military Forces and of other organizations under the authority of the Cabinda Forum for Dialogue that will integrate the Angolan Armed Forces and the National Police, namely

...

ii) Up to 126 personnel for the National Police in the categories of:

Up to 3 commissioning officers (being sub-commissioners 3);

Up to 14 senior officers (being 1st superintendents 3, superintendents 4, intendants 4 and subintendants 6);

Up to 14 inspectors and sub-inspectors (7 inspectors and sub-inspectors 7);

Up to 45 sergeants (1st, sergeants 15, 2nd sergeants 12 and 3rd sergeants 18);

Up to 50 agents.

Pages 6-7, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

4. Extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself and its transformation into a national civil political party under the law:

4.2. The task for the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, as well as the Cabinda Forum for Dialogue itself, and its transformation into a national civil political party under the law, comprises the following:

a) the formalization of personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue that will integrate the Armed Forces, the National Police, ...

Pages 8, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

3. Integration of military personnel from former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police:

3.1. The Parties accept the establishment of the integration of military personnel from former military forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police.

3.2. The task of integrating military personnel from the former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum (illegible) through the General Command of the National Police and comprises the following:

a) the incorporation of the police in the National Police, including the patenting of military personnel from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue, according to subparagraph 1.2 of point 1.2 of point (B) 3, placing them in the following structures and positions:

In the General Command of the National Police:

Deputy Chief of the National Directorate of Public Order of the National Police;

Deputy Chief of the National School of Police of Public Order.

In the Provincial Command of the National Police in Cabinda:

2nd Provincial Commander of the National Police in Cabinda; Provincial Director of Inspection of the Provincial Command of the National Police in Cabinda.

b) the formation, by the competent institutions of the National Police, of the cadres and military personnel incorporated from FLEC;

c) the training by the competent National Police institutions of the military personnel incorporated and active from the former Military Forces of the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

Pages 11-12, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

9. Rules for the individual participation of personnel from the former FLEC and the other former organizations under the authority of the Cabinda Forum for Dialogue in the ... National Police...

9.1. The Parties agree to the establishment of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the ... National Police...

9.2. Compliance with the norms of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in ... the National Police ... and in the performance of their functions and / or duties, includes the following:

a) acceptance and fulfilment of the Memorandum of Understanding and the untying of separatist, subversive and terrorist organizations in the Province of Cabinda;

b) acceptance and observance of the rules of operation of the political system and national life, rejecting any attempt of violation in force in the Republic of Angola, condemning, unreservedly, as criminal, unjustifiable and unacceptable, all acts of political subversion and Terrorism, wherever and by whomsoever committed, since such acts violate law, order and against the rule of law, that is, they endanger and destroy human lives and social and economic order in the country;

c) acceptance and compliance with the rules governing the operation of public administration, in particular, the general principles of employment in the civil service, the regime, and structure of careers, remuneration, social security, promotion and discipline in the civil service;

d) respect and institutional solidarity in the Government and in the organs and organisms of the Government.

**Armed forces** Pages 4-5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

2.2. The task for establishing the cessation of hostilities comprises the following:

...

d) failure to carry out military movements either by the Angolan Armed Forces, or by the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue to strengthen or occupy new military positions, as well as the non-performance of acts of violence against civilian population and destruction of public and private resources and assets;

Page 5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

...

Page 5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

3.2. The task for establishing the demilitarization of the FLEC Military Forces and the other organizations under the authority of the Cabinda Forum for Dialogue includes the following:

i) the presentation by the Government, through the General Staff of the Angolan Armed Forces and the General Command of the National Police, of the necessary requirements for entry into the Angolan Armed Forces and National Police, personnel from the FLEC Military Forces and other Organizations under the authority of the Cabinda Forum for Dialogue;

j) the definition by the Cabinda Forum for Dialogue of the personnel of the units and structures of the FLEC Military Forces and of other organizations under the authority of the Cabinda Forum for Dialogue that will integrate the Angolan Armed Forces and the National Police,...

