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Angola: Front for the Liberation of the Enclave of Cabinda - Armed Forces of Cabinda (FLEC-FAC), including human rights abuses committed by and against this organization (2006 - January 2007)

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According to the encyclopedia of conflicts *Mondes rebelles*, the Front for the Liberation of the Enclave of Cabinda-Armed Forces of Cabinda (FLEC-FAC) is the most "radical" faction of FLEC (2001, 1095). The splinter group reportedly "poses the most serious military threat to the government" (UN 14 Oct. 2003; ARB 18 Dec. 2003, 15530) as it fights for the independence of the Cabinda enclave (ibid. 26 June 2003, 15306; *Mondes rebelles* 2001, 1095). According to the United Nations (UN) Integrated Regional Information Networks (IRIN), "[n]either FLEC or its factions (FLEC Renovada and FLEC-FAC) recognise the Alvor Treaty that signed the Cabinda province over to Angola after independence from Portugal in 1975 and [they] have been calling for independence ever since" (7 Apr. 2003; ARB 26 June 2003, 15306).

As reported by Afrol News, a September 2004 meeting in Helviort, Netherlands, that was attended by Cabinda's rebel and civil society groups "succeeded in unifying Cabinda's fragmented pro-independence movement" (Afrol News 7 Sept. 2004). At the meeting, the two FLEC splinter groups, the FLEC-FAC led by N'Zita Henriques Tiago and FLEC-Renovada led by Antonio Bento Bembe, agreed to merge their groups and return to their original shared name, FLEC (ibid.). The *Political Handbook of the World: 2007* indicates that N'Zita Tiago acted as leader of the newly consolidated FLEC, while Antonio Bento Bembe became FLEC's secretary general (*Political Handbook* 2006, 42).

In addition to the merger, the Netherlands meeting united the newly consolidated FLEC with Cabindan civil society groups to create the Cabindan Dialogue Forum (FCD) (Afrol News 7 Sept. 2004; Global Insight n.d.). A statement released by the parties involved states that the FCD "shall from now on be the only valid, representative and capable mediator to handle the dialogue with the Angolan government" (Afrol News 7 Sept. 2004). Angola Press Agency articles published in 2007 refer to Antonio Bento Bembe as the president of the FCD (APA 7 Jan. 2007b; ibid. 6 Jan. 2007). In contrast, an Agence France-Presse (AFP) article published in mid-2006, names Agostinho Chicaia as the leader of the FCD, and indicates that Bembe left the group in February 2006 (AFP 30 June 2006).

In its global report on events in 2006, Human Rights Watch (HRW) wrote that

[t]he 29-year conflict ... purportedly ended with the formal signing, on August 1, 2006, of a Memorandum of Understanding (MOU) between the government and representatives of Cabinda.

The MOU was signed for the Cabindan side by Bento Bembe, a former leader of the rebel Front for the Liberation of the Cabinda Enclave (FLEC) claiming to represent the Cabindan Forum for Dialogue (FCD). ... Several members of the FCD stated that they did not recognize Bembe's legitimacy to sign the memorandum on behalf of the FCD and, therefore, did not accept its terms, in particular the definite refusal of independence for the enclave. (HRW Jan. 2007, 2-3; see also PNN n.d.a)

According to SwissPeace, an independent peace-research organization in existence since 1988 (SwissPeace n.d.), certain civil society FCD members who were excluded from the negotiations hold that the agreement is part of a wider "divide and rule" policy (SwissPeace July 2006, 5). A UN IRIN article notes that FLEC leader N'zita Tiago, who is also leader of FLEC-FAC, "the most active military wing of the unified FLEC" (ibid.), was excluded from the peace process (UN 3 Oct. 2006). Tiago reportedly disavowed the agreement as illegitimate and dismissed Bembe as having little authority over the FLEC's military forces (SwissPeace July 2006, 5). A FLEC member who represents Mpalabanda, Cabinda's sole human rights group, is of the opinion that only Tiago can stop the fighting and that even his soldiers have rejected the agreement (UN 3 Oct. 2006).

HRW notes that the MOU ending the conflict includes amnesty for crimes committed throughout the war, though it is unclear whether this amnesty applies to both the rebel groups and the Angolan Armed Forces (Forças Armadas Angolanas, FAA) (HRW Jan. 2007, 3). The MOU also provides for the integration of interested FLEC militia into the FAA (APA 7 Jan. 2007a). Bembe has reportedly been granted the rank of retired general in the FAA (ibid. 7 Jan. 2007b).

According to international human rights observers, in 2006 the government banned Mpalabanda, the only human rights organization operating in the province of Cabinda, allegedly because of its involvement in politics (AI 4 Aug. 2006; ibid. 4 Oct. 2006; Observatory 15 Nov. 2006; HRW Jan 2007, 3). Amnesty International (AI) points out that the timing of the ban coincides with the group's refusal to recognize the agreement (AI 4 Oct. 2006). The Head of the UN Office of the High Commissioner for Human Rights in Angola (OHCHR) is quoted as saying that "the government has made it clear that it would crack down on those who don't accept the peace deal" (UN 3 Oct. 2007). AI expresses regret at Mpalabanda's closure, saying that Cabinda is "rife with egregious violations of human rights" and will be left without a human rights monitoring body (AI 4 Aug. 2006).

IRIN reports that the FAA raided Mpalabanda's head office and the home of the organization's president, Agostinho Chicaia (UN 3 Oct. 2006). Other human rights organizations note that Chicaia, along with Mpalabanda spokesperson Raul Danda, were arrested at Cabinda's airport (Observatory 15 Nov. 2006; see also AI 4 Oct. 2006). Authorities reportedly confiscated documents such as news articles from Danda's luggage and charged him with "instigating, inciting and condoning crimes against the security of the state" (ibid.; see also HRW Jan. 2007, 3). Chicaia was reportedly released pending the renewal of proceedings against him (Observatory 15 Nov. 2006). Some Mpalabanda members have reportedly left Cabinda to ensure their personal safety

(ibid.). The Observatory for the Protection of Human Rights Defenders, a group created by the International Federation for Human Rights (Fédération internationale des ligues des droits de l'homme, FIDH) and the World Organization Against Torture (Organisation Mondiale Contre la Torture, OMCT), has documented instances of "harassment, including arbitrary arrests, torture and death threats, and passport confiscations" targeting Mpalabanda members (ibid.).

In September 2006, an AFP article noted that despite the peace agreement, secessionist fighting continued in Cabinda (AFP 1 Sep. 2006). Separate articles originally published by the Portuguese News Network and posted in French on the CabindaMonde Web site, a pro-independence Cabinda information site (CabindaMonde n.d.), quotes the chiefs of staff of the FLEC and the FAA as saying that the war has not ended in Cabinda (PNN n.d.a; ibid. n.d.b).

While acknowledging that members of the FLEC are at risk of ill-treatment by government authorities, the United Kingdom's (UK) Home Office notes that FLEC members may themselves be responsible for "serious" human rights abuses (UK 18 Jan. 2007). It notes, however, that there is little available information indicating whether human rights abuses are continuing in Cabinda since the peace agreement was signed (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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