

Gazette of the Republic

Official Bureau of the Republic of Angola

SUPPLEMENT

SUMMARY

National Assembly

Resolution no. 27-A/06:

Authorises the President of the Republic of Angola to make Peace in accordance with the terms of the Memorandum of Understanding for the Peace and Reconciliation of the Province of Cabinda.

Resolution no. 28-B/06:

Approves the Memorandum of Understanding for the Peace and Reconciliation of the Province of Cabinda.

NATIONAL ASSEMBLY

Resolution no. 27-A/06

of 16th of August

Considering the imperious necessity to end the conflict in the Province of Cabinda;

Considering that the antagonism that characterised the relations in the past gave place to dialogue between the Government and the Cabinda Forum for Dialogue to overcome conflicts;

And complying with the pressing necessity to obtain peace in the Province of Cabinda that it is daily expressed and felt by the population of the Republic of Angola in general and by the population of the Province of Cabinda in particular;

Accordingly, pursuant to the combined provisions of subparagraph j) of Article 88 and paragraph 6 of article 92 both of the Constitutional Law, the National Assembly issuing the following resolution:

1. The President of the Republic of Angola is hereby authorized to make peace in accordance with the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

2 - This resolution shall enter into force immediately.

This Resolution has been seen and approved by the National Assembly, in Luanda, on August 10, 2006.

May it be publicised.

The President-in-Office of the National Assembly, *João Manuel Gonçalves Lourenço*.

Resolution No 27-B / 06

of 16 August

The Republic of Angola, after decades of internal conflict that has brought serious consequences to the country in the political, security, economic, social and humanitarian domains, is now a positive trend towards a complete and definitive conclusion in the process of Pacification and national harmonization throughout the territory, with the perspective of overcoming the conflict in the Province of Cabinda:

Considering that the Government of the Republic of Angola established contacts and held talks with the Cabinda Forum for Dialogue for a year which led to the conclusion of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda;

If there is a need to put an end to the conflict and to establish a just and lasting peace in the framework of a true reconciliation in the Province of Cabinda;

Accordingly, under the combined provisions of Article 88 (j) and Article 92 (6), both of the Constitutional Law, the National Assembly issues the following resolution:

1º – The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, attached to this resolution and integral to it, is hereby approved.

2º – This resolution shall enter into force immediately.

This Resolution has been seen and approved by the National Assembly, in Luanda, on August 10, 2006.

May it be publicised.

The President-in-Office of the National Assembly, *João Manuel Gonçalves Lourenço*.

Preamble

The Delegation of the Government of the Republic of Angola;

The Delegation of the Cabinda Forum for Dialogue;

The presence of 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 Angola;

Taking into account, on one hand, that the antagonism that characterized the relations between the Government and FLEC¹ gave rise to conditions for the dialogue towards the definitive overcoming of the conflict in the Province of Cabinda;

Considering the urgent need for peace in Cabinda Province, expressed and felt daily by all the people of Angola in general and by the people of the Province of Cabinda in particular;

Accordingly, the Government of Angola and the Cabinda Forum for Dialogue decided to adopt and implement the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province, as follows:

CHAPTER I

General Provisions of the Memorandum

A) The Purpose of the Memorandum of Understanding:

¹ Front for the Liberation of the Enclave of Cabinda

1.1. The objective of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda consists of the Government of the Republic of Angola and the Cabinda Forum for Dialogue, through frank and fraternal collaboration, to guarantee the end of the conflict, peace and reconciliation in the Province of Cabinda, as an essential condition for the reconstruction and development of the province.

1.2. The objective of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda is implemented through the following:

a) preparation and implementation of the coordinating mechanism for the implementation of the Memorandum of Understanding, as described in Annex 1 to this Memorandum;

b) the materialization, by the Parties, of all provisions of the Memorandum of Understanding through the creation of a supportive environment and the scrupulous fulfilment of mutual obligations.

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;

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

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.

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; including the amnesty, the cessation of hostilities, the ceasefire, 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;

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; The integration of staff from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in public enterprises; The integration of staff from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in the Government of Unity and National Reconciliation; The social reintegration of the remaining personnel from FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in national life; Repatriation and social reintegration of refugee populations in the Province of Cabinda in the national life and 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.

B) Cessation of hostilities:

1. Amnesty:

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.

1.2. The task for the establishment of an amnesty law includes the following:

- a) the preparation by the Government of an amnesty law and its transmission to the National Assembly;
- b) the approval by the National Assembly of the amnesty law;
- c) the publication by the competent Government institution of the amnesty law.

2. End of hostilities and ceasefire:

2.1. The Parties shall accept the establishment of a complete and definitive cessation of hostilities between themselves at both national and international levels.

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.

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, 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 sub-intendants 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.

(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.

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.

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.

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.

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

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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.

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.

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.

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.

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:

6.1. The Parties accept the establishment of social reintegration into national life of the remaining personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue.

6.2. The task of social reintegration of the cadres and remaining personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue Ministry of Social Assistance and Reintegration with the support of the Military House of the President of the Republic and the General Staff General of the Angolan Forces and understands the following:

a) emergency assistance (food, clothing and medical care) to the remaining staff from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue for a period not exceeding 12 months;

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.

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:

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.

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.

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.

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, the National Police, public enterprises, 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 Angolan Armed Forces, in the National Police, in public enterprises, 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 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:

- 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.

10. Stabilization and development of the Province of Cabinda:

10.1. The Parties accept the establishment of governmental measures and actions to accelerate the reconstruction and development of the Province of Cabinda.

10.2. The measures and government actions to accelerate the reconstruction and development of Cabinda Province include:

- 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;
- 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.

CHAPTER III

Institutional Provisions of the Memorandum

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.

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.

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.

B) Schedule of implementation of the Memorandum:

1. For the implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province, the Government and the Cabinda Forum for Dialogue are committed to implementing the following timetable for implementation:

i) Carrying out tasks and activities inherent to the institutionalization of the Memorandum of Understanding; Day d.

Formalization of the Memorandum;

Signing of the Memorandum;

Entry into force of the Memorandum;

Formalization and entry into office of the Joint Commission;

Formalization and entry into office of the Mixed Military Commission;

ii) Carrying out tasks and activities related to the implementation of the Memorandum of Understanding; Day d + 1

up until

Day d + 250

iii) Carrying out tasks and activities related to the cessation of hostilities;

Day d + 1

up until

Day d + 60

Publication of the amnesty law;

End of hostilities and ceasefire;

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

Extinction of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue.

iv) Performing tasks and activities related to reconciliation:

Day d + 61

up until

Day d + 250

(Illegible)

Integration of military personnel from the former military forces of former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the Angolan Armed Forces;

Integration of military personnel from former military forces from former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in the National Police;

Integration of the cadres from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in public companies;

Integration of the cadres 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;

Social reintegration of the remaining personnel from the former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue in national life;

Repatriation and social reintegration into the national life of the people of the Province of Cabinda refugees in the Republic of Congo and in the Democratic Republic of Congo;

Completion of the reintegration into national life of the personnel presented by former FLEC and other former organizations under the authority of the Cabinda Forum for Dialogue;

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, in the National Police, in public enterprises and in the Government of Unity and National Reconciliation;

Promotion of the stabilization and development of the Province of Cabinda.

v) Carrying out tasks and activities related to formalizing the conclusion of the implementation of the Memorandum:
Day d + 252

up until

Day d + 266

Formal declaration of completion of the implementation of the Memorandum of Understanding;

Extinction of the Cabinda Forum for Dialogue;

Extinction of the Joint Commission.

1. The Government and the Cabinda Forum for Dialogue may establish supplements to this Memorandum of Understanding for Peace and Reconciliation in the Province.²

D) Resolutions on the interpretation of the Memorandum of Understanding:

1. The Government and the Cabinda Forum for Dialogue shall undertake to resolve any disputes related to the interpretation or application of the Memorandum of Understanding for Peace and Reconciliation in the Province in a spirit of friendship and mutual understanding through consultation and direct negotiation.

E) Entry into force of the Memorandum of Understanding:

1. The Memorandum of Understanding for Peace and Reconciliation in the Province comes into force after its signature by the Government and the Cabinda Forum for Dialogue.

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.

² Title C is missing.

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.

Done³ in Namibe, Republic of Angola, in August 2006, in duplicate in the Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding.

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

a) composition:

The Joint Military Commission is made up of:

Representatives of the Angolan Armed Forces;

Representatives of the Military Forces of FLEC 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 compliance with all provisions concerning the cessation of hostilities and ceasefire, the demilitarization of FLEC Military Forces and other former organizations under the authority of the

³ It is a direct translation from Portuguese. The original is “Feito”, that could mean anything from Writing, Ratifying, Decided, as long as the process finished.

Cabinda Forum for Dialogue, the extinction of FLEC and other organizations under the authority of the Forum Cabinda for Dialogue, 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 of military experts to study the causes of possible difficulties impeding the effective implementation of the Memorandum of Understanding on issues of concern to 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 the 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 was extinguished with the conclusion of the implementation of the Memorandum of Understanding.

B) Schedule of implementation of the Memorandum⁴:

1. For the implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province, the Government and the Cabinda Forum for Dialogue are committed to implementing the following timetable for implementation:

i) Carrying out tasks and activities inherent to the institutionalization of the Memorandum of Understanding; Day d.

Formalization of the Memorandum;

Signing of the Memorandum;

⁴ Repetition.

Entry into force of the Memorandum;

Formalization and entry into office of the Joint Commission;

Formalization and entry into office of the Mixed Military Commission;

ii) Carrying out tasks and activities related to the implementation of the Memorandum of Understanding: Day d + 1

up until

Day d + 250

iii) carrying out tasks and activities related to the cessation of hostilities;

Day d + 1

up until

Day d + 60

Publication of the amnesty law;

End of hostilities and ceasefire;

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

Extinction of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue.

iv) Performing tasks and activities related to reconciliation:

Day d + 61

up until

Day d + 250

Adopt the working agendas of the talks, assess and/or discuss them and adapt their decisions and/or conclusions;

Ensure the functioning of the Technical Secretariat of the plenary meeting of the talks.

