



Council of Ministers Decree Nr. 79/02 (English)

6 December

Needing to implement the “Norms on the Resettlement of Displaced Populations,” approved by Decree 1/01 of 5 January, to facilitate the organised resettlement and return to IDPs to their areas of origin, upholding each citizen’s free will;

Agreeing to regulate the participation of different Government sectors in this process;

Under the terms of the combined provisions of paragraph f) of Article 112 and article 113 of Constitutional Law, the Government decrees the following:

Article I

The attached standard operational procedures of the Norms on Resettlement of Displaced Populations, which are integral part of the present decree, are approved.

Article 2

All previous legislation on this matter is revoked.

Article 3

The doubts and omissions resulting from the interpretation and enforcement of the present decree will be resolved through executive dispatch from the Minister of Social Affairs and Reintegration.

Article 4

This decree comes into force on the date of its publication.

Seen and approved by the Council of Minister, in Luanda, on 27 September 2002.

PUBLISH.

The President of the Republic

JOSÉ EDUARDO DOS SANTOS

Standard Operational Procedures for the Enforcement of the “Norms on the Resettlement of Displaced Populations”

CHAPTER 1 General Provisions

Article 1 (Definitions)

For the purpose of the present document, the abbreviations and expressions below mean:

CNRSPDD – National Commission for Social and Productive Reintegration of Demobilised Military Personnel and Displaced Populations;

CP – Provincial Commission;

GTCN – Ad-hoc Group for Technical and Administrative Support;

UTCAH – Technical Unit for the Coordination of Humanitarian Assistance;

OCHA – Office for the Coordination of Humanitarian Affairs;

INAROOE – National Institute for the Removal of Landmines and Unexploded Ordnance;

PAV – Extended Programme of Immunisation

IRSEM – Institute for the Social and Professional Reinsertion of Former Soldiers

FAA – Angolan Armed Forces

Displaced Persons – are persons or groups of persons who have been forced or obliged to leave their homes or places of habitual residence, particularly as a result of violence, or in order to avoid the results of armed conflict, violations of human rights or natural or man-made disasters, and who have not crossed an internationally recognised State border;

Resettlement – process of temporary or permanent settlement of displaced or returning populations in the area of origin;

Temporary resettlement – occurs when humanitarian, socio-economic and security conditions in the camps and transit centres are unacceptable, without prejudice to the rights of displaced populations to voluntarily return to their areas

of origin when conditions are conducive, or the right to fix permanent residence in an area different than the one of origin.

Article 2 (Jurisdiction)

The provisions of this document are applicable to displaced populations and Angolan refugees returning to the country.

CHAPTER 2 Implementing Entities

Article 3 (Entities)

1. The process of resettlement and return of IDPs is lead by the following entities
 - a) CNRSPDD – National Commission for Social and Productive Reintegration of Demobilised Personnel and Displaced Populations;
 - b) CP – Provincial Commission;
 - c) GADH – Ad Hoc Group for Technical and Administrative Support.
2. The entities referred to in subparagraphs b) and c) of no. 1 above report to the National Commission for Social and Productive Reintegration

Article 4 (Composition of Provincial Commission)

3. The Provincial Commission is charied by the Provincial Governor and includes the following members:
 - a) Provincial Vice-Governor;
 - b) Military representative;
 - c) Provincial Delegate of the Ministry of Interior;
 - d) Provincial Delegate of the Ministry of Justice;
 - e) Provincial Director of Social Assistance and Reintegration, Former Soldiers and War Veterans;
 - f) Provincial Director of Public Administration, Employment and Social Security;
 - g) Director of Provincial Cabinet of Studies, Planning and Statistics;
 - h) Provincial Director of Health
 - i) Provincial Director of Agriculture and Rural Development, Fishing and the Environment;
 - j) Provincial Director of Education and Culture;
 - k) Provincial representative of IRSEM;

- l) Provincial representative of UTCAH;
- m) Provincial representative of INAROOE;
- n) OCHA representative.

Article 5
(Competence and operation of the Provincial Commission)

1. The Provincial Commission shall:
 - a) Evaluate the provincial plan for the resettlement or return of the displaced populations on a monthly basis;
 - b) Submit a monthly report on the resettlement or return process of IDP populations to the National Commission for Social and Productive Reintegration of Demobilised Personnel and Displaced Populations
 - c) Issue general guidelines on the activity of the Ad Hoc Group for Technical and Administrative Support;
 - d) Carry out other tasks as assigned.
2. The Provincial Commission meets regularly on a monthly basis and whenever convened by the Provincial Governor.
3. The Provincial Commission is supported by the Ad Hoc Group for Technical and Administrative Support.

