

## **The Paradox of Terrorism, Armed Conflict and Natural Resources: An Analysis of Cabinda in Angola**

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### ***Abstract***

*Angola is a coastal west-central African state which currently stands as one of the fastest growing economies on the sub-continent. Angola's development as a burgeoning economic powerhouse has been attained despite a protracted and brutal civil conflict spanning several decades. In the current post-conflict era, Angola has emerged as one of the leading producers of oil on the African continent, second only to Nigeria, in addition to boasting an equally robust diamond mining industry. However, the main oil-producing region in Angola, the Cabinda province, has been the centre of intense conflict between the inhabitants of the region on one hand in their endeavor for self-determination, and the central government on the other, which defends the economic and geo-strategic importance of the region. At a practical level, the proponents of the conflict are the Liberation Front of the Enclave of Cabinda (FLEC), which is at the forefront of secessionist calls, and the Luanda government through the Angolan Armed Forces (FAA). The activities of FLEC in the Cabinda region against Luanda (the Angola state) have launched a new debate on the dynamics of oil violence in the region. Among the main concerns is that the militia groups in the region are carrying out terrorist acts which, in turn, breed further instability that could have severe consequences for the state's security. Therefore, it is pertinent to undertake an in-depth exploration of the nexus between terrorism and FLEC activities in the region, as well to establish whether the recurrent breach of national security law committed by the FLEC in their secessionist endeavors have allowed the Angolan government to rightly characterize the violent activities of the militant group as terrorism.*

### ***Introduction***

Angola's protracted civil war came to an end on April 4, 2002 after 27 years of bloodshed. Shortly after the ceasefire, the government—led by the People's Movement for the Liberation of Angola, Labor Party (MPLA)—swiftly embarked on an ambitious process of economic growth and much-needed infrastructural and humanitarian rehabilitation. The core of this strategy focused on attracting international investors to aid in the extraction and production of Angola's abundant natural resources. This effort has transformed the Southern African state into one of the fastest growing economies on the continent, with the GDP growth rate reaching 9.4% in 2006 [1]. However, despite the soaring economy, Luanda remains embattled in a long-standing domestic quandary which continues to imperil the stability of the Dos Santos regime. For three decades, the Angolan enclave of Cabinda, which is geographically separate from the mainland, has been

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engaged in an insurrectionary separatist battle with Luanda. While Cabinda's core concerns are governed by the need for access to oil resources, the conflict has largely been motivated by economic nationalism. Through the establishment of the Front for the Liberation of the Enclave of Cabinda (FLEC), the leading militant group that has been engaged in a secessionist battle with Luanda and the militants in Cabinda have employed tactics that elicit a political response from the central government and the international community. The ultimate goal of the FLEC is to gain political autonomy, secession, and access to the management and exploitation of oil resources, which are indigenous to the province. [2]

The article explores the core dynamics of the long-standing impasse between Luanda and Cabinda, the latter of which has been engaged with the central government through military and diplomatic means for over two decades in a tussle over autonomy and eventual independence. Section I begins with a conceptual discussion that lays out the definition of terrorism that will serve as the guiding framework for this study. Within this discussion, the author will illuminate the secessionist case of Cabinda within a comparative international perspective, drawing on examples from Chechnya and Sri Lanka to elucidate the trajectory of the FLECs endeavours and the plights of the province's inhabitants. Section II will first provide a brief historical trajectory of the tensions between Cabinda and the Angolan government, followed by a discussion and analysis of FLEC's use of hostage-taking and kidnapping in their attacks. The author will evaluate whether such tactics can be defined as terrorism. Section III concludes with some reflections on Luanda's response to FLEC's activities as well as an analysis of the implications of Cabinda's militant tactics on the government's peace-building efforts and the province's endeavour towards greater autonomy.

