

SETTLEMENT OF THE INTERNAL CONFLICT IN ANGOLA

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RESUMO: O autor procede a uma análise dos principais acordos relativos ao processo da paz em Angola, destacando as posições centrais dos atores envolvidos na contenda no quadro do cenário regional e global, analisando especificamente a implementação dos acordos de paz e o papel da UNAVEM.

UNITERMOS: Angola/Conflito interno, Angola/Democratização

BACKGROUND TO THE CONFLICT

Angola acceded to independence under the most inauspicious circumstances: the liberation movements were involved in a fierce struggle for supremacy, the country was invaded by foreign armies, the colonial administration and the economy collapsed completely, and on the eve of independence, the last governor abandoned the country in a ship, preceded by the departure of most of the white settlers, civil servants and specialized labour. The country was left in complete disarray.

In Angola three main liberation movements fought against Portuguese colonialism: the MPLA, FNLA and UNITA, but had been unable to find a common platform of unity, having developed on the contrary, an intense rivalry sustained by different external alignments in relation to the neighbouring countries and the main players in the Cold War.

In spite of fierce fighting in the country, an attempt to set up a common platform for the negotiation of independence was made under the auspices of the OUA. Negotiations in January 1975 with Portugal ended with the signature of a quadripartite agreement in Alvor, Portugal. This Agreement provided for a transitional government and the integration of the freedom fighters into a new unified national army with the participation of the three liberation movements.

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Elections would be held for a Constituent Assembly within nine months, and the date of Independence was established as 11 November 1975.

Unfortunately, the Alvor Agreement did hold for long. In March the FNLA, which had the most powerful army and the support of the governments of the United States and Zaire, began military attacks on the MPLA. The conflict escalated very quickly and Portugal, the guarantor of the Alvor Agreement, was not able to prevent a decline into chaos, as it was too preoccupied with its own domestic problems resulting from the recent transition to democracy.

The conflict, which began as a civil war among the liberation movements, escalated into an international contention, involving the two superpowers and China as the main suppliers of weapons, and Zaire and South Africa, which sent their regular armies in support of FNLA and UNITA respectively. South Africa began a full scale invasion on 19 October 1975, with "Operation Zulu". The aim was to reach the capital on Independence Day and join FNLA and the Zairean forces from the north. On the eve of Independence Day, the Zairean troops were stopped at Kigangondo, merely 40 km from Luanda, and the South African Defense Forces at the Keve river, 300 km to the south.

The proclamation of independence in Luanda by the MPLA on the date agreed upon in Alvor under those dramatic circumstances represented the triumph of the liberation struggle against colonialism and apartheid. The first government of the newly independent country asked for international support, under Article 50 of the Charter of the United Nations, and Cuba sent a military contingent to help defend the country. On the other hand, the South African invasion destroyed the credibility of the two other liberation movements, by associating themselves with the enemy of African liberation. The independence of the new nation was secured, and the first South African invasion was defeated.

The South African government subsequently developed a strategy to weaken the Angolan economy and defence, and force the government to halt its support for SWAPO.

TOWARD A SETTLEMENT

The first attempt to reach a disengagement of forces was made in 1984 with negotiations in Lusaka between Angola, South Africa and the United States for a settlement in southern Angola. A joint Angolan-South African commission was set up to monitor the withdrawal of the South African troops and the establishment of a demilitarized zone on the border. The withdrawal proceeded very slowly, and the agreement was abandoned when in May 1985 a commando group unsuccessfully attacked the oil installation at Cabinda.

In 1987 the South African Defence Force organised two major military operations, Operation Modular and Operation Hooper, in order to prevent a government offensive against the main bases of UNITA close to the border with Namibia. This led to a major battle at Cuito Cuanavale, where considerable South African forces were defeated and compelled to retreat after being unable to take the town. This event represented a major change in the course of the war, exposing for the first time, by the same token, the vulnerability of the South African Defence Force.

In the aftermath of these events, a negotiation was started with American mediation, to implement UN Resolution 435/78. After eight months of talks, a comprehensive settlement was reached comprising the following aspects:

- the withdrawal of the South African forces from southern Angola and Namibia;
- the redeployment to the north and the phased withdrawal of the Cuban contingent from Angola;
- the implementation of Resolution 435/78, leading to the independence of Namibia; and
- the end of the South African destabilisation of Angola, ceasing all support to UNITA.