2.3 Operating rules:

The plenary meeting of the talks has the following rules of operation:

Inaugurated on the first day of the conversations;

Is chaired alternately by the head of the Government Delegation and the head of the Delegation of the Cabinda Forum for Dialogue;

Meets daily until the end of the talks;

Adapts its decisions and/or conclusions by consensus of the Parties.

3. Restricted conversation meeting:

3.1 Composition:

The restricted conversation meeting is composed of the following elements:

Head of the Government Delegation, on the one hand;
Head of the Delegation of the Cabinda Forum for Dialogue, on the other.

3.2 Functions:

The restricted conversation meeting has the following functions:

To ensure the normal development of the process of talks (dialogue and negotiations);

To consider and resolve any questions which might condition, limit or impede the development of the conversation process.

3.3 Operating rules:

The Restricted Meeting of the talks has the following working rules:

Takes office on the first day of the talks;

Is chaired alternately by the head of the Government Delegation and the Head of the Delegation of the Cabinda Forum for Dialogue;

Meets whenever necessary;

Shall adopt its decisions and/or conclusions by consensus of the Parties.

4. Technical secretariat of the conversation meetings:

4.1 Composition:

The Technical Secretariat of the meetings has the following composition:

2 to 6 technicians from the Government Delegation;

2 to 6 technicians from the Delegation of the Cabinda Forum for Dialogue.

4.2. Features

The Technical Secretariat of the meetings of the talks shall have the following duties:

Prepare and ensure the technical and material conditions necessary for the holding of the meetings of the talks;

Carry out the administrative file and manage the archive of the meetings of the talks;

Prepare the minutes of the conversation of the meetings;

To conduct the public relations of the talks, as well as to ensure accommodation, food, and transport for the members of the delegations during the talks.

4.3. Operating Rules:

The Technical Secretariat for the meetings of the talks has the following rules of operation:

Takes office on the first day of the talks;

Meets daily until the finalization of the talks;

Observes administrative procedures, such as rationality, responsibility, discipline, and secrecy.

Once again, in Namibe, Republic of Angola, in August 2006, two copies were accepted in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 2-1 / 1 OF ANNEX 1/1 TO ANNEX 1

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

Memorandum of Understanding

1. General provisions of the Memorandum:

- A) Purpose of the Memorandum of Understanding;
- B) Fundamental Principles of the Memorandum of Understanding.

II. Provisions of the cessation of hostilities and National Reconciliation:

- A) General;
- B) Cessation of hostilities;
- C) Reconciliation.

III. Institutional Provisions of the Memorandum:

- A) Coordination and implementation of the Memorandum;
- B) Schedule of implementation of the Memorandum;
- C) Supplements to the Memorandum;
- D) Resolutions of disputes and interpretation of the Memorandum;
- E) Entry into force of the Memorandum;
- F) Conclusion of the Memorandum, termination of the Cabinda Forum for Dialogue and termination of the Joint Commission.

Annex 1 -The Memorandum of Understanding for Peace And Reconciliation in the Province of Cabinda.

Document on the agenda for a conversation on Peace and Reconciliation in the Province of Cabinda between the Government and the Cabinda Forum for Dialogue.

Annex 2 -The Memorandum of Understanding for Peace And Reconciliation in the Province of Cabinda.

Document on the beginning of the implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Annex 3 -The Memorandum of Understanding for Peace And Reconciliation in the Province of Cabinda.

Document on the Amnesty Law.

Annex 4 - To the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda

Document on the declaration of cessation of hostilities.

Annex 5 - The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Document on the quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue.

Annex 6 -The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Document on the declaration of extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue.

Annex 7 -The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Document on the special status of the Province of Cabinda.

Annex 8 -The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Document on the resolution of the National Assembly on the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Annex 9 -The Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Document on the final provisions of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Once again, in Namibe, Republic of Angola, in August 2006, two copies were accepted in Portuguese.

In Witness Whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

Document concerning the beginning of the implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda

1.1 With a view to materializing the provisions of Point A.1 (objective of the Memorandum) of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province, the Government and the Cabinda Forum for Dialogue accept the document on the beginning of the implementation of the Memorandum of Understanding for Peace and Reconciliation of the Province of Cabinda, expressed in Annex 1/2 of this Annex 2.

1.2 Annex 1/2 is an integral part of Annex 2 of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Done in Namibe, Republic of Angola, in August 2006, in duplicate, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 1/2 TO ANNEX 2

Declaration on the beginning of implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda

From the result of the signing of the Memorandum of Understanding for Peace and Reconciliation of the Province of Cabinda, the following is stated:

1. The existence of necessary and sufficient conditions for the beginning of the implementation of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

2. The formalization of the entry into operation of the Joint Commission of the Understanding for Peace and Reconciliation in the Province of Cabinda.

For Peace and Reconciliation of the Province of Cabinda, Namibe, Republic of Angola, in August 2006.

Ratified in Namibe, Republic of Angola, in July 2006, in two copies in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 3

Document on the Amnesty Law

1. With a view to materializing the provisions of Point B (end of hostilities), Point B.1 (Amnesty) and Point 1.1 of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, the Government and the Cabinda Forum for Dialogue accept the document on the Amnesty Law, Annex 1/3 of this Annex 3.

2. Annex 1/3 is an integral part of Annex 3 to the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province.

Done in Namibe, Republic of Angola, in August 2006, in two copies, in Portuguese.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for the Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for the Dialogue.

The observance, by all organs and institutions of the Government, of the cessation of total and definitive hostilities in the territory of the Republic of Angola and abroad and its entry into force as of the 00h00 of July 19, 2006.

Thus, the Government of the Republic of Angola expresses its firm determination to enforce the cessation of hostilities scrupulously in order to guarantee peace and reconciliation in the Province of Cabinda.

The Government of the Republic of Angola, in Chicamba, Cabinda, Republic of Angola, on July 19, 2006.

Ratified in Namibe, Republic of Angola, in August 2006, in two copies, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 2, ANNEX 4

Declaration of ceasefire between the Angolan Armed Forces and the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue

In accordance with the provisions of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province and reiterating its commitment to its successful implementation, the General Staff of the Angolan Armed Forces declares:

The observance by the Angolan Armed Forces of the total and definitive cease-fire in the entire territory of the Province of Cabinda and its entry into force as of 00H00 on July 19, 2006.

The observance by the Angolan Armed Forces, following the new military situation resulting from the materialization of the total and definitive cease-fire in the whole territory of the Province of Cabinda, of the adequacy of the military device of the Angolan Armed Forces in the 2nd. Military Region (Province of Cabinda) in order to reduce the Forces without loss of military defence capacity, taking into account military missions in the framework of the country's military defence.

Thus, the General Staff of the Angolan Armed Forces expresses its firm determination to enforce scrupulously the effective cessation of military actions in order to guarantee peace and reconciliation in the province of Cabinda.

General Staff of the Angolan Armed Forces, in Chicamba, Cabinda, Republic of Angola. On 19 July 2006.

Ratified in Namibe, Republic of Angola, in August 2006, in two copies, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 3/4 OF ANNEX 4

Declaration of cessation of hostilities between the Cabinda Forum for Dialogue and the Government

In accordance with the provisions of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda and reiterating its commitment to its

Successful implementation, the Cabinda Forum for Dialogue states:

The observance, by all organs and other structures of the Cabinda Forum for Dialogue, of the cessation of total and definitive hostilities in the territory of the Republic of Angola and abroad and its entry into force from the

00:00 of July 19, 2006.

Thus, the Cabinda Forum for Dialogue expresses its firm determination to enforce scrupulously the cessation of hostilities in order to guarantee peace and reconciliation in the Province of Cabinda.

Cabinda Forum for Dialogue, in Chicamba, Cabinda, Republic of Angola, on July 19, 2006.

Amnesty Law Project

Whereas it is imperative to achieve peace and reconciliation in the Province of Cabinda and, thus, complete the process of pacification and harmonization the territory of the Republic of Angola;

In view of the imperative need to create the framework of objectives and provisions contained in the Memorandum of Understanding Peace and Reconciliation in the Province of Cabinda;

Under these terms and under section h) of article 88 of the Constitutional Law, the National Assembly approves the following:

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.

Art. 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.

Article 4 – This law shall come into force on the date of its publication.

Seen and approved by the National Assembly, in Luanda, on August 16, 2006.

The President of the National Assembly, Roberto António Francisco Vítor de Almeida.

Publish it

The President of the Republic, José Eduardo dos Santos.

Reiteration of the law, in Namibe, Republic of Angola, in August 2006, in two copies, in Portuguese.

In faith, the Parties hereto, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, hereby bind themselves together.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 04

Document on the declaration of cessation of hostilities

1. In order to materialize Point B (end of hostilities and ceasefire) and Point 1.1 of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, the present Government and the Cabinda Forum for Dialogue accept the document Concerning the declaration of cessation of hostilities expressed in Annexes 1/4, Annex 2/4, Annex 3/4 and Annex 4/4, of this Annex 4.

2. Annexes 1/4, Annex 2/4, Annex 3/4 and Annex 4/4 are an integral part of Annex 4 of the Memorandum of Understanding on Peace and Reconciliation in Cabinda Province.

Done in Namibe, Republic of Angola, in August 2006, in duplicate in the Portuguese language.

In witness whereof the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 1/4 OF ANNEX 4

Declaration of cessation of hostilities between the Government and the Cabinda Forum for Dialogue

In accordance with the provisions of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province and reiterating its commitment to its successful implementation, the Government of the Republic of Angola declares⁵:

2006, in two copies in Portuguese.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

⁵ **SEVERAL INFORMATION MISSING. The text goes from Annex 1/4 to Annex 4/4 of Annex 4.**

For 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

In accordance with the provisions of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province and reiterating its commitment to its successful implementation, the Command of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue states:

The observance, by the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, of the total and definitive cease-fire in the entire territory of the Province of Cabinda and its entry into force as of 00h00 on July 2006.