### ***Defining Terrorism & Positioning the FLEC Case***

Terrorism has been one of the most malignant features of domestic and international politics for centuries. The term 'terrorism' officially became a component of the political lexicon following the French Revolution of 1789. While the nature and devices of terrorism have changed since the 18th century, the key definitional aspects of terrorism remain unchanged. From a historical perspective, each successive wave of terrorist activities appears to introduce new definitional dynamics and perspectives from various fields into the broader terrorism landscape, leading the renowned terrorism expert Walter Laqueur to refer to the existence of more than 100 definitions of terrorism. [3] In addition, the ambiguity in defining terrorism stems from the multiplicity of scholarly and official perspectives from which the construct is studied and articulated. [4]

Nonetheless, Laqueur notes that most definitions of terrorism are united by the common trait that it is a tactic that entails the utilization of violence and organised threats in order to attain a desired political end. [5] Although there is still a lack of consensus on the definition of terrorism,

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there are a number of common features which can be highlighted to delineate activities which are considered terrorist. At a broad level, terrorism can be conceived in terms of a series of trends and factors which are common to a majority of terrorist acts. These include 1) the use of violence or force in the manner of threats or action, 2) the primary objective is a political one, 3) thriving from the use of fear or terror to elicit the desired reaction, and 4) the expectation that the perpetrated actions will induce psychological (and political) effects and responses. [6] There is also a considerable level of consensus that terrorist acts usually have non-combatant victims. [7] Therefore, while no consensus exists on the actual definition of terrorism, at the most basic level terrorism can be identified as the organised use or threat of violence for the purpose of political coercion and intimidation for objectives which are motivated by social, economic or religious causal mechanisms. [8] Moreover, at the level of the intentions of those who engage in terrorist acts, the objectives of terrorism differ from conventional acts of violent crime to the extent that the ultimate aim of the perpetrators is not financial, but rather to influence political outcomes which are specific to the executors cause. [9]

Other scholars, such as Charles Ruby, have suggested that any depiction of terrorism is dependent on the particular context being analysed, with key perspectives including legal, moral and behavioural elements. [10] For example, from a legal or moral standpoint, the phenomenon is defined with respect to the values and laws governing the decisions of the exponent, with the specific deed of terrorism being secondary; meanwhile, a behavioural perspective emphasises the various reactions to the feat and deciphers terrorism as an act. [11] Notwithstanding the discordance in the definitional realm of terrorism, a key area of incontrovertible assertion is the dynamic evolution of the phenomenon throughout the ages. To this extent, the characterisation of terrorism has advanced on various etymological levels, resulting from shifting factors at the practical level of perpetration. In the main, such progressions in the definition of the phenomenon are directly related to variations in objectives of the perpetrators, as well as the tactics which they have employed to attain such ends. [12] Essentially, the varying devices and purposes of different terrorist groups over the centuries have progressively added new fundamental interpretations to the debates. As a case in point, during the years 1793-94, the French echelons of political power enacted a state-sponsored form of legal terror. [13]

Throughout the 19th and 20th century, the perpetrators of terrorist activities came from different sections of modern society, each embracing a setting of distinct objectives relative to their particular circumstances. To this extent, the levels of analysis and precipitation of terrorist activities have evolved beyond the state level apparent during a brief phase of the French Revolution. Specifically, terrorism has evolved to include global, transnational and international, societal, group, organisational and individual levels of terrorism. [14] Accordingly, each level of analysis examines terrorist groups at the international, nation-state, national, regional and non-affiliated individual levels. [15] At each of these levels, terrorism embraces distinct characteristics which are the result of the advancement in the practical dimensions of terrorist

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activities over the ages. On one hand, at the state level, terrorist activity can take the form of *internal repression, state-sponsored, or state-performed terrorism*. [16] On the other hand, at the non-state level, terrorist activity typically exists on the basis of key motivators, including *political ideology, ethno-nationalism, and religious extremism*. [17]

*FLEC-Cabinda Secessionism: A Comparative International Perspective*

To characterize the various dimensions in the evolution of terrorism, it is imperative to consider two contemporary examples which can contextualise the case of the FLEC in the Cabinda-Luanda impasse. Among several cases of *ethno-nationalist* secessionism, the protracted stand-off between the Republic of Chechnya and Russia presents a parallel case to that of Cabinda and Luanda. The plight of Chechnya is parallel to that of Cabinda to the extent that the region holds geo-strategic and economic significance to the central government, as the Caucasus region is rich in oil and natural gas reserves, among other important minerals. The implosion of the Soviet Union at the end of the Cold War led to the formation of several relatively small states within the former territory, which progressively became self-governing entities. Although in 1991 Chechnya claimed the right to sovereignty in a similar manner to other Soviet states in the Baltic and the southern Caucasus region, the geo-strategic importance of the territory as well as its inclusion in the Russian Soviet Federative Socialist Republic under constitutional law, led to harsh resistance from the Russian government. [18]