(K) 1st line illegible.

General of the Angolan Armed Forces, surplus staff of the units and structures of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue; (L) the placement of the demobilized personnel of the former FLEC Military Forces and of the other organizations under the authority of the Cabinda Forum for Dialogue, in the administrative dependency of the General Staff of the Angolan Armed Forces, through the Command of the 2nd. Military Region;

Pages 7-8, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

2. Integration of military personnel from former FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces:

See 'Military Power sharing'

Pages 11-12, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

See 'Military Power sharing'

Page 11, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum C) Reconciliation:

7.2. The Government is responsible for the social reintegration of the people of the Province of Cabinda who are refugees in the Republic of Congo and in the Democratic Republic of the Congo, through the Ministry of Social Assistance and Reintegration with the support of the President's House of the General Staff of the Armed Forces of Angola and includes the following:

- a) implementation of a program to repatriate refugees in the Republic of Congo and the Democratic Republic of Congo to the Province of Cabinda or another province of the country;
- b) implementation of a resettlement program for repatriated populations with emergency assistance (food, clothing and medical care) to populations repatriated for a period not exceeding six months;
- c) the implementation of a special agricultural and livestock production program for the repatriated populations with a view to their self-sufficiency.

## **DDR** [DDR programmes](#)

Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum A) General:

1.2. The cessation of hostilities and reconciliation in the Province of Cabinda implies:

....

the demilitarization of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue, and the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue;..

Page 5, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:

3. Demilitarization of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue:

3.1. The Parties accept the establishment of the demilitarization of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue.

3.2. The task for establishing the demilitarization of the FLEC Military Forces and the other organizations under the authority of the Cabinda Forum for Dialogue includes the following:



- a) the preparation and start-up of the supervisory mechanism for the demilitarization of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue;
- b) the information by FLEC Military Forces Command and other organizations under the authority of the Cabinda Forum for Dialogue, the Joint Military Commission, all reliable and verifiable data concerning the combat and numerical composition of the units and structures of the FLEC and other organizations under the authority of the Cabinda Forum for Dialogue;
- c) the identification of the units and structures of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue and the establishment of quartering areas for them;
- d) definition of the respective itineraries and means of travel, as well as the definition of the realization of the movement of the military units and structures of the Military Forces of FLEC and of the other organizations under the authority of the Cabinda Forum for Dialogue;
- e) the preparation of the quartering areas for the units and structures of the FLEC Military Forces and of the other organizations under the authority of the Cabinda Forum for Dialogue;
- f) the disengagement of parking spaces and the movement of units and structures of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue, for the quartering areas;
- g) the quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, which includes reception, protection, accommodation, food, medical and medical attention, personnel of FLEC Military Forces and other organizations under authority of the Cabinda Forum for Dialogue and their families, according to Annex n. 04 of this Memorandum;
- h) the delivery, and continuous act, of the collection, storage and subsequent destruction of all armament and military equipment of the units and structures of the Military Forces of FLEC and of other organizations under the authority of the Cabinda Forum for the Dialogue;
- i) the presentation by the Government, through the General Staff of the Angolan Armed Forces and the General Command of the National Police, of the necessary requirements for entry into the Angolan Armed Forces and National Police, personnel from the FLEC Military Forces and other Organizations under the authority of the Cabinda Forum for Dialogue;
- j) the definition by the Cabinda Forum for Dialogue of the personnel of the units and structures of the FLEC Military Forces and of other organizations under the authority of the Cabinda Forum for Dialogue that will integrate the Angolan Armed Forces and the National Police,...

Page 10, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum, B) Cessation of hostilities,

6. Social reintegration in the national life of the remaining staff from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue:

- b) the implementation of a special professional training program for the remaining personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in order to qualify them for the national labour market.