On 22 December 1988 "The New York Agreement for the peaceful settlement of the conflict in southwestern Africa" was signed, based inter alia on the following principles:

- non-interference in the internal affairs of states;
- abstention from the threat or use of force against the territorial integrity or political independence of states;
- acceptance of the responsibility of states not to allow their territory to be used for acts of war, aggression or violence against other states;
- self determination, independence and equality of rights;
- verification and monitoring of the compliance of the obligations resulting from the agreements; and
- recognition of the authority of the Security Council of the United Nations as guarantor of the agreements.

The settlement for the independence of Namibia, providing for the withdrawal of the South African forces and ceasing the external interference, created the pre-conditions for the solution of the internal conflict in Angola. The experience of those negotiations was very important. In particular the concepts of verification and monitoring, as well as the need for appropriate guarantees in the agreements, were elements which have been introduced in the settlement of the Angolan internal conflict.

The first agreement between the government and UNITA, signed in Gbadolite, Zaire, on 22 June 1989, provided for an immediate cease-fire, to come into effect in a period of two days, and for the establishment of a commission for the implementation of the peace plan, under the mediation of the President of the Republic of Zaire.

Although the peace plan submitted in Gbadolite was accepted by UNITA and although President Jose Eduardo dos Santos shook hands with the leader of UNITA, the haste of the events did not allow the building of confidence between the warring factions, and the necessary dialogue for a genuine reconciliation was not established. No provisions were made to supervise the ceasefire, and the commission, which was to take concrete measures to implement the reintegration of UNITA into the institutions of the country, pursuant to the policy of clemency and national harmonisation of the government, was not even established.

The peace plan for Gbadolite was conceived in the spirit of euphoria following the successes of Cuito Cuanavale and the process for the independence of Namibia. The policy of clemency and national harmonisation was based on a general amnesty for the rebels under the constitutional order of the one-party system, and the reintegration of UNITA into the existing institutions gave no guarantees of political freedom and pluralism. Assessing the reasons of the failure of the first peace initiative, critics also stressed the fact that only a system of multi-partyism could provide the conditions for UNITA to make the transition from violent armed confrontation to peaceful political competition. Mercy alone was definitively not enough to build the basis for national reconciliation, which could only be based on the recognition by the institutions of the state of the fundamental rights and freedoms of the citizens. In this new approach the revision of the constitution, enshrining a bill of rights and providing for multi-partyism and free elections, have created the conditions conducive to a direct dialogue without the need of mediation.

THE PEACE ACCORD TALKS

Combined with this, the idea of having direct secret talks during which both parties could freely express their legitimate concerns and fears, could make sense, because respect of the views of the other parties were guaranteed under the new revised constitution. After so many years of war and destruction, where external interference has always been a major factor, Angolans have learned that peace can only be achieved by accepting the other party as brothers in the same family. Mediation can only be a complement to direct talks, in order to create an

atmosphere for a dialogue without submission and provide guarantees for the implementation of the agreements.

In this new search for peace, the government embarked on a large debate with a view not only to ending the civil war with UNITA, but to democratizing the political life of the country. In order to ensure free and fair elections, with the former colonial administration could not organise during the transition to independence, the government prepared a comprehensive set of drafts, which were approved by the National Assembly and promulgated in the early days of May 1991, before signing the ceasefire. These new laws cover a wide range of subjects related to political freedom, including the revision of the constitution parties, on the right of public demonstration and gathering and the state of emergency. For the first time there were provisions for all civil liberties.

To set in motion the negotiations process, active consultations were undertaken not only with UNITA, but with all interested parties, and the new settlement plan of the government was presented to all. This included the two superpowers and Portugal, which would act together with the United Nations as guarantors of the agreements. The decisive preparatory meeting took place in Windhoek, on the eve of the independence of Namibia, between the Angolan President and the American Secretary of State, James Baker, where the peace plan of the government was accepted by the Americans as a starting point for the negotiations.

After six rounds of negotiations over one year, the Peace Accords were ready for signature. The Agreement is extremely detailed and comprises four different documents, leaving little to change. The documents were initialed on the 1st of May 1991 "ad referendum", and a period of two weeks followed for the notification of the ratification by both parties. On that date a "de facto" suspension of hostilities came into effect. The ceasefire entered into force on the day of signature, 31 May 1991, after another probatory period of two weeks. On that date the monitoring bodies consisting of the Joint Politico-Military Commission (CCPM), the Joint Verification and Monitoring Commission (CMVF), and the United Nations Angola Verification Mission (UNAVEM II) were constituted and started to function.