Consequently, Chechnya—which has a different ethnic composition than other regions in the Russian federation—has been engaged with the Russian government and military in a fervent and violent struggle for secession. Chechen separatists have employed a range of violent measures, including bombings and indiscriminate attacks against non-combatant Russian civilians. These attacks have been widely considered as terrorist in nature. [19] While major military actions of the Chechen secessionist groups have been repressed by the Russian security forces, dispersed organisations have continued to make their demands for political changes, using suicide bombings, hostage takings and other, less aggressive, attacks on civilians. [20]

In a similar manner, the case of the Liberation Tigers of Tamil Eelam (Tamil Tigers) in Sri Lanka also offers an informative comparison with the case of Cabinda and the FLEC. For example, the origins of the secessionist engagement between the Tamil Tigers and the Sri Lankan government, are rooted in a similar historical trajectory as the Cabinda case. Most notably, ethnic differences between the minority Tamil people of the north and northeastern regions and the majority Sinhalese population of the central, western and southern regions evolved into civil conflict [21], particularly after the Tamils were politically disenfranchised by the Sri Lankan government after 1949. [22] The long-term consequence of the ethnic and class-based discordance between the Tamil and the Sinhalese groups resulted in a violent secessionist struggle in which atrocious acts

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were committed by the Tamil Tigers, acts which have been recognized as terrorism by up to 30 countries, including neighbouring India, the United States, and members of the European Union. This international condemnation of the Tamil Tigers' terrorist tactics in turn allowed Sri Lanka's armed forces to get away with the use of indiscriminate attacks and atrocious counter-insurgency measures for wiping out the LTTE. In this process, a range of government-led acts have amounted to gross human rights abuses. [23] In this manner, the Sri Lanka-Tamil Tiger situation presents an illuminating comparative perspective, as one of the main contentions in this article is that the Angolan government has portrayed FLEC actions as terrorism in order to cloak their use of unlawful means for suppressing the secessionist movement in Cabinda.

***The Impasse between Luanda and Cabinda: the emergence of the FLEC and economic nationalism.***

The Cabinda province is a geographically isolated territory north of Angola, separated from the mainland by a strip of land which is a part of the north-western boundary of the Democratic Republic of Congo. The origins of the ongoing tensions between Cabinda and Luanda are rooted in Angola's colonial trajectory. The foundations of the concerns raised by the people of Cabinda are premised on the contention that the Angolan mainland and the enclave bear somewhat divergent identity and historical experiences. [24] In this regard, while Angola was a Portuguese colony for a period that spanned over four centuries, the Cabinda province was a protectorate which gained quasi-independent status in 1956. [25] The crux of the age-old tensions is premised on the fact that the Cabinda province was eventually amalgamated into Angola, albeit without consulting the enclaves' leadership. Cabinda's sovereignty was reaffirmed in 1963 by the Organisation of African Union, which designating the territory as an independently-governed state with its own inherent anti-colonial movement. [26] The turning point in Cabinda's colonial trajectory came in 1956, when the conservative government of Portugal ceased to be the protector of the region, strategically handing the territory over to Angola's administration without prior negotiations with Cabinda's political leadership. Consequently, the people of Cabinda established militant groups which have been engaged in intermittent fighting with Luanda's military forces in what has historically been framed as a struggle for self-determination based on its claim to sovereignty. [27]

Thus, the history and primary motivation of the reactive militant groups in Cabinda stems from the quasi-annexation of the province by Luanda and the desire for autonomy. [28] These groups include: the Freedom Movement for the State of Cabinda (MLEC) in 1960; the National Action Committee of the Cabindan People (CAUNC); and the Mayombé Alliance, which was referred to as ALLIAMA. [29] In 1963, these three groups merged to form the Front for the Liberation of the Enclave of Cabinda (FLEC), which has since been at the forefront of diplomatic negotiations and militant actions geared toward achieving independence and self determination for Cabinda.