Page 27, Memorandum ANNEX 5 Documentation related to the quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue includes ANNEX 1/5 OF ANNEX 5 Quartering of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue.

Page 29, ANNEX 6 Document concerning the declaration of extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue includes Declaration of extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue

Pages 46-47, Memorandum, ANNEX 2/7 OF ANNEX 7 on the Special Statute of the Province of Cabinda, TITLE I General Principles on the Special Statute of the Province of Cabinda, CHAPTER IX Vice Governors

ARTICLE 42 (Competence) delineates the responsibilities of Vice Governors in assisting the Provincial Governor in the coordination and execution of tasks related to the following areas:

....

b) health, social reintegration, former combatants and veterans of war;

...

|   |  |
|---|--|
| <b>Intelligence services</b>                        | No specific mention.   |
| <b>Parastatal/rebel and opposition group forces</b> | See 'Political Parties Reform'   |
| <b>Withdrawal of foreign forces</b>                 | No specific mention.   |
| <b>Corruption</b>                                   | No specific mention.   |
| <b>Crime/organised crime</b>                        | <p>Page 36, TITLE II, Government of the Province of Cabinda CHAPTER III, Special Powers of the General Government Provincial Government</p> <p>ARTICLE 14, (Competences of a security nature and national defence)</p> <p>The following are special committees on national security and defence of the Provincial Government of Cabinda:</p> <p>...</p> <p>c) to promote policial measures relating to the fight against crime, drug trafficking and other crimes against property and life;...</p>  |
| <b>Drugs</b>  | <p>Page 36, TITLE II, Government of the Province of Cabinda CHAPTER III, Special Powers of the General Government Provincial Government</p> <p>ARTICLE 14, (Competences of a security nature and national defence)</p> <p>The following are special committees on national security and defence of the Provincial Government of Cabinda:</p> <p>...</p> <p>c) to promote policial measures relating to the fight against crime, drug trafficking and other crimes against property and life;...</p>  |
| <b>Terrorism</b>                                    | <p>Pages 11-12, CHAPTER II, Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum, C) Reconciliation:</p> <p>9.2. Compliance with the norms of individual participation of personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces, the National Police, public enterprises, the Government of Unity and National Reconciliation and the party-political life, to be taken individually, at the time of incorporation, admission or possession, and in the performance of their functions and / or duties, includes the following:</p> <p>a) acceptance and fulfilment of the Memorandum of Understanding and the untying of separatist, subversive and terrorist organizations in the Province of Cabinda;</p> <p>b) acceptance and observance of the rules of operation of the political system and national life, rejecting any attempt of violation in force in the Republic of Angola, condemning, unreservedly, as criminal, unjustifiable and unacceptable, all acts of political subversion and Terrorism, wherever and by whomsoever committed, since such acts violate law, order and against the rule of law, that is, they endanger and destroy human lives and social and economic order in the country;[...]</p> |