Article 6
(Composition of Ad Hoc Group for Technical and Administrative Support)

The composition of the Group varies, depending on the specificities of the issues to be addressed

1. The Group has the following competencies:
 - a) Ensure technical and administrative support to the Provincial Commission;
 - b) Conduct studies and analyses, issue position papers and make proposals;
 - c) Be accountable to the Provincial Commissions;
 - d) Propose the programming and implementation of the resettlement or return process for displaced populations;
 - e) Draft, organise and adjust the provincial plan for resettlement or return of populations;
 - f) Implement all aspects of the resettlement or return process of populations in the provinces;

- g) Assess transportation needs and draft a plan for transporting populations wishing to resettle or return;
- h) Make transportation and logistical support available for populations;
- i) Ensure that the health status of populations wishing to resettle or return is evaluated at least 48 hours prior to transportation;
- j) Ensure that IDP populations not in condition to be transported for medical reasons remain in the location accompanied by their family members until they recover;
- k) Ensure the participation of the IDP community and women in the working sessions;
- l) Ensure that populations are accompanied by a health professional with a medical first aid kit during transportation if the trip to the resettlement or return area will last more than five hours;
- m) Guarantee that recovering patients continue receiving treatment at the resettlement or return areas;
- n) Carry out other tasks as assigned.

2. To implement paragraph 1, the Ad Hoc Group for Technical and Administrative Support shall adopt the following procedures:

- a) Take into account the local administrations' priorities regarding territorial regulations in the identification of resettlement or return areas;
- b) Prioritise resettlement or return areas with operational health services;
- c) Consider the existence of appropriate conditions in accordance with the procedures established by the present standard operational procedures;
- d) Reach consensus among resident and IDPs communities on the use of land in accordance with the procedures established by the present standard operational procedures;
- e) Use the standard form in Annex II to these standard operational procedures during the verification work in the areas;
- f) Present the list of identified areas to the Provincial Government for final approval.

CHAPTER 3

Provincial Programme on Resettlement or Return

Article 8 **(Provincial Programme)**

The Provincial Programme on the Resettlement or Return of IDPs shall include the following elements:

- a) List of areas considered appropriate for resettlement or return in accordance with the criteria established by the present standard operational procedures;
- b) List of basic infrastructure needs in the identified areas so that minimum conditions for resettlement or return can be created;
- c) Number of families each area can accommodate based on available space and arable land;
- d) List of populations wishing to resettle or return, with priority to those living in camps or reception or transit centres where humanitarian conditions are unacceptable;
- e) Data related to most vulnerable groups that may need specialised assistance (widows, women heads of families, children, the elderly, disabled persons);
- f) Identification of the means necessary to transport populations to resettlement or return areas;
- g) Identification of projects to support resettlement or return that aim to improve the living conditions of the populations;
- h) Plans of action to implement the resettlement or return plan, including the identification of responsible entities and deadlines;
- i) Identification of financial and material resources available for the implementation of the resettlement or return plan;
- j) Other elements deemed necessary.

CHAPTER 4

Responsibilities for the Implementation of the Resettlement or Return Process

Article 9 **(Voluntary Resettlement or Return)**

1. The Provincial Government shall, through the Ad-Hoc Group for Technical and Administrative Support:

- a) Hold meetings with displaced populations to inform, sensitise and discuss the resettlement or return process and visit proposed areas;
 - b) Ensure that displaced populations are informed about the stages of the resettlement or return process and the legislation in force on the issue;
 - c) Ensure the active participation of displaced populations in the resettlement or return process;
 - d) Ensure respect for the voluntary and consensual nature of the resettlement or return process;
 - e) Facilitate agreement on the resettlement or return process between resident and displaced communities;
 - f) Verify the voluntary nature of the resettlement or return process through surveys and meetings with resident and/or displaced communities;
 - g) Carry out other tasks as assigned.
2. During the resettlement or return process, the Ad Hoc Group for Technical and Administrative Support shall ensure that the process is voluntary and consensual and that it includes the active participation of displaced populations through the creation of an operational group composed of the following members:
- a) Representatives of Local Authorities;
 - b) Representatives of Traditional Authorities;
 - c) Traditional authorities of resident and displaced communities;
 - d) Representatives of displaced communities, guaranteeing women's participation;
 - e) Representatives of humanitarian organisations.
3. The group may include other members at the invitation of the Provincial Governor.