Thus, the Military Forces Command of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue express its firm determination to enforce scrupulously the effective cessation of military actions in order to guarantee peace and reconciliation in the Province of Cabinda.

Command of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue in Chicamba, Cabinda, Republic of Angola, on July 19, 2006.

Ratified in Namibe, Republic of Angola in August, published in two copies, in Portuguese.

(In witness whereof, the undersigned Parties,⁶) being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

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

1. In order to materialise Point B (cessation of hostilities), Point B.3 (demilitarization) and Point 1.1 (g) of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, the Government and the Cabinda Forum For the Dialogue, accept the document concerning the quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue expressed in Annex 1/5 of this Annex 5.

2. Annex 1/5 is an integral part of Annex 5 of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

Done in Namibe, Republic of Angola, in August 2006, in two exemplars, in the Portuguese language.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

⁶ Line missing in the original.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 1/5 OF ANNEX 5

Quartering of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue

1. General information about the quartering

(i) The quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue should have the living conditions necessary for the up to 2000 military to remain for a certain period of time, starting with the reception of the Military personnel until their reintegration into national life.

(ii) The quartering areas should have a functioning structure that will be managed by superiors, with the capacity to safely house the personal and with easy access.

(iii) The quartering of the Military Forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue also implies the organization and security of the places of installation of the families of the military, near the quartering areas.

(iv) The emergency assistance of the military forces of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue is the responsibility of the Angolan Armed Forces with the support of the Military House of the President of Republic.

(v) The emergency and initial assistance to the families of the military of the FLEC Military Forces and of other organizations under the authority of the Cabinda Forum for Dialogue are the responsibility of the Angolan Armed Forces with the support of the Military House of the President of the Republic and of the Ministry of Social Assistance and Reinsertion.

2. The structure of the Quartersing Area:

(i) Chief of the Quarantine Area consisting of the chief, deputy chief, civic education officer, personnel officer, weapons officer, broadcast officer and logistics officer, all of whom are designated from among the personnel to be quartered by the Military Command Of the FLEC Military Forces.

(ii) Support and Service Group composed of guard and garrison, the radio station, the medical station, the kitchen, the cafeteria and the Transport Section, designated from among the personnel to be quartered, by the Military Forces Command of FLEC and of other organizations under the authority of the Cabinda Forum for Dialogue.

(iii) Up to 20 staffing companies with a composition of up to 100-150 employees each.

(iv) The head of the quartersing area, subordinated to the head of the Angolan Armed Forces' General Staff, is responsible for the operation and discipline of the quartersing area.

3 Management of Quartersing Areas:

(i) The Management of the Area of Quarantine is carried out by the General Staff of the FAA, through a work team headed by a General of the Angolan Armed Forces from the Military Forces of FLEC and other organizations under the authority of the Cabinda International for Dialogue.

(ii) The locations of the families of the FLEC Forces military and other organizations under the authority of the Cabinda Forum for Dialogue are physically secured and managed administratively by the Armed Forces with the support of the Military House of the President of the Republic and the Ministry of Social Assistance and Reinsertion.

4. Location of Quarantine Areas:

(i) For the military personnel of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue, from the North Region:

Quissoqui Luali, in the Commune of Luali, Municipality of Belize, Province of Cabinda.

(ii) For the military personnel of the FLEC Military Forces and other organizations under Authority of the Cabinda Forum for Dialogue, of the Central Region:

Tchivovo. In the Commune of Diuge, Municipality of Lândana (Cacongo), Province of Cabinda.

(iii) For military personnel of the FLEC Military Forces and other organizations under the authority of the Cabinda Forum for Dialogue, of the Southern Region:

Talibeca, in the Commune of Tando-Zinze, Municipality of Cabinda. Province of Cabinda⁷.

Published in two copies in Portuguese.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

⁷ Annex 2/5 of Annex 5 through Annex 5/5 of Annex 5 is missing.

ANNEX 6

Document concerning the declaration of extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue

1. Point B.4 (termination of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue) and Point 1.2 (d) of the Memorandum of Understanding for the implementation of the provisions of Point B (cessation of hostilities) Peace and Reconciliation in Cabinda Province, the Government and the Cabinda Forum for Dialogue accept the document regarding the declaration of extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, expressed in Annex 1/6 of this Annex 6 .

2. Annex 1/6 is an integral part of Annex 6 of the Memorandum of Understanding on Peace and Reconciliation in Cabinda Province.

Done in Namibe, Republic of Angola, in August 2006, in duplicate in the Portuguese language.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

Declaration of extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue

In accordance with the provisions of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda and reiterating its commitment to its successful implementation, the Cabinda Forum for Dialogue, in accordance with its powers, declares:

The extinction of FLEC and other organizations under the authority of the Cabinda Forum for Dialogue, including all its military structures, from today.

Cabinda Forum for Dialogue, in Namibe, in August 2006.

Ratified in Namibe, Republic of Angola, in August 2006, in duplicate in the Portuguese language.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

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.

2. Annexes 1/7 and 2/7 are an integral part of Annex 7 of the Memorandum of Understanding on Peace and Reconciliation in Cabinda Province.

Done in Namibe, Republic of Angola, in August 2006, in duplicate in the Portuguese language.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 1/7 OF ANNEX 7

Draft Resolution

Considering the imperative need to achieve peace and reconciliation in the Province of Cabinda and, thus, to conclude the process of pacification and national harmonization throughout the territory of the Republic of Angola and to create the legal framework that consubstantiate the objectives and provisions contained in the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda;

Recognizing, in the strict respect of the political and juridical-constitutional order, that in the national context of the Republic of Angola, the Province of Cabinda has a specificity that obliges it, in accordance with the legal precepts on the organisation of the Provincial Governments and Municipal Administrations and a Special Statute for the Province of Cabinda;

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.

3. This resolution shall enter into force immediately.

Seen and approved by the National Assembly.

Publish it.

Luanda, on August 16, 2006.

The President of the National Assembly, Roberto António Vítor Francisco de Abneida.

Reiterated the acceptance of the resolution, in Namibe, Republic of Angola, in August 2006, in duplicate, in Portuguese.

In witness whereof, the undersigned Parties, being plenipotentiary entities and duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 2/7 OF ANNEX 7

Special Statute of the Province of Cabinda

TITLE I

General Principles on the Special Statute of the Province of Cabinda

CHAPTER 1

The Province of Cabinda

ARTICLE 1

(Province of Cabinda)

Cabinda, a province of the Republic of Angola, is part of the political-administrative division of the country, under the terms of the Constitutional Law and other legislation in force.

Purpose, Scope, Purposes, and Principles of the Special Statute

ARTICLE 2.

(Object)

1. The Special Statute of the Province of Cabinda establishes the general basis of the organization, competence, functioning and regulatory power of the State Administration in this province.

ARTICLE 3

(Scope)

The Special Statute of the Province of Cabinda is a political and administrative statute that is largely based on the province's historical, geographical and cultural specificity.

ARTICLE 4

(Purpose)

The purpose of the Statute of the Province of Cabinda is to ensure the development of the province in the perspective of its most appropriate integration in the national space, respecting the principle of strengthening the ties of brotherhood and solidarity among all Angolan populations, national unity, Sovereignty of the State and the territorial integrity of the Republic of Angola.

CHAPTER III

Principles

ARTICLE 5

(Principles)

1. The Special Statute of the Province of Cabinda is governed by the principles of respect for the Constitutional Law and other legislation and legal precepts in force in the Republic of Angola and by the specificities of the Province of Cabinda.
2. The organization and functioning of the State Administration in the Province of Cabinda are governed by the principles of decentralization and administrative deconcentration, legality, differentiation, transfer of resources, transitoriness, participation and collegiality.

CHAPTER IV

State Administration in the Province of Cabinda

ARTICLE 6

(Administrative Division of the Province of Cabinda)

The territory of the Province of Cabinda, for the purpose of local administration of the State, is divided into municipalities, communes, neighbourhoods or settlements.

ARTICLE 7

(Governing Bodies of the State of Cabinda Province)

1. The organs of Local Government of the State of Cabinda constitute the governing bodies of the province and are subdivided into collegiate bodies and individual bodies.

2. Collegial bodies are:

- a) the Provincial Government, in the province;
- b) Municipal Administration, in the municipality;
- c) the Communal Administration, in the commune.

3. The following are singular bodies:

- a) the Provincial Governor, in the province;
- b) the Municipal Administrator, in the Municipality;
- c) the Community Administrator, in the commune.

TITLE II

Government of the Province of Cabinda

CHAPTER I

Definition and Superior Direction of the Government of the Province of Cabinda

ARTICLE 8

(Definition)

The Provincial Government of Cabinda is the superior organ of the State Administration in the province.

ARTICLE 9

(Senior Management)

1. The Provincial Government of Cabinda, in the exercise of its functions and powers, is accountable to the Council of Ministers and is accompanied by the Ministry of Territory Administration.

2. The Provincial Government of Cabinda must be previously heard by the Central Government whenever it intends to adopt administrative measures of an administrative, economic-social and legal nature with provincial specificity.

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.

ARTICLE 11

(Attributions)

The Provincial Government of Cabinda has the functions of promoting and guiding the administrative and economic-social development of the Province, based on the decisions and options defined by the Central Government and ensuring the provision of local community services.

ARTICLE 12

(Special Competences)

Within the scope of its attributions, the Cabinda Provincial Government has special powers of general and specific scope.

