

TRANSLATION

OF

THE TEXT OF THE AGREEMENT BETWEEN THE
PORTUGUESE GOVERNMENT AND THE ANGOLAN
LIBERATION MOVEMENTS

SIGNED AT ALVOR, ALGARVE, ON 15.JAN.1975

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T R A N S L A T I O N

TEXT OF THE AGREEMENT BETWEEN THE PORTUGUESE GOVERNMENT AND THE LIBERATION MOVEMENTS - "A Província de Angola"

Press 16.Jan.1975

The Portuguese State and the National Front for the Liberation of Angola (FNLA), the Popular Movement for the Liberation of Angola (MPLA) and the National Union for the Total Independence of Angola (UNITA), gathered at Alvor, in Algarve, on the 10th to the 15th January, 1975, to discuss and establish the access of Angola to Independence, agree on the following:

Chapter I

THE INDEPENDENCE OF ANGOLA

- Article 1. - The Portuguese State recognizes the National Front for the Liberation of Angola (FNLA), the Popular Movement for the Liberation of Angola (MPLA) and the National Union for the Independence of Angola (UNITA) as the only and the legitimate representatives of the people of Angola.
- Article 2.- The Portuguese State solemnly reaffirms its recognition of the right of the people of Angola to independence.
- Article 3. - Angola constitutes one single and indivisible entity in its present geographical and political limits and, in this context, Cabinda is an integral and inalienable part of the Angola territory.
- Article 4. - The independence and the complete sovereignty of Angola shall be solemnly proclaimed on the 11th of November 1975, in Angola by the President of the Portuguese Republic or by a representative by him specially appointed.
- Article 5. - Until the proclamation of independence the power shall be exercised by the High Commissioner and a Transitional Government, which will come into power on the 31st of January, 1975.
- Article 6. - The Portuguese State and the three liberation movements formalise by the present Agreement a general cease-fire, already observed "de facto" by the respective armed forces in all the Angola territory. From this date any act of recourse to force which is not determined by the competent authorities with a view to avoiding internal violence and external aggression, shall be regarded as illicit.

Article 7. - After the cease-fire the armed forces of FNLA, MPLA and UNITA will remain in the regions or localities where they are stationed at present until the special provisions foreseen in Chapter IV of the present Agreement become effective.

Article 8. - The Portuguese State binds itself to transfer, progressively, until the end of the transitional period, to the bodies of the Angolan sovereignty, all the powers held and exercised by it in Angola.

Article 9. - With the conclusion of the present agreement, all patriotic acts committed in the course of the fight for the national liberation of Angola, which might have been considered punishable under the Law in force at the time they were committed, are considered as amnestied.

Article 10.- The independent State of Angola, shall exercise its sovereignty entirely and freely, both on internal and international matters.

Chapter II

THE HIGH COMMISSIONER

Article 11.- The President of the Republic and the Government of Portugal is represented in Angola, during the transitional period, by the High Commissioner with whom it rests to defend the interests of the Portuguese Republic.

Article 12.- The High Commissioner in Angola is appointed and relieved of his duties by the President of the Republic before whom he takes Office and answers politically.

Article 13.- It is within the competence of the High Commissioner:

- a) To represent the President of the Republic of Portugal, ensuring and guaranteeing, in full agreement with the Transitional Government, the maintenance of Law.
- b) To safeguard and guarantee the territorial integrity of Angola in strict cooperation with the Transitional Government.
- c) To ensure the execution of the present agreement and of those which may be entered into in future between the Liberation Movements and Portuguese State.
- d) To guarantee and closely assist the process of decolonisation of Angola.
- e) To ratify all acts which may be of interest to or may refer to the Portuguese State.

- f) To attend the sessions of the Council of Ministers whenever he should find it convenient to do so and take part in their respective works without right of vote.
- g) To sign, promulgate and order the publication of decrees law and decrees enacted by the Transitional Government.
- h) To secure, jointly with the Presidential College the management of the National Defense Commission (Comissão Nacional de Defesa).
- i) To direct the external affairs of Angola, during the transitional period, assisted by the Presidential College.

Chapter III

OF THE TRANSITIONAL GOVERNMENT

Article 14.- The Transitional Government is presided over and directed by the Presidential College.

Article 15.- The Presidential College is constituted by three members, one from each Liberation Movement, and has as its main task the direction and coordination of the Transitional Government.

Article 16.- The Presidential College may, as and when they wish, consult the High Commissioner on affairs related with the process of governing.