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## Transitional justice

|                                     |   |
|-------------------------------------|---|
| <b>Transitional justice general</b> | No specific mention.  |
| <b>Amnesty/pardon</b>               | <p><a href="#">Amnesty/pardon proper</a></p> <p>Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum A) General:</p> <p>a) the cessation of hostilities, which includes a mutual understanding of the conflict between the Government and the Cabinda Forum for Dialogue; including the amnesty...</p> <p>Page 4, Memorandum, CHAPTER II Provisions on the Cessation of Hostilities and Reconciliation of the Memorandum B) Cessation of hostilities:</p> <p>1. Amnesty:</p> <p>1.1. The Parties accept the establishment of an amnesty law on all crimes under the armed conflict between FLEC and other organizations under the authority of the Cabinda Forum for Dialogue and Government, to be approved by the competent organs of the State of the Republic of Angola as described in Annex No. 2 of this Memorandum.</p> <p>1.2. The task for the establishment of an amnesty law includes the following:</p> <p>a) the preparation by the Government of an amnesty law and its transmission to the National Assembly;</p> <p>b) the approval by the National Assembly of the amnesty law;</p> <p>c) the publication by the competent Government institution of the amnesty law.</p> <p>Page 22-23, Memorandum, ANNEX 3 Document on the Amnesty Law (August 2006)</p> <p>Summary: Annex 3 is an acceptance by the Province of Cabinda, the Government and the Cabinda Forum for Dialogue of the document on the Amnesty Law, Annex 1/3 of Annex 3</p> <p>Page 24, Memorandum, ANNEX 3/4 OF ANNEX 4 Declaration of cessation of hostilities between the Cabinda Forum for Dialogue and the Government (August 2006)</p> <p>Summary: Section on the Amnesty Project which specific crimes that are to be amnestied, namely:</p> <p>Article 1 - All crimes against the security of the State and all connected crimes, committed by national citizens, in the framework of the internal conflict in the Province of Cabinda, up to the date of approval of this law, are amnestied.</p> <p>Article 2 - All military crimes committed in the period referred to in the previous article are amnestied. Article 3 - All legislation that contravenes the provisions of this law is revoked.</p> <p>Article 4 - This law shall come into force on the date of its publication.</p> |
| <b>Courts</b>                       | No specific mention.  |
| <b>Mechanism</b>                    | No specific mention.  |
| <b>Prisoner release</b>             | No specific mention.  |
| <b>Vetting</b>                      | No specific mention.  |
| <b>Victims</b>                      | No specific mention.  |
| <b>Missing persons</b>              | No specific mention.  |

**Reparations** No specific mention.

**Reconciliation** Summary: The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda refers to reconciliation throughout.

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## Implementation

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** Pages 12-13, Memorandum CHAPTER III Institutional Provisions of the Memorandum, A) Coordination and implementation of the Memorandum:  
Summary: contains provisions on the composition, attributions and operating rules of the Joint Commission and Joint Military Commission.  
The Joint Commission has the following responsibilities:  
Define the working guidelines and adopt the necessary decisions for the implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda;  
Ensure implementation of all provisions of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province;  
Analyse and decide on any issues that may condition, limit or prevent the effective implementation of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province.

The Joint Military Commission has the following duties:  
Assist the Joint Commission in the performance of its duties;  
Ensure the compliance of all provisions concerning the cessation of hostilities and ceasefire, the demilitarization of FLEC Military Forces and other former organizations under the authority of the Cabinda Forum for Dialogue, the extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, the integration of military personnel from former FLEC military forces and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces and the integration of military personnel from the former FLEC Military Forces And other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police;  
Organize ad-hoc meetings with military experts to study the causes of possible difficulties preventing the effective implementation of the Memorandum of Understanding on issues concerning the performance of the Joint Military Commission.

Pages 14-15 Memorandum CHAPTER III Institutional Provisions of the Memorandum, B) Schedule of implementation of the Memorandum:  
Summary: outlines the schedule of implementation  
Pages 16 Memorandum CHAPTER III Institutional Provisions of the Memorandum F) The Conclusion of the Memorandum, termination of the Cabinda Forum for Dialogue and termination of the Joint Commission:

1. The Memorandum of Understanding on Peace and Reconciliation is considered complete after the full implementation of all the tasks and activities foreseen in the cessation of hostilities and reconciliation while maintaining its spirit in space and time.
2. After the formal completion of the full implementation of all the tasks and activities planned for the cessation of hostilities and reconciliation, the Forum shall formally discontinue it by means of a statement from the Joint Commission of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.
3. After the formal completion of the full implementation of all the tasks and activities provided for in the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, the Joint Commission shall proceed to its formal termination...

Page 21, Memorandum, ANNEX 1/2 TO ANNEX 2 (July 2006)

Summary: Sets out agreement for the formalization of the entry into operation of the Joint Commission of the Understanding for Peace and Reconciliation in the Province of Cabinda.