Article 10
(Local state administration)

1. The local state administration shall:
- a) Be represented in the resettlement or return areas;
 - b) Create mechanisms for the proper functioning of public services;
 - c) Plan assistance activities;
 - d) Hold meetings between traditional authorities and representatives of resident and displaced communities in order to facilitate reintegration;
 - e) Carry out other tasks as assigned.

Article 11
(Registration, tracing and family reunification)

The provincial entity responsible for social assistance and reintegration, former soldiers and war veterans shall:

- a) Organise and ensure registration of resettling or returning populations, respecting the present standard operational procedures and using the attached forms;
- b) Guarantee the installation and management of a database that facilitates the planning of resettlement or return activities of populations;
- c) Identify children separated from their families;
- d) Create a database with photographs;
- e) Take appropriate measures for family reunification;
- f) Share information with other provinces to facilitate family reunification;
- g) Keep the family members together during the resettlement or return process;
- h) Ensure that data on children separated from their families are taken into account during the preparation of provincial plans on resettlement or return;
- i) Carry out other tasks as assigned.

Article 12
(Identification of populations)

The Provincial Delegation of the Ministry of Justice shall:

- a) Carry out birth registration in order to issue personal identification;
- b) Ensure that national identity cards are issued;
- c) Carry out other tasks as assigned.

Article 13
(Security of the location)

1. The Provincial Government shall:

- a) Assess, verify and guarantee the security of resettlement or return sites;
- b) Receive updated information from the central database on the mine situation in the respective areas;
- c) Ensure information sharing on mined areas;
- d) Facilitate logistics follow-up of mine and UXO clearance operations;
- e) Ensure, through INAROOE, the assessment of areas identified for resettlement or return;

- f) Carry out other tasks as assigned.
2. To implement paragraph 1, the Provincial Government shall adopt the following procedures:
- a) Provide information to the Ad Hoc Group for Technical and Administrative Support on the demined areas for subsequent planning of resettlement or return activities;
 - b) Ensure that the subgroup on mine action and mine awareness and mine action NGOs in the provinces where INAROOE is not represented is responsible for receiving and analysing documentation on demined areas;
 - c) Provide FAA and National Police liaison officers access to lists of areas where the mine situation needs to be verified;
 - d) Include populations and humanitarian personnel in technical assessments of the security situation;
 - e) Make the FAA and National Police liaison officers responsible for developing a joint report on the technical aspects of the security situation
 - f) Entrust to the Ad Hoc Group for Technical and Administrative Support the analysis of reports on the viability of areas identified for resettlement or return of displaced populations.

Article 14
(Identification and allocation of land)

1. The Provincial Government shall:
- a) Develop a plan on land needed for housing and agricultural purposes, based on information provided by the Ad Hoc Group for Technical and Administrative Support;
 - b) Prepare maps to facilitate the identification of land available for distribution to populations;
 - c) Survey the areas allocated to communities and private landowners;
 - d) Oversee the land allocation process;
 - e) Ensure the distribution of land for housing and agricultural purposes;
 - f) Take into consideration the relation between land quality and quantity when defining the area to be allocated to each resettling or returning family;
 - g) Allocate at least one hectare per family to begin agricultural activities during the installation phase;
 - h) Carry out other tasks as assigned.

2. The Municipal and Communal Administrations shall:
 - a) Ensure the involvement of resident and displaced populations in land identification and allocation;
 - b) Demarcate community lands, defining the areas to be distributed;
 - c) Monitor negotiations between resident and displaced populations on land allocation;
 - d) Maintain the conditions of roads and bridges;
 - e) Ensure that resettlement or return areas have access to markets;
 - f) Guarantee security in accordance with the procedures established under article 13 of the present standard operational procedures;
 - g) Carry out other tasks as assigned.

3. The Ad Hoc Group for Technical and Administrative Support shall:
 - a) Design the housing area in order to facilitate the planning of activities of intervening bodies;
 - b) Identify the housing area and ensure that the size allows for the construction of houses in accordance with the habits and customs of local rural and urban populations;
 - c) Respect the local housing customs and include a component on improved construction;
 - d) Construct houses as close as possible to areas where local building materials are available
 - e) Integrate reforestation projects in resettlement or return activities in collaboration with municipal and communal administrations and the local offices of agriculture and rural development, fishing and the environment
 - f) Carry out other tasks as assigned.