Article 17.- The decisions of the Transitional Government are taken by a majority of two thirds, under the presence (*) by rotation of the members of the Presidential College.

Article 18.- The Transitional Government is constituted by the following ministers:

Interior	Health and Social Affairs
Information	Public Works
Labour and Social Security	Housing & Urbanization (Town Planning)
Economy	Education and Culture
Planning and Finance	Agriculture and Natural Resources
Justice	
Transport & Communications	

Article 19.- With immediate effect the following Secretariats of State are set up:

- a) Two Secretariats of State in the Ministry of the Interior
- b) Two Secretariats of State in the Ministry of Information
- c) Two Secretariats of State in the Ministry of Labour and Social Security
- d) Three Secretariats of State in the Ministry of Economy, to be called respectively the Secretariat of Commerce and Tourism, the Secretariat of Industry and Energy and the Secretariat of Fisheries.

(*) chairmanship(?)

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Article 20.- The Ministers of the Transitional Government are appointed in equal proportion by the National Front for the Liberation of Angola (FNLA), by the Popular Movement for the Liberation of Angola (MPLA), by the National Union for the Total Independence of Angola (UNITA) and by the President of the Portuguese Republic.

Article 21.- Having in mind the transitional character of the Government, the distribution of the Ministries is made in the following way:

- a) It rests with the President of the Portuguese Republic to appoint the Ministers of Economy, Public Works, Housing and Urbanisation and of Transportation and Communications.
- b) It rests with FNLA to appoint the Ministers of the Interior, of Health and Social Affairs and of Agriculture.
- c) It rests with MPLA to appoint the Ministers of Information of Planning and Finance, and of Justice.
- d) It rests with UNITA to appoint the Ministers of Labour and Social Security, of Education and Culture and of Natural Resources.

Article 22.- The secretariats of State established by the present agreement are distributed in the following way:

- a) It rests with FNLA to appoint one Secretary of State for Information, one Secretary of State for Labour and Social Security and one Secretary of State for Commerce and Tourism.
- b) It rests with MPLA to appoint one Secretary of State for the Interior, one Secretary of State for Labour and Social Security and one Secretary of State for Industry and Energy.
- c) It rests with UNITA to appoint one Secretary of State for the Interior, one Secretary of State for Information and one Secretary of State for Fisheries.

Article 23.- The Transitional Government may create new posts of Secretaries or Under-secretaries of State adhering in their distribution to the rule of political heterogeneity.

Article 24.- It is the field of competence of the Transitional Government:

- a) To watch over and cooperate for the good conduct of the process of decolonization until total independence.
- b) To superintend the Public Administration in general, ensuring its working and promoting the access of Angolan citizens to posts of responsibility.

- c) To conduct the internal affairs.
- d) To prepare and ensure the holding of General Elections for the Constituent Assembly of Angola.
- e) To exercise by means of law decrees the legislative functions and to establish the decree, rules and directions for the execution of the Laws.
- f) To guarantee in cooperation with the High Commissioner the safety of persons and goods.
- g) To carry out the reorganisation of the Judiciary in Angola.
- h) To define the economic, financial and monetary policies and to set up the necessary structure for the maximum development of the Economy of Angola.
- i) To guarantee and safeguard the individual and collective rights and liberties.

Article 25.- The Presidential College and the Ministers are jointly responsible for the acts of the Government.

Article 26.- The Transitional Government shall not be dismissed on the initiative of the High Commissioner, any alteration in its constitution being effected by agreement between the High Commissioner and the Liberation Movements.

Article 27.- The High Commissioner and the Presidential College shall endeavour to settle in a friendly spirit and through reciprocal consultations all the difficulties resulting from the process of governing.

Chapter IV

OF THE NATIONAL COMMISSION FOR DEFENSE

Article 28.- A National Defense Commission (Comissão Nacional de Defesa) is set up with the following composition: The High Commissioner, the Presidential College, the Joint General Staff (Estado Maior Unificado).

Article 29.- The National Defense Commission should be informed by the High Commissioner on all matters concerning National Defense, both internal and external, with a view to:

- a) Define and materialise the military policy resulting from the present agreement.
- b) Ensure and safeguard the integrity of the Angolan territory.
- c) Guarantee peace, and safety and public order.
- d) Watch over the safety of persons and goods.

Article 30.- The decisions of the National Defense Commission are taken by simple majority, being the High Commissioner who presides, the deciding vote.