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;
- b) to guarantee, in accordance with legal precepts and within the general orientation of the Central Government, the development of the province and, consequently, the satisfaction of collective welfare needs and social justice, by creating the necessary conditions for this It is made;

- c) to represent the Central Government at provincial level;
- 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;
- f⁸) 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;

- 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;
- h) to execute the deliberations of the Council of Ministers on matters of local incidence;
- i) to direct the services and activity of the State Administration in the province;
- j) to exercise the power of management over the Municipal Administrations guiding, monitoring and monitoring their administrative and economic-social development plans;
- 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;
- m) to support, monitor and monitor the Traditional Administration, promoting institutional relations between the Provincial Government and Traditional Power;
- n) to appoint and exonerate the holders of positions of direction and leadership in the province, as well as to practice all the acts required under the legal precepts regarding officials and agents of the state administration in the province;
- 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;
- p) to promote, through local initiatives, the training, and qualification of staff and officials of the State Administration in the province;
- q) to exercise such other special powers as may be determined above.

⁸ There is no paragraph (e)

ARTICLE 14

(Competences of a security nature and national defence)

The following are special committees on national security and defence of the Provincial Government of Cabinda:

- a) (illegible) legal precepts regarding the execution of the decisions of the Central Government concerning National Security and Defence in the territory of the province;
- b) to ensure the necessary coordination between the National Security and Defence structures located in the province, in the materialization of the measures and actions related to the National defence, and preservation of State Security, in the territory of the province;
- c) to promote policial measures relating to the fight against crime, drug trafficking and other crimes against property and life; Combating tax evasion, speculation, smuggling, counterfeiting and other crimes against the economy; The fight against illegal immigration and the fight against other manifestations contrary to the administrative, economic and social development of the province;
- d) to exercise other special powers that are determined superiorly to him.

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;

- b) to promote the satisfaction of collective needs, guiding the sustained economic and social development of the province to a balanced growth of all sectors and zones, reducing the asymmetries between the city and the countryside and a more convenient integration of the province into the national space, within the framework of interdependence with the rest of the country, ensuring the operation of the provincial market, harmful⁹ to collective interest;
- 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 productive sectors (in particular agriculture and rural development, fisheries and industry) 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 particular 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;
- 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;
- 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;
- h) to ensure social assistance and reintegration into the population of the province;
- i) to support the development of specific family functions and to promote equal opportunities for women in social and labour spheres.

ARTICLE 16.

(Legal Competency)

The following are the special powers of the Cabinda Provincial Government:

(illegible)

⁹ It looks like there is some argument missing.

b) to approve norms, procedures and methodological principles for local governance issues within the terms of the legislation in force;

c) to adopt and issue, within the framework of its legal competences, resolutions, and positions.

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:

a) to coordinate and harmonize the economic and social development of the province with the economic development of the country, promoting the integration of the province in the national space within a framework of economic and financial interdependence with the rest of the country, seeking the satisfaction of provincial needs and the overcoming of zonal asymmetries, the reduction of poverty and the assurance of the social well-being and quality of life of the populations;

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;

d) to promote, guide, follow-up and monitor the development of public investment projects.

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.

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.

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.

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;

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

c) to participate in the definition of the major projects of agriculture and rural development for the province by the Central Government.

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.

ARTICLE 23

(Special powers in the field of transportation)

The Provincial Government, in the field of transport, is responsible in particular for the following:

a) to organize, coordinate, encourage and supervise the province's transport system, namely internal transport and transport with the rest of the country;

b) to participate in the definition of major transport projects for the province by the Central Government.

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;
- b) participate in the definition of the major projects of assistance and social reintegration for the province by the Central Government.

Article 25

(Competences in the field of public works)

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

a) (illegible)

Expansion of infrastructures, civil construction and engineering works of the province of interest for the administration of the State, the economy and the life of the citizens of the province;

b) to participate in the definition of major public works projects for the province by the Central Government.

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;
- b) to participate in the definition of major projects in the field of energy and water for the province, in charge of the Central Government.

ARTICLE 27

(Special competences in urban planning and environment)

It is the responsibility of the Cabinda Provincial Government, in the field of urban planning and the environment:

- a) to establish measures aimed at land use planning and urban development, seeking to ensure adequate territorial structuring in the province and quality of life in urban centres;
- b) to elaborate measures of the provincial plan of territorial organization and send them to the superior competent agency;
- c) to establish measures to provide the necessary land for the implementation of housing programs and projects;
- 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;
- 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;
- g) to promote, support and monitor the development of housing programs;
- h) to establish measures to census and population control;
- i) to establish measures for the assessment and monitoring of environmental quality;
- j) to promote environmental education campaigns among the populations.

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;
- b) to order, supervise and control the coverage of health services in the province. Its execution must be carried out by private health institutions;
- c) to establish a provincially coordinated health system, based on the health coverage network and existing services, emphasizing preventive medicine without prejudice to restorative medicine;
- d) to assign to the provincially coordinated health system the responsibility for carrying out health and epidemiological surveillance actions, workers' health care actions and human resources training, as well as controlling and supervising medicines, expenditures and other means concerning to health issues;
- e) to promote the construction of health infrastructures;
- f) to participate in the definition of major health projects for the province by the Central Government.

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:
- c) promote conditions in the province for equal access and permanence in school, for the freedom to learn and teach, for the valuation of professionals and for the connection of the school to the needs of provincial services and enterprises with a view to stimulating economic development And social;

- d) establish a provincial education plan, aiming at ensuring the quality and income of education, eradicating illiteracy, universalising school attendance so as to Human resources and skilled labour as guarantor of their development;
- e) promote the construction of education infrastructures;
- f) to participate in the definition of major education projects for the province by the Central Government.

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.

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 medium-sized 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.

CHAPTER V

Organizational Structure of the Provincial Government

ARTICLE 32

(Organic structure)

1. The Provincial Government shall comprise the following organs and services:

- a) management bodies and advisory support;
- b) technical support bodies;
- c) instrumental support services;
- d) executive services;
- e) protected structures.

2. The management bodies and advisory support shall be:

- a) Council of the Provincial Government;
- b) Provincial Governor;
- c) Provincial Vice-Governors;
- d) Provincial Council of Auscultation and Social Concertation.

3. The provincial support bodies are:

- a) Secretariat of the Provincial Government;
- b) Legal Office;

- c) Inspection Office;
- d) Office of Studies, Planning, and Statistics;
- e) Office of Support and Control of Administrations

(illegible)

- a) Office of the Provincial Governor;
- b) Offices of the Provincial Deputy Governors;
- c) Documentation and Information Centre.

5. The executive services are:

- a) provincial secretariats;

6. Tutelary structures are:

- a) local public institutes;
- b) local public enterprises.

CHAPTER VI **Statute of Members of the Provincial Government**

ARTICLE 33 (Statute)

1. The members of the Provincial Government are:

- a) Provincial Governor:

- b) Provincial Vice-Governors;
- c) Provincial Secretaries.

2. The members of the Provincial Government have the following status:

- a) are civilly and criminally responsible for acts they practice or legalize;
- b) enjoy immunities provided for by law;
- c) cannot be prejudiced in their placement in their social benefits or in their permanent employment due to the performance of their duties;
- 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.

ARTICLE 34.
(Possession and assignment of duties)

1. The Provincial Governor and the Provincial Vice Governors shall begin their functions upon taking office before the President of the Republic.

2. The remaining members of the Provincial Government begin their functions with the inauguration before the Provincial Governor.

(Illegible)

CHAPTER VII **Provincial Government Council**

ARTICLE 35
(Definitions, roles, and competences)

1. The Council of the Provincial Government is the collegial executive organ of the province.

2. The Council of the Provincial Government carries out the general coordination of the province's governance.

3. It is incumbent upon the Council of the Provincial Government:

a) to approve and adopt legal diplomas, in matters of specific interest to the province and of local incidence, which are not reserved to the proper competences of the Sovereignty organs of the Country, taking into account the Constitutional Law and other legislation and legal precepts in force;

b) to approve and adopt, within the scope of the proper attributions of the Provincial Government, the regulations necessary for the execution of laws and legal precepts from the Offices of Sovereignty that do not reserve for them the respective regulatory power taking into account the Constitutional Law and other legislation and legal precepts in force;

c) to define the general guidelines of the province's governance, as well as monitor and coordinate its implementation;

d) to create public institutes and enterprises of local scope;

e) to approve the Program of the Provincial Government and the Provincial Budget, as well as the Annual Plan of Activities of the Provincial Government;

f) to approve the execution reports, respectively, of the Program of the Provincial Government, of the Provincial Budget and of the Annual Plan of Activities of the Provincial Government;

g) to consider the appointment and dismissal of the holders of positions of direction and leadership in the province;

h) to approve the acts of the Provincial Government that involve increase or decrease of revenues and public expenses;

i) to authorize the Provincial Government to make internal loans and other credit operations defining the respective general conditions, observing the limits of provincial indebtedness;

j) **(Illegible)**

k) to examine the matters of sectoral nature presented by the respective holders.

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.

ARTICLE 36
(Operating rules)

1. The Council of the Provincial Government shall meet monthly and extraordinarily, whenever convoked by the Provincial Governor.

2. The Council of the Provincial Government shall adopt its decisions and/or deliberation in the form of resolutions and positions.

ARTICLE 37
(Composition)

1. Participate in the meeting of the Council of the Provincial Government, as effective members:

a) Provincial Governor;

b) Provincial Vice-Governors;

c) Provincial Secretaries.

2. The following individuals may participate in the meeting of the Provincial Government Council, at the invitation of the Provincial Governor:

a) municipal administrators;

b) natural or legal persons.

CHAPTER VIII

Governor

ARTICLE 38.

(Definition)

1. The Provincial Governor is the representative of the Central Government in the respective province, which is responsible for directing the governance of the province, ensuring the normal functioning of the local administration bodies, responding to their activity before the Government and the President of the Republic.

2. The Provincial Governor shall be assisted in the performance of his duties by two vice governors, one of whom shall be responsible for the economic and productive sector and the other for the social and organizational sector.