Article 15
(Resettlement kits)

1. The Provincial Government shall:
 - a) Ensure timely procurement and distribution of seeds and tools;
 - b) Carry out needs assessments;
 - c) Assess the populations' needs in collaboration with the Ad Hoc Group for Technical and Administrative Support;
 - d) Develop a plan that takes into account the most vulnerable groups in the resident community;
 - e) Develop a distribution plan for seeds that covers the area available;
 - f) Ensure that imported seeds are in conformity with phytosanitary norms;
 - g) Ensure that each family has a kit of agricultural materials or tools;

- h) Promote the organisation of community vocational training;
 - i) Ensure that each craftsman receiving the self-employment kit is responsible for training a number of apprentices determined by the community;
 - j) Carry out other tasks as assigned.
2. To implement paragraph 1, the Provincial Government, through the relevant bodies of agriculture and rural development, fishing and the environment, social assistance and reintegration, and former soldiers and war veterans, shall adopt the following procedures:
- a) Ensure that each family has access to a kitchen set, hygiene materials and building tools;
 - b) Ensure that resettled or returned populations have shelter and clothing adequate to the local climate.

Article 16
(Rehabilitation of infrastructure)

1. The Provincial Government shall:
- a) Conduct assessments and map the location of existing health, school and pre-school infrastructure in the identified areas;
 - b) Evaluate the condition of the infrastructure;
 - c) Present proposals and recommendations for the construction or rehabilitation of identified infrastructure;
 - d) Construct or rehabilitate infrastructure in the areas selected for the resettlement or return of internally displaced populations;
 - e) Ensure that infrastructure is maintained in accordance with established norms;
 - f) Carry out other tasks as assigned.
2. To implement paragraph 1, the Provincial Government, through the relevant bodies of agriculture and rural development, fishing and the environment, social assistance and reintegration, and former soldiers and war veterans, shall adopt the following procedures:
- a) Locate health units in a radius not greater than 5 km from the resettlement or return area;
 - b) Build or rehabilitate a health post if the population is at least 5,000 inhabitants;
 - c) Build or rehabilitate a health centre if the population is at least 15,000 inhabitants;
 - d) Provide medical assistance through a mobile health unit if the size of the resettled or returned population does not justify the

- construction or rehabilitation of a health structure and if no referral structures are in place;
- e) Build or rehabilitate schools in resettlement or return areas with the capacity to accommodate 35 to 45 students in two daily shifts;
 - f) Integrate pre-school aged children into Community Infant Programmes-Community School Programmes (PIC-PEC) whose structures can be constructed with local materials and in the form of jangos;
 - g) Ensure the social and professional integration of IDPs in accordance with their technical and professional skills.

Article 17
(Water and sanitation)

1. The Provincial Government shall:
 - a) Ensure that adequate measures are taken for the provision of water and sanitation;
 - b) Collaborate with the community to ensure appropriate management of water and sanitation systems, including aspects related to water quality;
 - c) Carry out other tasks as assigned.

2. To implement paragraph 1, the Provincial Government, through the relevant bodies of agriculture and rural development, fishing and the environment, social assistance and reintegration, and former soldiers and war veterans, shall adopt the following procedures:
 - a) Enable access to potable water for IDPs;
 - b) Place the public water supply points not further than 500 metres from the houses;
 - c) Guarantee the supply of drinking water;
 - d) Enable the functioning of each water pump to serve 600 persons for 10 hours a day;
 - e) Design the construction and maintenance of latrines in accordance with standards set by the Ministry of Health;
 - f) Build latrines with the participation of resettled or returned families;
 - g) Promote health education among the community regarding garbage disposal and burning.

Article 18
(Social assistance)

1. The Provincial Government shall:

- a) Provide health units with human and technical resources to facilitate the provision of services in health posts and centres;
- b) Ensure that health units are provided with the required equipment;
- c) Ensure the regular supply of medicines and medical material;
- d) Allocate funds to procure medicines in a timely manner;
- e) Distribute an appropriate essential medicines kit to each health facility;
- f) Comply with the training package of the Ministry of Health on the rational use of essential medicines;
- g) Ensure that health units are provided with appropriate means of transportation;
- h) Ensure the procurement of expendable materials and vaccines through the Extended Programme of Immunisation (EPI)
- i) Ensure the transportation of the above-mentioned material to their final destinations, as well as fuel for cold chains to conserve vaccines;
- j) Ensure that children and adults are enrolled in appropriate educational programmes and provided necessary school material;
- k) Identify the school and pre-school aged children in collaboration with the Ad Hoc Group for Technical and Administrative Support;
- l) Define educational needs on the basis of age and previous school attendance and include children in the educational system;
- m) Create mechanisms to guarantee that children who were already enrolled in school continue their studies following resettlement or return;
- n) Enrol in the Teacher Emergency Package programme (TEP) children who did not have access to formal education because of war or other reasons or who are not in the system because they have surpassed school-age;
- o) Create mechanisms to guarantee that children can attend school without school uniforms and that they are not required to pay any school fees;
- p) Guarantee the provision of adult education, particularly for women;
- q) Guarantee food assistance to resettled or returned populations;
- r) Distribute food free of cost until the first agricultural harvest;
- s) Ensure the continuation of food assistance, depending on the outcome of the agricultural campaign and nutritional and food security assessments;
- t) Carry out other tasks as assigned.