Article 31.- A Joint General Staff is set up which shall consist of the commanders of the three branches of the Portuguese Armed Forces and three commanders of the Liberation Movements. This Joint General Staff is placed under the direct authority of the High Commissioner.

Article 32.- Armed Forces of the three Liberation Movements shall be integrated on the basis of equality with the Portuguese Armed Forces in the mixed military forces, in the following proportion: 8,000 soldiers from FNLA; 8,000 soldiers from MPLA; 8,000 soldiers from UNITA; 24,000 soldiers from the Portuguese Armed Forces.

Article 33.- It rests with the National Defense Commission to proceed with the progressive integration of the armed forces in the mixed military forces referred to in the previous article, having in principle to adhere to the following programme:

From February to May inclusive, will be integrated each month 500 soldiers from each Liberation Movement and 1,500 Portuguese soldiers;

From June to September inclusive, will be integrated each month 1,500 soldiers from each of the Liberation Movements and 4,500 Portuguese soldiers.

Article 34.- That part of the Portuguese Armed Forces which exceeds the contingent referred to in Article 32 should be evacuated from Angola up to 30th April 1975.

Article 35.- The evacuation of the contingent of the Portuguese Armed Forces integrated in the Mixed Military Forces shall begin as from 1st October, 1975 and be concluded up to February 1976.

Article 36.- The National Defense Commission, should organise mixed Police forces in charge of maintaining the public order.

Article 37.- The Joint Police Command constituted by three members - one from each Movement of Liberation - is directed collegially and presided over according to a system of rotation, being under the authority and supervision of the National Defense Commission.

Chapter V

OF REFUGEES AND OF REGROUPED PERSONS

Article 38.- Soon after the installation of the Transitional Government, there shall be constituted on parity basis, mixed commissions appointed by the High Commissioner and the Transitional Government, in charge of planning and preparation of structures, means and processes necessary to accept the Angolan refugees. The Ministry of Health and Social Affairs shall supervise and coordinate the work of these commissions.

Article 39.- The persons concentrated in the "native settlements of peace" ("sanzalas de paz") may return to their places of origin. The mixed parity commissions should propose to the High Commissioner social, economic and other measures so as to guarantee the displaced populations the return to normal life and the reintegration in the different activities of the economic life of the country.

Chapter VI

OF GENERAL ELECTIONS FOR THE CONSTITUENT ASSEMBLY OF ANGOLA

Article 40.- The Transitional Government shall organise general elections for a Constituent Assembly within a period of nine months from 31st January 1975, date on which it shall be installed.

Article 41.- The candidatures for the Constituent Assembly shall be presented exclusively by the Liberation Movements - FNLA, MPLA and UNITA - the only legitimate representatives of Angolan people.

Article 42.- There shall be established, after the installation of the Transitional Government, a central commission constituted in equal parts by the Liberation Movements, which will draw up the project for the Fundamental Law and will prepare for the elections for the Constituent Assembly.

Article 43.- Approved by the Transitional Government and promulgated by the Presidential College the Fundamental Law, the Central Commission should:

- a) Draw up the project for the Electoral Law
- b) Organise the electoral lists
- c) Register the lists of the candidates for election to the Constituent Assembly, presented by the Liberation Movements.

Article 44.- The Fundamental Law which shall remain in force until the coming in force of the Angola Constitution should not be contrary to the terms of the present agreement.

Chapter VII

OF ANGOLAN NATIONALITY

Article 45.- The Portuguese State and the three Liberation Movements FNLA, MPLA and UNITA - bind themselves to act in concert to eliminate traces of colonialism. To this effect, the FNLA, the MPLA and UNITA, reaffirm their policy of nondiscrimination, according to which the status of Angolan is defined by birth in Angola or by domicile, provided the persons domiciled in Angola identify themselves with the objectives of the Angolan Nation, through a conscientious option.

Article 46.- The FNLA, the MPLA and UNITA commit themselves with immediate effect to consider as Angolans all persons born in Angola, provided they do not declare, under terms and periods to be established, that they wish to maintain their present nationality or opt for another.

Article 47.- To persons not born in Angola and settled in this Country it is guaranteed the option of applying for the Angolan citizenship in accordance with the regulations governing the Angolan Nationality which may be established in the Fundamental Law.