3. The Provincial Governor may delegate powers to the vice governors to monitor, treat and decide matters relating to the activity and operation of other areas.

4. Where, for reasons of public interest of Local Government, the Provincial Governor may be assisted by up to three provincial vice-governors.

ARTICLE 40

(Competence)

1. It is the responsibility of the Provincial Governor:

a) to ensure compliance with the constitution and other legal acts;

b) to direct the activity of the provincial secretaries and of the municipal and communal administrators;

c) to appoint and exonerate the provincial secretaries, heads of office and officials of the Provincial Government;

d) to propose to the Minister of Territorial Administration the appointment and dismissal of municipal and communal administrators and their respective deputies;

e) to confer ownership of municipal, communal and deputy administrators, by delegation of the Minister of Territorial Administration;

f) to convene and preside over the meetings of the Provincial Government and the Provincial Council of Social Conciliation and Arbitration and propose the agenda of work;

g) to regularly carry out monitoring and control visits to municipalities and communes;

h) to authorize public expenses to be incurred in accordance with the law;

i) **(illegible)**

public investment projects, in accordance with the law;

j) to promote, under the terms of the law, initiatives for the conclusion of twinning agreements and protocols of cooperation between cities, under their jurisdiction, until local authorities are in place, after hearing the Provincial Government and its municipal or communal administration;

k) to participate in the meetings of the Council of Ministers and its specialized committees when convened and in the meetings of the Superior Council of the Ministry of Territory Administration;

l) to guarantee the organizational and material conditions for the work visits of the Deputies to the respective constituencies and institutions of the province;

m) to appoint and dismiss the heads of local institutes and public enterprises;

n) to promote mechanisms to ensure dialogue, collaboration, and monitoring of institutions of Traditional Power;

o) to promote measures to protect and preserve the environment;

p) to ensure compliance with defence and security measures and internal order;

q) to convene and preside over meetings with local or regional defence, security and internal order bodies and propose measures to resolve what has been the cause of the meeting;

r) to guide and update, according to the established phases, the population census and the census of the foreigners, according to the data of the National Institute of Statistics;

s) to promote mechanisms that guarantee interrelation and interdependence between the Central Administration and Local Administration;

t) to carry out any other duties that will be superiorly determined.

2. The administrative acts of the Provincial Governor, when enforcing, take the form of dispatches and when they are generic instructions, they take the form of orders of service.

CHAPTER IX

Vice Governors

ARTICLE 41

(Provision and equalization)

1. The Vice Governor shall be appointed by the President of the Republic, based on the proposition of the Provincial Governor, after hearing the Minister for Territorial Administration.

2. (Illegible)

For protocolary purposes, remuneration and immunity.

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;
- b) water, energy, mines and oils;
- c) agriculture, fisheries, industry, commerce, hotels and tourism;
- d) transport, communications, and public works.

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:

- a) education, culture and sports;
- b) health, social reintegration, former combatants and veterans of war;
- c) urban planning, housing, land use planning and the environment;

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

e) organization of the Provincial Government, municipal, communal, neighbourhood and village administrations.

3. By express appointment, one of the Vice Governors replaces the Governor in his absences and impediments.

4. The administrative acts of the Vice Governors take the form of dispatches when they are enforceable and when they are generic instructions, they take the form of orders of service.

CHAPTER X

Provincial Council of Social Conciliation and Arbitration

ARTICLE 43

(Definition and objectives)

1. The Provincial Council of Social Conciliation and Arbitration aims to support the Council of the Government of the Province in the assessment and adoption of economic and social policy measures in the territory of the respective province.

2. For the purposes of paragraph 1 of the preceding article, the Provincial Council of Social Conciliation and Arbitration shall be heard prior to the approval of the provincial development plan, the business plan and the report on the implementation of said instruments.

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.

ARTICLE 45

(Competence, organization and functioning)

1. The provisions of the regulations of the National Council of Social Conciliation and Arbitration shall apply to their duties, competences, organisation, and operation.

2. The Provincial Council of Social Conciliation and Arbitration ordinarily meets every three months and extraordinarily whenever the Provincial Governor summons it.

CHAPTER XI

Technical Support Services

ARTICLE 46.

(Secretary of the Provincial Government)

The Provincial Government Secretariat is the service that deals with the generality of administrative matters, personnel management, wealth, budget, public relations and transport.

ARTICLE 47
(Legal Office)

The Legal Office is the technical support service to which the advisory and technical-
(Illegible)

ARTICLE 48.
(Inspection Office)

The Inspection Office is the technical support service, which is responsible for inspecting the services of the local State administration.

ARTICLE 49
(Office of Studies, Planning, and Statistics)

The Office of Studies, Planning and Statistics is the multidisciplinary advisory service, with the functions of elaboration of studies and analysis of matters included in the attributions of the Provincial Government, as well as to guide, coordinate and control the planning activities of the respective territorial area, to monitor and control the execution of provincial plans and to ensure the achievement of their respective merits.

ARTICLE 50
(Office of Support and Control of Municipal and Communal Administrations)

The Office of Support and Control of Municipal and Communal Administrations is the service that assures the support, monitoring and control of the organization and operation of the services of municipal and communal administrations.

ARTICLE 51
(Equalization and regulation)

1. The competences of the technical support services, referred to in Article 19 (2), are defined by internal regulations approved by the Provincial Governor.

2. The Secretary of the Provincial Government is headed by a Secretary of the Provincial Government equated to the provincial director.

3. The Legal, Inspection, Studies, Planning and Statistics Offices and Support and Control Offices of Municipal and Communal Administrations are directed by cabinet directors who are equivalent to the provincial director.

CHAPTER XII

Instrumental Support Services

ARTICLE 52

(Offices of the Governor and Vice Governors)

The composition and legal status of the staff of the Governor's and Vice Governors' offices is the **(illegible)**

ARTICLE 53

(Documentation and Information Centre)

1. The Documentation and Information Centre is the service that provides support in the fields of documentation in general and in particular in the selection, elaboration, and dissemination of information.

2. The powers of the Documentation and Information Centre are defined by internal regulations approved by an order of the Provincial Governor.

3. The Documentation and Information Centre is headed by a chief with the rank of Chief of Provincial Department.

CHAPTER XIII
Executive Services

SECTION I
Provincial Secretary

ARTICLE 54
(Nature)

The Provincial Secretariat is the executive service charged with ensuring the execution of specific attributions and competences of the Provincial Government.

ARTICLE 55
(Secretary)

1. The Provincial Secretariat is headed by a provincial secretary, appointed by order of the Provincial Governor, taking into account the opinion of the Minister of the specialty.
2. The Provincial Secretary is subordinate to the Provincial Governor.

ARTICLE 56
(Dependency)

1. The Provincial Secretariat depends organically, administratively and functionally on the Provincial Government.
2. The Ministries shall provide technical and methodological support to the Provincial Secretaries, through the respective Provincial Governor.
3. Notwithstanding the provisions of the preceding paragraphs, the relations with autonomous state bodies shall respect the principle of speedness and de-bureaucratization.

ARTICLE 57
(Regulation)

The Provincial Secretariat is governed by internal regulations approved by order of the Provincial Governor.

ARTICLE 58
(Structure)

The Provincial Secretariats are structured in:

- a) departments;
- b) sections.

SECTION II
Delegation of Ministries

ARTICLE 59
(Nature)

The Provincial Delegation is an indirect executive service that directs and executes the attributions and competences of the central body of specialty that it represents in the province.

ARTICLE 60
(Direction of the Provincial Delegation)

The Provincial Delegation is headed by a provincial delegate, appointed by joint order of the Minister of Territorial Administration and the Minister of the Central Organ of Specialty, on the proposal of the Provincial Governor.

ARTICLE 61
(Dependency)

1. The Provincial Delegation depends, organically, executive and functionally on the Government of the Province and organically of the central organ of specialty.

2. The structure and the number of Provincial Delegations are established in a proper diploma.

TITLE III

Municipal Administration

CHAPTER I

Definition and Competences of Municipal Administration

ARTICLE 62

(Definition)

The Municipal Administration is the decentralized body of State Administration in the province that aims to ensure the fulfilment of the functions of the State at the level of the municipality.

ARTICLE 63

(Senior Management)

1. The Municipal Administration, in the exercise of its functions and competences, responds to the Provincial Government.

2. The Municipal Administration must be previously heard by the Provincial Government whenever it intends to adopt administrative, economic-social and legal policy measures of municipal specificity.

ARTICLE 64

(Attributions)

The functions of the Municipal Administration are to promote and guide the administrative and socio-economic development of the municipality, based on the decisions and options defined by the Provincial Government and to ensure the provision of local community services.

ARTICLE 65

(Competences)

1. In the administrative-institutional and legal framework:

a) to carry out the Municipal Administration, defending the law and ensuring the development of the municipality and meeting the needs of the population;

- b) to participate in advisory bodies of the Provincial Government, in cases established by legal precepts;
- c) to execute and ensure compliance with the decisions and guidelines of the Municipal Administration Council of the Provincial Government;
- d) to collaborate in the support of programs and projects of municipal interest, in partnership with other entities of the Provincial Government;
- 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;
- g) to create and ensure the orientation, coordination and monitoring of municipal services and municipal enterprises, according to the legal precepts;
- h) **(Illegible)** monitoring of Communal Administrations and overseeing public institutes and public companies of local scope with headquarters in the municipality;
- 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;
- 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;
- k) to promote traffic management in the conurbations, including the signalling and parking of vehicles on public streets and public places;
- l) to establish the denomination of the streets and squares of the localities, as well as the numbering rules of the buildings, in the terms foreseen in the legal precepts;
- m) to practice legal acts within the scope of the proper attributions of the municipal administration;
- n) to exercise the other competences attributed to him above;
- o) to issue, in the exercise of its functions, resolutions, and positions.