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The armed invasion of Cabinda by MPLA forces on 11 November 1975 heralded a prolonged period of intermittent conflict and diplomatic tensions which continue largely unabated today.

From a historical perspective, the militancy of the FLEC is rooted in the exclusionary manner in which the pre-independence negotiations between Angola and the Portuguese administration were carried out. [30] While the province of Cabinda had been a Portuguese protectorate since the 'Scramble for Africa' in 1885, the territory was annexed to Portuguese Angolan control in 1956 through a process which excluded the Cabindan people. [31] To make matters worse, when the Portuguese administration departed and granted independence to Angola in 1975 through the negotiated Alvor Accord, the future of Cabinda was planned and decided by the outgoing administration and Angola's three leading nationalist movements (MPLA, FNLA and UNITA) with the outright omission of Cabindan representatives. [32] Thus, the FLEC was formed as a result of the aggravation and disenfranchisement engendered by exclusionary politics on the part of Luanda and Portugal. [33] The secessionist fervour and militancy of the FLEC was the product of a refusal to allow Cabinda's inhabitants to determine their own future.

Although FLEC's call for secession is premised on this history of political exclusion and disenfranchisement and the resulting desire among Cabinda's inhabitants for regional autonomy and self-determination, there are predominant motivating factors of an economic nature which have also propelled the militancy of the group. Essentially, the people of Cabinda have been strategically deprived of access to vital oil resources which are indigenous to the province. Upon the discovery of oil in Cabinda in 1956, and the commencement of exploration by the Gulf Oil Company in 1966, the geo-strategic and financial importance of the province became a decisive factor in the deliberations between Portugal and Luanda. [34] Following the generation of substantial oil revenue in Cabinda by the Gulf Oil Company after 1966, the significance of the province in the colonial dispensation became paramount, albeit without the inclusion of Cabindans in the management and exploitation of oil resources. [35] Fundamentally, the annexation of the territory to Portuguese Angola was largely influenced by the anticipated windfall and future significance of oil revenues to Portugal's colonial administration. [36]

Of particular importance, the royalties paid by the Gulf Oil Company contributed significantly to the colonial administration's military budget in their endeavours against nationalist forces during the war for independence. According to one account, oil revenues accounted for roughly 30 percent (\$16 million) of the Portuguese colonial administration's military budget in 1970, and these revenues were projected to rise to \$33-50 million by 1972. [37]

Therefore, by assigning increased control of Cabinda's oil resources to the colonial administration, and eventually to Angola - with minimal interference from the former's independence movements - the Portuguese effectively harmonized the administration of their colonial outposts, while simultaneously marginalizing and excluding the province's political

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groups from all critical negotiations. This line of reasoning on Portugal's part substantiates the military strategic importance of oil resources and revenues, as well as the importance of suppressing Cabinda's right to self-determination and aspirations for independence. In addition to abundant and economically strategic oil resources, the Cabinda province is also blessed with other valuable natural resources, including coffee, timber, palm oil and rubber. [38] The desire to control these resources is another reason that the central Angolan government rejects all demands for independence or self-determination for the people of Cabinda.

Today, Cabinda's oil fields comprise a significant proportion of Angola's total oil output. The Angolan government is particularly dependent on Cabinda's offshore crude oil, which represents approximately 86% of the state's earnings. [39] Furthermore, Cabinda's offshore fields account for up to 60% of Angola's oil exports, a significant proportion of Luanda's annual revenue stream which the state cannot practically forego despite the opposition of the region's inhabitants. [40] Essentially, the long-drawn-out tussle between Cabinda and Luanda is motivated by the need for deriving much-needed economic gain from valuable oil reserves and accessing the socio-economic benefits which can potentially be drawn from oil reserves of which the province fundamentally declares ownership. Further, the province continues to be marginalised by the central Angolan government, and the inhabitants of Cabinda do not adequately reap the benefits of the oil wealth which is derived from their territory. Accordingly, the FLEC's militancy is animated by demands for management and access to oil resources which are *de facto* indigenous to Cabinda, in addition to acquiring political autonomy from Luanda and eventual secession from Angola.