A continuity between the settlement of the conflict in southwestern Africa, the independence of Namibia and the settlement of the internal conflict in Angola was again established. By using the same peace keeping force of the United Nations to monitor the peace accords, which was still fulfilling its former mandate, the rightful meaning of the concept of "linkage" was again vindicated.

The new UNAVEM mandate sought should comprise: the monitoring of the ceasefire, the redeployment of the forces into predetermined areas and monitoring of the Angolan police, and would last until the day following the presidential and legislative elections, which are to be held in the period between

1 September and 30 November 1992. Through Resolution 696 (1991), of 30 May, the Security Council approved, on the eve of the signature of the Accords, the report of the Secretary General on the Peace Accords for Angola and decided to entrust a new mandate to UNAVEM accordingly. Besides the three observers (United States, Soviet Union and Portugal) the Security Council also became involved in the peace process as guarantors and monitors of its implementation.

Resolution 696 (1991) represented a major diplomatic development because, for the first time, a peace-keeping force of the United Nations was involved as monitors and guarantors of the settlement of an internal conflict, and not in a dispute between independent member states. Since conflicts in the region had a strong external component, spilling over the borders into neighbouring countries and with external powers interfering actively in the disputes, the presence of the international peace-keeping force was very much welcome as a deterrent to dreaded external interference.

IMPLEMENTING THE PEACE ACCORDS

Immediately after the signature of the Peace Accords, UNAVEM II could begin its duties without delay using the personnel in place and the remaining budget. A total of 350 military and 90 police observers were planned and a budget of US\$ 132 million. The settlement of the internal conflict has thus benefited from the successful completion of the implementation of the Agreements for the independence of Namibia.

The main monitoring body to oversee the peace process is the CCPM, made up of senior representatives of the government and UNITA, with officials from the United States, Soviet Union and Portugal as observers. United Nations officials can be invited to the meetings at the request of the government or UNITA. It does not substitute for the government, but can deal with all matters related to the peace process.

Subordinated to the CCPM are three specialized structures: the CMVF, to monitor the ceasefire, the CCFA – Joint Commission for the Formation of Armed Forces, and the Political Commission responsible for the arrangements for the elections. In the CMFV the UN plays an important role, participating with both parties in the regional commissions, which supervise the movement of the forces (120,000 for the government and 25,000-30,000 for UNITA) to 51 predetermined areas of redeployment (24 for UNITA and 27 for the government). The regional commissions have also the important task of clearing mines and guaranteeing free access of the population to all the territory.

Portugal, France and the United Kingdom have sent officers to help form the new national armed forces of a total of 50,000 men, and have observers

in the CCFA. The new army will consist of 20,000 soldiers of each party, while the air force with 6,000 and the navy with 4,000 will have members from the government only.

No major problems have been reported so far, and the main existing difficulties have been related to logistics, which have caused delays in the redeployment of the forces and the release of prisoners. The demobilisation of the forces is also a matter of concern, and the government has asked for special assistance to cover the costs, calculated at US\$ 27.3 million.

As well as the implementation of the Peace Accords, the transition to a democratic society is making progress, and tolerance and the acceptance of others is building a new basis for reconciliation.

After having fought colonialism for 14 years and acceded to independence in the most inauspicious manner, Angola was confronted with foreign invasion and destruction caused by civil war for the subsequent 16 years. The experience in preserving independence, and contributing to the durable solution of the conflicts in the region, including the independence of Namibia, though painful, was valuable to eliminate or attenuate the most threatening and distorting external factors and find a peaceful settlement of the internal conflict reflecting the shared interests of all Angolan citizens.

This has created also the conditions for a new relationship with South Africa during its present and crucial transition to democratic rule. Having no common borders and with complementary economy resources, Angola and South Africa do not represent an immediate threat to each other and even do not need to compete in external markets with the same products. Cooperation between both countries makes sense and represents a real hope for the future of the region.

Nevertheless reconciliation is first and foremost to be achieved at national level, and to be durable it shall be based on a democratic political dispensation allowing all involved parties to play an equitable role in the economic, social and political life of the nation, without the need to resort to violence to defend its rights. A broad national consensus in relation to peace has been established in Angola, but its future depends very much on the way the new democratic rights of its citizens will be exercised.

ABSTRACT: The author makes an analysis of the main agreements related to the process of peace in Angola. He emphasizes the central position of the actors involved in this question taking in account the scenery regional and global, analysing mainly the implementation of the peace agreements and the function of UNAVEM.