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;
- b) to promote public order and security;

c) to carry out any other duties that will be superiorly determined.

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;

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.

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.

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;

b) to ensure the management and maintenance, including cleaning of social areas and facilities of the municipality, such as cemeteries, beaches and bathing areas, gardens and public squares;

- 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;
- d) to ensure the public works of the municipality, promoting the construction of infrastructures and engineering works of municipal interest;
- e) to ensure the functioning of the municipal transport, promoting the development of urban, inter-municipal and intercommunal road 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.

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

- a) to guarantee and control the coverage of health services in the municipality, by ensuring the functioning of public health structures and the promotion of private health facilities;
- b) to guarantee the educational assistance of the municipality, ensuring the operation of primary and secondary education;
- c) to ensure the functioning of the culture of the municipality by promoting cultural events and the preservation of buildings, monuments and sites classified as national and local historical heritage located in the territory of the municipality;
- 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.

CHAPTER II

Organic Structure of Municipal Administration

ARTICLE 66

(Organic structure)

1. The Municipal Administration shall comprise the following bodies and services:

- a) Management and Advisory Support Bodies.
- b) Technical Support Services;
- c) Services and Instrumental Support;
- d) Executive Services;
- e) Superintendence.

2. The Management and Advisory Support bodies are:

- a) Municipal Board of Directors;
- b) Municipal Administered;
- c) Deputy Municipal Administrators;
- d) Municipal Council of Social Conciliation and Arbitration.

3. The Technical Support Services are:

- a) Municipal Administration Secretariat;
- b) Office of Studies, Planning and Statistics.

4. The Instrumental Support bodies are:

- a) Office of the Municipal Administrator;
- b) Office of the Deputy Municipal Administrators;
- c) Documentation and Information Centre.

5. The Executive Services are:

a) Municipal offices.

6. The Superintendence:

a) Local Public Institutes;

b) Local Public Enterprises.

CHAPTER III

Municipal Board of Directors

ARTICLE 67

(Definition, function, and competences)

1. The Municipal Board of Directors is the governing body of the municipality.

2. The Municipal Board of Directors performs the general coordination of the administration of the municipality.

3. It is the responsibility of the Municipal Board of Directors:

a) to approve the general directives of the administration of the Municipality, as well as to monitor and coordinate its execution;

b) to approve the municipal administration plan and the municipal budget, as well as the Annual Work Plan of the Municipal Administration;

c) to approve the implementation reports, respectively, of the Municipal Administration Plan and of the municipal budget as well as the Annual Working Plan of the Municipal Administration;

d) to consider all matters within the scope of this council submitted to it by the Provincial Government.

ARTICLE 68

(Rules of operation and composition)

1. The Municipal Board of Directors shall meet monthly and, extraordinarily, whenever called by the municipal administrator.

2. The Municipal Board of Directors shall adopt its decisions and/or resolutions on the form of resolutions and positions.

3. The following entities shall participate in the meeting of the Municipal Board of Directors:

a) municipal administrator;

b) Deputy municipal administrators;

c) heads of municipal offices;

d) invited entities, namely community administrators and natural and legal persons.

CHAPTER IV

Municipal Administrator

ARTICLE 69

(Definition)

1. The Municipal Administrator is the representative of the Provincial Government in the municipality, who is responsible for directing the municipal administration, ensuring the normal functioning of the local administration bodies, responding to their activity before the Provincial Governor.

2. The Municipal Administrator is assisted by an assistant municipal administrator.

3. The Municipal Administrator may delegate powers to the assistant municipal administrator to follow up, handle and decide matters relating to the activity and operation of the areas assigned to it.

4) Where, for reasons of public interest of the municipal administrations, it is justified, the Municipal Administrator may be assisted by up to two administrators Municipal councils.

ARTICLE 70

(Provision)

1. The Municipal Administrator is proposed by the Provincial Governor and appointed by order of the Minister of Territory Administration.

2. The provision of the position of Municipal Administrator must observe the status of the local administrator to be approved in a proper diploma.

ARTICLE 71

(Competence)

1. The Municipal Administrator shall be responsible for:

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

b) directing, guiding and controlling the activity of the municipal heads of division and of the community administrators, coordinators of neighbourhoods and towns, to ensure compliance with the decisions of the Municipal Administrator;

c) informing regularly the Provincial Governor about the accomplishment of tasks and the way of functioning of the Municipal Administration;

d) deciding on human resources issues of the Municipal Administration, namely to appoint, to take over and exonerate the holders of positions of leadership of the different services under their dependency;

- e) convening the meetings of the Municipal Administration and the Municipal Council of Social Conciliation and Arbitration and propose the respective agenda;
- f) guiding and act, according to the established phases, the census of the population as well as the census of the foreigners;
- g) monitoring and coordinating with the traditional authorities the implementation of administrative actions among the populations;
- h) complying with and enforcing the rules governing traffic, sanitation, electricity and aesthetics of the general layout and the rigor of alignments;
- i) approving private construction projects and supervising their implementation;
- j) imposing fines, after withdrawal of the order, in the terms of the administrative regulations;
- k) providing all public authorities and services with the support they need for the performance of their duties;
- l) exercising control over the use of past licenses to traders, industrialists, and others, whose activity is justified;
- m) carrying out actions that prevent the destruction of flora and fauna and contribute to the defence and preservation of the environment;
- n) granting land, in the municipal cemeteries, for graves and tombs and for ensuring their conservation;
- o) energizing the distribution of water and electricity in the areas under its jurisdiction;
- p) issuing permits for the translation of mortal remains;
- q) performing other duties that are superior to him;

2. The administrative acts of the Municipal Administrator take the form of dispatches when they are enforceable and when they are generic instructions, they take the form of orders of service.

CHAPTER V

Deputy Municipal Administrator

ARTICLE 72

(Provision)

1. The Deputy Municipal Administrator shall be appointed by the Minister of Territorial Administration, upon the proposal of the Provincial Governor.

2. The provision for the position of deputy municipal administrator must observe the status of the local administrator to be approved in a proper diploma.

ARTICLE 73

(Deputy Municipal Administrator's Competences)

1. It is incumbent upon the Deputy Municipal Administrator:

a) to coordinate economic, social and productive sectors;

b) to propose to the Municipal Administrator measures aimed at improving the performance of the Municipal Administration, as well as the development of activities of the Municipality;

c) to carry out other duties which are superior to it;

d) to replace the Municipal Administrator in his absences or impediments.

2. The administrative acts of the Deputy Municipal Administrator take the form of dispatches when they are enforceable and when they are generic instructions, they take the form of orders of service.

CHAPTER VI

Municipal Council of Social Conciliation and Arbitration

ARTICLE 74

(Definition)

1. The Municipal Council of Social Conciliation and Arbitration aims to support the Municipal Administration in the assessment and adoption of political, economic and social measures in the territory of the respective municipality.

2. For the purposes of applying the provisions of paragraph 1 of the preceding article, the Municipal Council of Social Conciliation and Arbitration shall be heard before approval of the municipal development program, the business plan and the report on the implementation of said instruments.

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.

2. Whenever it deems necessary the Municipal Administrator may invite other entities not contemplated in the previous number.

ARTICLE 76.

(Attributions and functioning)

1. The attributions, competences, organization and functioning shall apply to the provisions of the regulations of the Provincial Council of Social Conciliation and Arbitration.

2. The Municipal Council of Social Conciliation and Arbitration shall meet ordinarily every three months and extraordinarily whenever the Municipal Administrator summons it.

CHAPTER VII

Technical Support Services

ARTICLE 77

(Secretariat of Municipal Administration)

The Department of Municipal Administration is the department dealing with the generality of administrative matters, personnel management, assets, budget, public relations and transport.

ARTICLE 78

(Department of Studies, Planning and Statistics)

The Department of Studies, Planning and Statistics is the multidisciplinary advisory service, with the functions of elaborating studies and analyses on matters included in the attributions of the Municipal Administration, to plan, program and coordinate the accomplishment of global activities of the municipality.

ARTICLE 79

(Regulation and equalization)

1. The competences of the technical support services referred to in article 45, paragraph 2, are defined by internal regulations approved by the Municipal Administrator.

2. The services referred to in the previous number are headed by heads of distribution.

CHAPTER VIII

Instrumental Support Services

ARTICLE 80

(Offices of the Municipal Administrator and Deputy)

The composition and legal status of the staff of the Offices of the Municipal Administrator and the respective Deputy are established in Decree No. 28/99 of 16 September.

ARTICLE 81
(Documentation and Information Centre)

1. The Documentation and Information Centre is the service providing support in the fields of documentation in general and in particular in the selection, elaboration, and dissemination of information.

2. The powers of the Documentation and Information Centre are defined by internal regulations approved by order of the Municipal Administrator.

3. The Documentation and Information Centre is chaired by a chief with the category of head of Office.

CHAPTER IX
Executive Services

SECTION 1
Local Authorities

ARTICLE 82
(Nature)

The Municipal Bureau is the executive service responsible for ensuring the execution of attributions and specific competences of the Municipal Administration.

ARTICLE 83
(Direction)

The Municipal Office is headed by a head of distribution, appointed by order of the Provincial Governor.

ARTICLE 84
(Regulation)

The Municipal Office is governed by internal regulations approved by order of the Municipal Administrator

ARTICLE 85.
(Structure and limits of the Municipal Branches)

1. The Municipal Office is structured in sections.
2. In municipalities, there can only be two sections per division.

SECTION II
Public Administration in the Municipality

ARTICLE 86
(Structuring criteria)

1. The organization and internal segmentation of Municipal Administration bodies may be subject to differentiated models, taking into account local specificity, local development strategies or plans, priority development grade or areas, technology or resources to be used, demographic and organic-functional rationality and organizational resources.
2. Administrative functions of identical or logically related nature shall be aggregated into an organizational unit, avoiding excessive vertical and horizontal segmentation of structure.
3. The existence of differentiated models of organization and internal segmentation of structures referred to in paragraph 1 of this Article shall be without prejudice to sound administration or to the coordination of common functions.