Article 48.- Special Agreements to be studied at the level of a mixed parity commission, shall regulate the ways of granting Angolan citizenship to Portuguese citizens domiciled in Angola and the status of the Portuguese citizens resident in Angola and of the Angolan citizens resident in Portugal.

Chapter VIII

OF MATTERS OF ECONOMIC AND FINANCIAL NATURE

Article 49.- The Portuguese State binds itself to settle with the Angolan State the situation arising from the existence of property belonging to this State outside Angolan territory, in order to facilitate the transfer of such property or its corresponding value to the territory and to the possession of Angola.

Article 50.- The FNLA, the MPLA and UNITA declare themselves willing to accept the responsibility arising from the financial obligations assumed by the Portuguese in the name and on behalf of Angola, provided they have been in actual interest of the Angolan people.

Article 51.- A mixed parity commission, constituted by experts appointed by the Provisional Government of the Portuguese Republic and by the Transitional Government of the State of Angola, shall list the property referred to in Article 49, in which the credits referred in Article 50 shall carry out the evaluations which it finds convenient and shall propose to that Government solutions which it finds to be just.

Article 52.- The Portuguese State commits itself to make available to the Commission referred in the previous Article to all the information and data at its disposal and which the Commission may require in order to formulate founded judgements and propose equitable solutions within the principles of truth, of respect and legitimate rights of each party and most loyal cooperation.

Article 53.- The Portuguese State shall assist the Angolan State in the creation and installation of a central issuing Bank. The Portuguese State commits itself to transfer to Angola the attributions to the assets and the liabilities of the Department of Angola of the Bank of Angola, on terms to be agreed upon during the course of the work of the mixed commission on financial matters. This commission shall likewise consider all the matters concerning the Department of Portugal of the same Bank, proposing solutions to the extent that they may refer to and be of interest to Angola.

Article 54.- The FNLA, UNITA and MPLA commit themselves to respect the property and the legitimate interests of the Portuguese domiciled in Angola.

Chapter IX

OF COOPERATION BETWEEN ANGOLA AND PORTUGAL

Article 55.- The Portuguese Government on one side and the Liberation Movements on the other, agree to establish between Portugal and Angola, ties of constructive and durable cooperation in all fields, namely in cultural, technical, scientific, economic, commercial, monetary, financial and military, on a basis of independence, equality, liberty, mutual respect and reciprocity of interests.

Chapter X

OF MIXED COMMISSIONS

Article 56.- Mixed Commissions of technical nature shall be set up, composed on the basis of parity, appointed by the High Commissioner, in agreement with the Presidential College, which shall have the task of studying and proposing solutions for problems arising from decolonization and of establishing the bases of an active cooperation between Portugal and Angola, namely, in the following fields:

- a) Cultural, Technical and Scientific
- b) Economic and Commercial
- c) Monetary and Financial
- d) Military
- e) Of the acquisition of Angolan nationality by the Portuguese citizens.

Article 57.- The Commission referred to in the previous Article, should conduct the works and negotiations, in an atmosphere of constructive cooperation and loyal adjustment. The conclusions arrived at, shall be submitted, in the shortest period of time, for the consideration of the High Commissioner and the Presidential College, with a view to drawing up Agreements between Portugal and Angola.

Chapter XI

OF GENERAL REGULATIONS

Article 58.- Any matters emerging from the interpretation and application of the present agreement and which cannot be solved under the terms of Article 27, shall be solved by way of negotiation between the Portuguese Government and the Liberation Movements.

Article 59.- The Portuguese State, the FNLA, the MPLA and UNITA, faithful to the socio-political ideal repeatedly affirmed by their leaders, reaffirm their respect for the principles enshrined in the Charter of the United Nations, in the Universal Declaration of the Rights of Man, as well as their active repudiation of all forms of racial discrimination, namely the "apartheid".

Article 60.- The present Agreement shall be effective immediately upon ratification by the President of the Portuguese Republic. The delegations of the Portuguese Republic, of FNLA, of MPLA and of UNITA, enhance the atmosphere of perfect cooperation and cordiality in which the negotiations were carried out and congratulate themselves on the conclusion of the present Agreement, which meets the just aspirations of the Angolan people and this pride of the Portuguese people, from now on bound by ties of deep friendship and designs for constructive cooperation, for the good of Angola, of Portugal, of Africa and of the World.

(Signed at Alvor, Algarve, on the fifteenth day of the month of January of the year one thousand nine hundred and seventy five, on four copies of Portuguese language).

Tr: AXF

Luanda, 16 January 1975