2. To implement paragraph 1, the Provincial Government, through the relevant bodies of agriculture and rural development, fishing and the environment, social assistance and reintegration, and former soldiers and war veterans, shall adopt the following procedures:

- a) Strengthen programmes aimed at eradicating polio, leprosy, malaria, tuberculosis and trypanosomiasis, and preventing HIV/AIDS in the resettlement or return areas;
- b) Provide required school materials (textbooks, exercise books, blackboards, chalk, blackboard erasers, pencil erasers, pencils, pencil sharpeners, pens) and furnish schools;
- c) Integrate the pre-school aged children into Community Infant Programmes-Community School Programmes (PIC-PEC);
- d) Deploy personnel required for the provision of services, prioritising those originating from the resettled or returned community;
- e) Guarantee the normalization of employment and wage situation of personnel, as well as staff housing and the payment of allowances stipulated by law;
- f) Guarantee training for personnel through courses and workshops.

Article 19
(Norms and technical issues)

The Ministry of Social Assistance and Reintegration is primarily responsible for issuing norms, without prejudice to the right of other government departments to issue directives and instructions on specific issues pertaining to their areas of responsibility.

Article 20
(Assessment)

1. The Ad Hoc Group for Technical and Administrative Support is responsible for monitoring the resettlement and return process of the populations, using the following indicators:
 - a) Level of implementation of resettlement or return plan;
 - b) Registration of internally displaced populations wishing to return or resettle;
 - c) Provincial database on resettled or returned populations;
 - d) Family tracing database;
 - e) Birth registration database and issuance of identification cards;
 - f) Family reunification activities;
 - g) Functioning of health, education, water and sanitation, social assistance and security services;
 - h) Identification and allocation of agriculture land;
 - i) Food assistance and distribution of family kits;
 - j) Number of resettled or returned families.

2. The Ad Hoc Group for Technical and Administrative Support shall inform in a timely manner the Provincial Commission, which then informs the Technical Group of the National Commission for the Social and Productive Reintegration of Demobilised and Displaced Persons, about issues and irregularities requiring immediate intervention.
3. The Ad Hoc Group for Technical and Administrative Support shall submit a monthly report to the Provincial Commission, which then submits the report to the Technical Group of the National Commission for the Social and Productive Reintegration of Demobilised Military Personnel and Displaced Persons, demonstrating, among other things, progress made in the preparation and implementation of the provincial plan for resettlement or return, constraints faced during the operations, and the definition of priorities for the following month.
4. The Technical Group of the National Commission for the Social and Productive Reintegration of Demobilised Military Personnel and Displaced Persons shall monitor the resettlement or return process at the national level, as well as ensure its implementation in accordance with the Norms on Resettlement.
5. The Provincial Commission shall make efforts to address specific cases of non-compliance with the Norms and the present standard operational procedures at the local level, before resorting to higher bodies.
6. The Provincial Commission shall submit a monthly report to the National Commission for Social and Productive Reintegration of Demobilised Military Personnel and Displaced Persons on the resettlement or return process.
7. The Provincial Commission shall make monthly assessments of the Provincial Plan for resettlement or return.
8. The National Commission for Social and Productive Reintegration of Demobilised and Displaced Persons shall make monthly assessments of the resettlement and return process.

CHAPTER 5

Funding and Management

Article 21 **(Funding)**

The Provincial Programme for the Resettlement or Return of Internally Displaced Populations is funded by:

- a) The state budget;
- b) National and international donations;
- c) Any other legally accepted form that supports specific projects and programmes.

Article 22 **(Management tools)**

The Provincial Programme for the Resettlement or Return of Internally Displaced Populations is managed by the Provincial Commission and is subject to Government approval as provided by law.

The President of the Republic, José Eduardo dos Santos