ARTICLE 87.
(Organic of Municipal Administrations)

The organization of the Municipal Administrations must be approved by the Provincial Government, after obtaining the opinion of the directorates that supervise at provincial level the functions committed to the Municipal Departments.

CHAPTER X

Possession and Cessation of Functions of the Municipal Administration

ARTICLE 88

(Possession and termination of duties)

1. The Municipal Administrator and Deputy Municipal Administrators shall begin their duties with the inauguration before the Provincial Governor, by the delegation of the Minister of Territory Administration.

2. The remaining members of the Municipal Administration begin their functions with the taking of possession before the Municipal Administrator.

3. The functions of the members of the Municipal Administration cease with their exoneration in accordance with the legal precepts.

TITLE IV

Community Administration

CHAPTER I

Definition and Competences of the Communal Administration

ARTICLE 89

(Definition)

The Communal Administration is the decentralized body of State Administration in the province that aims to ensure the fulfilment of the functions of the State at the level of the commune.

ARTICLE 90

(Upper hierarchy)

The Communal Administration, in the exercise of its functions and competences, responds to the Municipal Administration.

ARTICLE 91
(Attributions)

1. The functions of the Communal Administration are the promotion and orientation of the administrative and economic-social development of the municipality, based on the decisions and options defined by the Provincial Government, and the provision of local community services.

ARTICLE 92
(Competence)

1. In the administrative-institutional and legal framework:

a) to carry out the administration of the commune, defending the law and guaranteeing the development of the commune and the satisfaction of the needs of the populations;

b) to participate in consultative bodies of the Municipal Administration, in the cases established by legal precepts;

c) to collaborate in the support of programs and projects of communal interest, in partnership with other entities of the Municipal Administration;

d) to execute and ensure compliance with the decisions and guidelines of the Municipal Administration Council and the Municipal Administration;

e) to prepare and approve the communal administration plan and the communal budget allocation, and ensure its implementation;

f) to approve the implementation reports, respectively, of the Communal Administration plan and the communal budget allocation, as well as the Annual Working Plan of the Communal Administration;

g) to ensure the orientation and monitoring of the populations and neighbourhoods of the commune, as well as of the Traditional Authorities;

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;

i) to practice legal acts within the scope of the proper attributions of the Communal Administration;

j) to provide other public bodies with all the assistance requested, in particular in the areas of statistics, development, education, health, social assistance and reintegration, culture and, in general, the well-being of the population;

k) to exercise the other competences assigned to him above;

l) to issue, in the exercise of their functions, resolutions, and positions.

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;

b) to administer and conserve the patrimony of the Communal Administration;

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.

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;

b) to promote, manage and conserve social facilities, such as public parks, gardens, cemeteries and other public utilities;

c) to promote social and civic education campaigns among the populations.

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;

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;

d) to promote and monitor social assistance and reintegration into the commune.

CHAPTER II

Communal Administrator and Deputy Communal Administrator

SECTION 1

Communal Administrator

ARTICLE 93

(Definition)

1. The Communal Administrator is the representative of the Municipal Administration in the Commune, who is responsible for directing the Communal Administration, ensuring the normal functioning of the local administrative bodies, responding to their activity before the Municipal Administrator.

2. The Communal Administrator shall be assisted by a Deputy Communal Administrator.

3. The Communal Administrator may delegate powers to the Deputy Community Administrator to follow, discuss and decide on matters relating to the activity and operation of the areas assigned to him.

Article 94

(Provision)

1. The Communal Administrator shall be appointed by the Minister of Territorial Administration, upon the proposal of the Provincial Governor.

2. The Deputy Communal Administrator shall be appointed by the Minister of Territorial Administration, upon the proposal of the Provincial Governor.

3. The provision for the positions of Communal Administrator and Deputy Communal Administrator must observe the status of the local administrator to be approved in a proper diploma.

ARTICLE 95
(Competence)

1. The Community Administrator shall be responsible for:

- a) ensuring compliance with the constitution and other legal provisions;
- b) directing the Communal Administration and ensure the fulfilment of its deliberations;
- c) informing the Municipal Administrator regularly about the accomplishment of tasks and the way of functioning of the Communal Administration;
- d) deciding on human resources issues of the Communal Administration, namely to appoint, to take over and exonerate the holders of positions of leadership of the different services under their dependency;
- e) convening and preside over the meetings of the Communal Administration and of the Communal Council of Social Conciliation and Arbitration and propose their respective agendas;
- f) guiding and updating the population census, as well as control the census of foreigners;
- g) monitoring and coordinate with the traditional authorities the implementation of community actions among the populations;
- h) imposing fines for administrative transgressions;
- i) exercising control and control over the use of the license concessions granted to merchants, farmers, industrialists and the like within its area of jurisdiction;
- j) preventing the destruction of flora and fauna and to take the necessary measures against action prejudicial to the environment;
- k) promoting openness and the preservation of local roads;
- l) **(Illegible)** Graves and ensure their conservation;
- m) organising and control communal markets;
- n) promoting the collection, treatment, transport and distribution of drinking water and electricity of the commune;
- o) carrying out any other duties that will be superiorly determined.

CHAPTER II

Organic Structure of Communal Administration

ARTICLE 96

(Organic structure)

1. The Communal Administration shall comprise the following organs and services:

- a) Management and Advisory Support Bodies;
- b) Technical, Instrumental and Executive Support Services.

2. The Governing Bodies and Advisory Support are:

- a) Communal Board of Directors;
- b) Communal Administrator;
- c) Deputy Communal Administrators;
- d) Communal Council of Social Conciliation and Arbitration;
- e) Technical, Instrumental and Executive Support Services.

3. The Technical, Instrumental and Executive Support Services are:

- a) Secretariat of Communal Administration;
- b) Office of the Communal Administrator;
- c) Office of Deputy Communal Administrators;
- d) Municipal offices.

CHAPTER III

Council of Communal Administration

ARTICLE 97

(Definition, function and competences)

1. The Council of Communal Administration is the collegial executive organ of the commune.

2. The Council of Communal Administration performs the general coordination of the administration of the commune.

3. It shall be incumbent upon the Council of Communal Administration:
 - a) to define the general guidelines of the Administration of the Commune, as well as to monitor and coordinate their execution;
 - 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;
 - d) to consider all matters within the scope of this council that is submitted to it by the Municipal Administration.

ARTICLE 98

(Rules of operation and composition)

1. The Community Board of Directors shall meet monthly and, extraordinarily, whenever called by the Community Administrator.

2. The Communal Board of Directors shall adopt its decisions and/or resolutions on the form of resolutions and positions.

3. The following entities shall participate in the Meeting of the Communal Board of Directors:

- a) Communal Administrator;
- b) Deputy Communal Administrators;
- c) Heads of Communal Offices;
- d) Invited entities, in particular natural or legal persons.

CHAPTER IV

Communal Administrator

ARTICLE 99

(Definition)

1. The Communal Administrator is the representative of the Municipal Administration in the commune, who is responsible for directing the communal administration, ensuring the normal functioning of the local administrative bodies, responding to their activity before the Municipal Administrator.

2. The Community Administrator shall be assisted by **(illegible)**

3. The Community Administrator may delegate powers to the Deputy Community Administrator to accompany, handle and decide on matters relating to the activity and operation of the areas assigned to him.

ARTICLE 100

(Provision)

1. The Communal Administrator shall be appointed by the Minister of Territorial Administration, upon the proposal of the Provincial Governor.

2. The Deputy Community Administrator shall be appointed by the Minister of Territorial Administration, upon the proposal of the Provincial Governor.

3. The provision of positions of Community Administrator and Deputy Community Administrator must observe the status of the local administrator to be approved in a proper diploma.

ARTICLE 101

(Competence)

1. The Communal Administrator shall be responsible for:

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

b) directing the Communal Administration and ensure the fulfilment of its deliberations;

c) informing the Municipal Administrator regularly about the accomplishment of tasks and the way of functioning of the Communal Administration;

d) deciding on human resources issues of the Communal Administration, namely to appoint, to take over and exonerate the holders of positions of leadership of the different services under their dependency;

e) convening and preside over the meetings of the Communal Administration and of the Communal Council of Social Conciliation and Arbitration and propose their respective agendas of work;

f) guiding and update the population census, as well as control the census of foreigners;

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

h) imposing fines for administrative transgressions;

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;

k) promoting the opening and conservation of vicinal roads;

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

m) organising and control communal markets;

n) promoting the capture, treatment, transport, and distribution of drinking water and electricity in the Commune;

o) carrying out any other duties that will be superiorly determined.

ARTICLE 102

(Nature of acts of the Administrator)

The administrative acts of the Community Administrator when enforcing, take the form of dispatches and when they are generic instructions, they take the form of orders of service.

CHAPTER V

Communal Deputy Administrators

ARTICLE 103

(Competence)

1. The Communal Deputy Administrator shall:

a) coordinate economic, social and productive sectors;

b) direct the Secretariat of Communal Administration;

c) replace the Administrator in his absences and impediments:

d) perform other functions as are superiorly determined.

2. The administrative acts of the Communal Deputy Administrator when enforcing, take the form of dispatches and when they are generic instructions, they take the form of orders of service.

CHAPTER VI

Communal Council of Social Conciliation and Arbitration

ARTICLE 104

(Definition and objectives)

1. The Communal Council of Social Conciliation and Arbitration aims to support the Communal Administration in the assessment and adoption of economic and social policy measures in the territory of the respective commune.

2. **(Illegible)** previous article, and Communal Council of Social Conciliation and Arbitration must be heard before the approval of the communal development plan, the business plan and the report of the implementation of said instruments.

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.

2. Whenever it deems necessary, the Communal Administrator may invite other entities not contemplated in the previous number.

