

*Unofficial translation*

## **COUNCIL OF MINISTERS**

### **DECREE NUMBER 1/01 5 January 2001**

Considering that the UN document titled "Guiding Principles on Internally Displaced Persons" establishes the general principles governing the treatment of internally displaced persons;

Given that Angola is a country with high numbers of internally displaced persons resettling and returning to their areas of origin;

Having found it necessary to establish the rules governing the resettlement process under the terms of the provisions of paragraph (f) of Article 112 and Article 113, both of the Constitutional Law, the Government decrees the following:

#### **Article 1**

The herein attached norms on the resettlement of internally displaced, which are integral to the present decree, are approved.

#### **Article 2**

The doubts and omissions resulting from the interpretation and enforcement of this decree are resolved through ministerial proclamations issued by the Minister of Social Assistance and Reintegration.

#### **Article 3**

This decree will come into force on the date of its publication.

**Seen and approved by the Council of Ministers, in Luanda, 18 October 2000.**

**PUBLISH.**

**The President of the Republic**

**JOSÉ EDUARDO DOS SANTOS**

## **NORMS ON THE RESETTLEMENT OF THE INTERNALLY DISPLACED POPULATIONS**

### **Article 1 (Organs to Lead the Process)**

The responsibility for the resettlement and return of populations rests with the Provincial Governments that will oversee the process through the Provincial Humanitarian Coordination Group and the reactivated Subgroup on Displaced Persons and Refugees.

The Subgroup on IDPs and Refugees must be composed of Government entities, NGOs, humanitarian organisations and other institutions involved in the process.

### **Article 3 (Competences of Provincial Governments)**

It is the responsibility of the Provincial Governments, through the Sub-Groups on Displaced Persons and Refugees of the Provincial Humanitarian Coordination Groups, to carry out the following:

- a) To plan, organize and ensure the implementation of all resettlement and return processes for displaced persons;
- b) To receive new internally displaced persons and returnees and direct them to the reception centres;
- c) To identify the displaced persons who wish to be resettled or return to their areas of origin, giving particular attention to the most vulnerable (widows, children, elderly, disabled) that may require special assistance;
- d) To identify resettlement and return sites;
- e) To monitor the overall resettlement and return process, ensuring the implementation of the norms on the resettlement of internally displaced populations;
- f) To verify the voluntary nature of resettlement and return and the presence of State Administration;
- g) To guarantee adequate transportation to assist populations returning to their points of origin;
- h) To take appropriate measures to ensure family reunification, and the safety and dignity of populations during movements to return and resettlement sites;
- i) To exercise any other competences as determined by higher authorities or conferred by the law.

### **Article 3 (Identification of Land)**

During the identification of resettlement and return sites, the Subgroup on Displaced Persons and Refugees must consider:

- a) The quality and quantity of agricultural land to be provided, free of charge, to resettled or returned populations shall be, whenever possible, at least one-half hectare of arable land per family;
- b) Community involvement in land identification and distribution;
- c) Secure access to the nearest market;
- d) Availability of sufficient space to construct dwellings.

**Article 4  
(Security of Site)**

- a) All resettlement and return sites must be verified as free of mines.
- b) For the purpose of the preceding paragraph, INAROOE and its partners will create mine awareness brigades and, when necessary, conduct de-mining.
- c) In all resettlement and return sites, the relevant Defence and Security organs will conduct, when necessary, an assessment to verify and certify the security of the resettlement sites.
- d) For the purpose of the preceding paragraph, humanitarian organisations may be invited to verify security conditions in the resettlement or return site.

**Article 5  
(Voluntary Resettlement and Return)**

1. To ensure the voluntary nature of the resettlement process, the Sub-Group on Displaced Persons and Refugees in the provinces must reach agreement with the traditional authorities representing the IDPs who are resettling, as well as with the traditional authorities in the host communities.
2. The Sub-Group on Displaced Persons and Refugees must include the involved persons in the planning and management of their relocation.

**Article 6  
(State Administration)**

1. State Administration must be present in the resettlement or return sites.
2. In the framework of humanitarian assistance coordination, UTCAH and the UN Agencies will assist the provincial authorities in assessing the viability of resettlement areas.

**Article 7  
(Rehabilitation of Infrastructure)**

The Provincial Governments will be assisted by UN Agencies and other partners in the rehabilitation of health posts and health centres as well as schools in the resettlement and return sites.

**Article 8  
(Social Assistance)**

1. Appropriate Government sectors will support health and education personnel at the resettlement and return sites and will ensure that essential medicines and emergency school materials are supplied, without prejudice to the provisions of other articles herein.
2. The operation of PICs (Community Children's Programmes) and the Community Education Programmes will be ensured by the assistance sector.
3. Humanitarian organisations will be invited to support Provincial Governments in the provision of school materials and essential medicines.

**Article 9  
(Water and Sanitation)**

The water sector will work with humanitarian agencies and communities to ensure water quality and to guarantee the presence of water points in sufficient quantity to supply the persons being resettled.

The local authorities and humanitarian agencies will work with communities in the construction of latrines.

**Article 10  
(Resettlement Kits)**

Provincial Governments and humanitarian agencies will provide agricultural seeds and tools to resettled and returned families, as well as a tool kit to support constructions and self-employment.

**Article 11  
(Food)**

Humanitarian agencies will provide food rations to resettled populations for a period to be determined, and will support food-for-work programmes aimed at preparing land, rehabilitating social infrastructures and other activities necessary for community stability.

**Article 12  
(Assessment)**

The Provincial Humanitarian Coordination Group shall regularly carry out evaluations of the resettlement and return process.

**The President of the Republic**

**JOSÉ EDUARDO DOS SANTOS**