The array of complexities and layers implicit in the discontent between Cabinda's age-old independence movement on one hand, and Luanda's defiance on the other, reveals that devising an effective resolution to the unremitting impasse between the two parties is a counsel of despair. A series of attempts at building peace and reaching agreements which are mutually beneficial to both parties have clearly failed. On Luanda's part, the decision-making dynamics taken in relation to Cabinda's pleas appear to be inordinately influenced by the economic imperative.

With Cabindan oil fields accounting for such a significant proportion of Angola's oil exports, granting autonomy to the province would lead to overwhelming dire consequences for national revenue. Alternatively for Cabinda, the multifaceted concerns of the province's inhabitants - including legal-historical claims, universal rights to self-determination, and perceived denial of the economic benefits from being a valuable resource-rich region, among other central contentions - have provided the impetus for separatists to adopt a 'by any means necessary' line of attack, to include voicing their concerns through the actions of FLEC in the hope of yielding desired outcomes.

*FLECs Primary Tactics: Hostage-takings & Kidnappings*

The FLEC, which has splintered into various rival factions during the last 20 years, has predominately used hostage-taking and kidnapping activities as primary tactics in pursuing its political objectives. Looking at their violent activities more closely reveals that the movement initially sought to use violence, mainly in the form of kidnappings and hostage takings, for both economic necessities (the need to generate revenues) and political objectives (the need to raise awareness and draw international support for their broader independence cause). This was primarily done by carrying out attacks that included kidnapping workers from multinational energy, construction and timber corporations operating in the region. [41] For example, in 1992, the FLEC launched a violent attack on Chevron oil workers in transit, leading to a brief offensive against the separatists by government forces. [42] Although this first attempt did not yield the desired outcome for the separatists, the FLEC and its factions continued to employ such tactics. More successful attempts followed in the late 1990s; however, economic motivations came to greatly outweigh the political objectives. Of particular note is an attack in 1997 when the extremist faction FLEC-FAC (Front for the Liberation of the Enclave of Cabinda - Armed Forces of Cabinda) kidnapped workers from a Cabinda-based construction company. They released the hostages after receiving ransom amounting to \$400,000. [43] Another hostage-taking act in 1998 yielded approximately \$500,000 in ransom fees. While economically-motivated attacks continued, the group used funds garnered from ransoms to support politically motivated attacks such as the 1999 kidnapping of four workers from Portuguese and French companies. In doing so, they sought to gain international attention for the separatist cause. [44] The group also sought international attention when it kidnapped three Portuguese nationals and an Angolan in 2000. Instead of a ransom, the group demanded that the Portuguese government formally recognize the problem of Cabinda. [45] A year later, in March 2001, the FLEC-Renovada, another faction, kidnapped five Portuguese employees of a construction company. [46] Notwithstanding the efforts of the FLEC to garner broader attention and communicate their political grievances, such attacks, while resulting in some international attention, did little for the Cabinda cause. For example, in March 2001 the European Parliament released a joint motion for a resolution that condemned the hostage-taking in Cabinda as a tactic for political action.[47] In fact, such attacks prompted the government to clamp down on the militant movement by arresting high-ranking FLEC members who were implicated in the attacks.

While the FLEC has been engaged in various criminal and politically motivated acts of kidnapping and hostage-taking, the most recent event which caught international attention was the attack on the Togolese national soccer team during the 2010 Cup of African Nations tournament. Although the Cabindan Forum for Dialogue (FCD) - an integrated unit comprised of representatives from various civic institutions established in 2004 - had signed the peace Memorandum with Angola in 2006 to bring a de facto termination to the conflict, the FLEC-FAC branch desisted. On the basis of FLEC's dissatisfaction with the nature of the accords, the group

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pledged to heighten militant activity leading up to the 2010 Cup of African Nations. [48] Consequently, on January 8<sup>th</sup> 2010 the national football team of Togo was in a convoy of busses led by Angolan state security forces en route to a stadium for training in Cabinda when they were attacked by an armed group. The ensuing gunfight resulted in 3 deaths, as well as several injured. According to reports, a different faction (FLEC-PM) initially claimed responsibility for the attack, but the FLEC-FAC faction ultimately claimed responsibility and noted that the intended target was the Angolan security force, not the Togolese players. [49] Shortly following the attacks, the Angolan state police made numerous arrests, many of which included high-ranking members of the FLEC-FAC. They were charged with a terroristic “crimes against the security of the state” indictment. [50]