ARTICLE 106

(Attributions and functioning)

1. The attributions, competences, organization and functioning, shall apply to the provisions of the regulation of the Municipal Council of Social Conciliation and Arbitration

2. The Communal Council of Social Conciliation and Arbitration shall meet ordinarily every three months and extraordinarily whenever the Community Administrator summons it.

CHAPTER VII

Instrumental and Executive Technical Support Services

ARTICLE 107

(Secretariat of Communal Administration)

The Secretariat of Communal Administration is the service that deals with the generality of the administrative issues of the commune.

ARTICLE 108

(Offices of the Communal Administrator and the Deputy Community Administrator)

The composition and legal status of the staff of the Offices of the Communal Administrator and his Deputy are established in Decree No 28/99 of 16 September.

ARTICLE 109

(Office of Economic, Social, and Productive Affairs)

The Office of Economic, Social, and Productive Affairs is the service that executes and controls the economic, social and productive activities of the commune.

ARTICLE 110

(Office of Organisation, Community Services, and Inspection)

The Office of Organisation, Community Services, and Inspection is the service that performs and controls community activities, organization and inspection.

ARTICLE 111

(Regulation and assimilation)

1. The powers of executive services and instrumental support referred to paragraphs a), b), c), d) and e) of article 65 are defined by internal regulations approved by the Communal Administrator.

2. The Office of Communal Administration, the Office of Economic, Social and Productive Affairs, the Office of Organisation, Community Services and Inspection are headed by heads of offices.

CHAPTER VIII

Possession and Cessation of Functions of the Communal Administration

ARTICLE 112

(Possession and termination of duties)

1. The Municipal Administrator and Deputy Municipal Administrators shall begin their duties with the inauguration before the Provincial Governor, by the delegation of the Minister of Territory Administration.

2. The remaining members of the Municipal Administration begin their functions with the taking of possession before the Municipal Administrator.

3. The functions of the members of the Municipal Administration cease with their exoneration in accordance with the legal precepts.

TITLE V

Neighbourhoods and settlements

ARTICLE 113

(Neighbourhoods and settlements)

The organization and operation of the neighbourhoods and settlements will be the subject of a specific diploma.

TITLE VI

Public Administration in the Province

ARTICLE 114

(Administrative organization)

The administrative organization of the province is governed by the principles of decentralization of services.

ARTICLE 115

(Administrative Officers)

The system of public administration in the province is established by law.

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 public-private partnership, be it with public enterprises, cooperatives, NGOs or other private non-profit institutions.

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.

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.

ARTICLE 119

(Scope)

1. Program contracts and protocols may cover more than one province, municipality or commune and shall provide for the forms of mutual cooperation.

2. The Central Government shall determine by decree the general conditions to be met by the conclusion of the program contracts and the protocols.

TITLE IX

Economic and Financial Regime of the Provincial Government of Cabinda

CHAPTER I

Principles

ARTICLE 120

(Principles)

1. The Central Government shall, in cooperation with the Provincial Government, ensure the administrative, economic and social development of the Province of Cabinda, taking into account the motor potentialities of the Province of Cabinda and the need to overcome the asymmetries resulting from the situation of the enclave of the province within the geographical situation of the country.

2. National solidarity binds the State to ensure the conditions for overcoming the consequences of the enclave situation of the province with a view to a more convenient integration of the province into the national space within a framework of economic and financial interdependence.

CHAPTER II

Business

SECTION I

(Financial Regime)

ARTICLE 121

(Financial Regime)

The financial regime of the Government of the Province of Cabinda and of the Municipal Administrations with regard to the programming, management, execution and internal control of the General State Budget and to that contained in Law No. 9197, Legal Framework of the State General Budget of the Decree No. 73/01, of 12 October, establishes the Integrated System for Financial Management of the State, in accordance with Decree No. 8/05, of March 11, on Budgetary Execution and Regulation.

SECTION II

Budget, Revenues, Expenses and Public Debt

ARTICLE 122

(Provincial and municipal budget)

1. The Provincial Government of Cabinda and the Municipal Administrations of the Province of Cabinda are considered Budget Units.

2. The budget allocations for the Municipal Administrations of the Province of Cabinda are established in the Budgets of the Municipal Administrations.

ARTICLE 123

(Provincial and municipal revenues)

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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;
- d) the financial resources obtained from the use of loans issued by the Provincial Government;
- e) the proceeds of the assets of the Provincial Government.

ARTICLE 124

(Control of local budget execution)

The internal and external execution and supervision of the budgets of the Provincial Government and the Municipal Administrations is carried out in accordance with the Integrated System for Financial Management of the State.

ARTICLE 125

(Debt of the Provincial Government)

The Cabinda Provincial Government is responsible for short-term and medium-term loans, which are authorized by the Government.

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;
- b) Tax benefits of central government resulting from the collection of taxes, fees, and other local revenues.

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.

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.

CHAPTER V

Patrimony

ARTICLE 128

(Patrimony)

The Provincial Government of Cabinda has its own assets and liabilities, and it is responsible for administering and disposing of its assets.

ARTICLE 129

(Goods of the Provincial Government)

These are the assets of the Provincial Government:

- a) public property situated in the province, belonging to the State, except in this domain the assets that interest the national security and defence, as well as those that are allocated to non-provincialized State services;
- b) the goods acquired by the Provincial Government or that by law belong to him.

TITLE X

Organization Chart of the Provincial Government of Cabinda

ARTICLE 130.

(Principles)

The organisational chart and the paradigm of the Provincial Government and the Municipal and Communal Administrations, as well as the respective staff, will be approved by a proper diploma by the Minister of Territorial Administration.

(Illegible)

2006, in two examples, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 8

Document Concerning the Resolutions of the National Assembly on the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda

1. With a view to materializing the provisions in Point F (Legal Confirmation of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, Point 1.1 of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda), the Government and the Cabinda Forum for Dialogue, accept the Document Concerning the National Assembly Resolutions on the Memorandum of Understanding for Peace and Reconciliation in Province of Cabinda, expressed in Annex 1/8 and in Annex 2/8 to this Annex 8.

2. Annexes 1/8 and 2/8 are an integral part of Annex 8 of the Memorandum of Understanding on Peace and Reconciliation in the Province of Cabinda.

Done in Namibe, Republic of Angola, in August 2006, in duplicate, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

ANNEX 1/8 OF ANNEX 8

Draft Resolution

Considering the urgent need to end the internal conflict in the Province of Cabinda;

(Illegible)

Past relations gave way to a dialogue between the Government and the Cabinda Forum for Dialogue in order to overcome the conflict;

And in view of the urgent need for peace in the Province of Cabinda expressed and felt daily by all the people of the Republic of Angola in general and by the people of the Province of Cabinda in particular;

Under these terms and under the combined provisions of article 88 (j) and article 92 (6), both of the Constitutional Law, the National Assembly issues the following resolution:

1. The President of the Republic of Angola is authorized to make peace under the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda.

2. This resolution shall enter into force immediately.

Seen and approved by the National Assembly.

May it be publicised

Luanda, August 2006.

The President of the National Assembly, Roberto Antonio Vítor Francisco de Almeida.

Once again, the resolution was accepted. in Namibe, Republic of Angola, in August 2006, in duplicate, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

ANNEX 2/8 TO ANNEX 8

Draft Resolution

The Republic of Angola, after decades of internal conflict that has brought serious consequences to the country in the political, security, economic, social and humanitarian domains, is now a positive trend towards a complete and definitive conclusion of the process of pacification and national harmonization throughout the territory, with the perspective of overcoming the conflict in the Province of Cabinda.

(Illegible)

Republic of Angola established contacts and held talks with the Cabinda Forum for Dialogue which led to the conclusion of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, and having:

The need to put an end to the conflict and to establish a just and lasting peace in the framework of a true reconciliation in the Province of Cabinda;

The need to accelerate the reconstruction and development of the Province of Cabinda;

Taking into account the imperative that only the introduction of the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda in the legal system of the Republic of Angola can give it the status and force of law in the country.

Under these terms and under the combined provisions of article 88 (j) and article 92 (6), both of the Constitutional Law, the National Assembly issues the following resolution:

1. The Memorandum of Understanding on Peace and Reconciliation in the Province of Cabinda, which forms an integral part of this resolution, is hereby approved.
2. This resolution shall enter into force immediately.

Seen and approved by the National Assembly.

May it be publicised.

Luanda, in August 2006.

The President of the National Assembly, Roberto Antonio Víctor Francisco de Almeida.

The law is once again accepted. in Namibe, Republic of Angola, in August 2006, in duplicate, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

For the Government of the Republic of Angola.

For the Cabinda Forum for Dialogue.

(Illegible)

Document Concerning the Final Provisions of the Memorandum of Understanding for Peace and Reconciliation in Cabinda Province

Document Concerning the Working Timetable for the Peace and Reconciliation Talks in the Province of Cabinda between the Government and the Cabinda Forum for Dialogue

1. In order to conclude the Memorandum of Understanding, the Government and the Cabinda Forum for Dialogue held talks and signed and signed the Memorandum of Understanding for Peace and Reconciliation in the Province of Cabinda, as follows:

a) date and place of the initialing of the Memorandum of Understanding for Peace and National Reconciliation:

15 July 2006, in Brazzaville, Republic of Congo.

b) Date and place of the Signature of the Cease-Fire:

July 19, 2006, in Chicamba, Cabinda, Republic of Angola

c) date and place of signature of the Memorandum of Understanding for Peace and National Reconciliation:

1 August 2006, in Namibe, Republic of Angola.

Done in Namibe, Republic of Angola, in August 2006, in duplicate, in Portuguese.

In witness whereof the undersigned Parties, being plenipotentiary entities duly accredited by the competent organs of the State of the Republic of Angola and by the Cabinda Forum for Dialogue, sign this Memorandum of Understanding on behalf of the Parties, thus binding each other.

The President-in-Office of the National Assembly, *João Manuel Golçalves Lourenço*