### *Can FLEC's Use of Kidnapping & Hostage-taking be Labeled Terrorism?*

To the extent that acts of terrorism can be defined by the factors detailed in the first section of this discussion, the case of the Cabinda conflict presents a difficult case for scholars. Most of the violent acts committed by the FLEC have been acts of kidnapping and hostage-taking, which some scholarly perspectives view as falling outside the scope of terrorism. For instance, in a definition of terrorism proffered by Charles Ruby, the scholar asserts that terrorism, as it exists within a politically motivated framework, is aimed towards objectives which are strictly geared towards manipulating government policy, essentially excluding undertakings such as ‘robbery, homicide, and kidnapping.’ [51] According to Ruby, these acts can be perceived as deeds which are geared towards personal objectives, rather than motivated by the desire to induce sweeping political changes at the government level. [52] From this perspective, these acts of the FLEC, as discussed above, can largely be seen as activities which have the goal of furthering the illicit economic goals of the militant group, thereby being removed from the core secessionist objectives of Cabinda’s inhabitants.

Alternatively, there are other academics whose wider and more comprehensive definition considers acts of terrorism as spanning a wide array of politically-motivated tactics of struggle, with the government comprising the main target of such activities. In this regard, Charles Tilly suggests that dedicated military groups in various regions of the world employ kidnapping, murder, as well as mutilation (among other tactics) in their encounters with government forces that have been commissioned to engage in counter-terrorist operations. [53] The FLEC’s tactical engagements have not involved the kidnapping of government security personnel; instead, the group has typically resorted to hostage-taking of workers from oil companies and other non-combatant targets. This point has been reiterated by the United Nations Commissioner for Refugees (UNHCR) in citing the use of hostage-taking methods, among a range of other human rights abuses, as the preferred means of engaging with the Angolan government in their endeavour to influence the current political conditions imposed on Cabinda. [54]

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In the same vein, terrorism expert Brian Jenkins suggests that a majority of terrorists operate with a narrow tactical framework, including six principal devices: kidnappings, bombings, assassinations, armed attacks, hijackings and hostage-takings. [55] Moreover, within this context, the use of kidnapping and hostage-taking by the FLEC has evolved into a vital means of generating revenue to launch further actions aimed at influencing the government in their favour. [56]

After considering the body of knowledge on whether kidnapping and hostage-taking should be considered terrorism, it can be argued that the FLEC's use of these tactics do not constitute terrorism. Rather, FLEC relies on these tactics to generate revenues with which they can launch other forms of political violence. However, the Angolan government has consistently portrayed the actions of FLEC as purely terrorist in nature, a characterization which is then used to justify the states' use of unlawful measures against the militant group in efforts to suppress Cabinda's counter-secessionist operations. In this regard, the state has utilized the Angolan Armed Forces (FAA) for the suppression of the FLEC insurgency, using disproportionate acts of force and engaging in wanton human rights abuses. Fundamentally, the Angolan government has continued to strategically undermine the human rights of Cabinda's inhabitants under a cloak of national security breaches committed by the FLEC and other militants, as outlawed by the 'crimes against the security of the state' legal framework. [57] As discussed in the following section, in this respect - notwithstanding the previously mentioned 'Memorandum for Peace and Reconciliation for Cabinda' of 2006 which signified the end of hostilities between the government and the FLEC - Luanda has continued to employ gratuitous means for suppressing the insurgency, including torture, disappearances, arbitrary arrests, sexual assault, targeted killings and executions. [58]

### ***The Socio-Political Dynamics of the Conflict: Luanda's human rights abuses***

While the three decades-long conflict has already resulted in thousands of casualties, the paramount humanitarian concerns mainly relate to the human rights abuses inflicted by the governments' forces against Cabinda's inhabitants. In efforts to circumvent the endeavours of the belligerent FLEC and other more minor secessionist forces, reports have surfaced that Luanda has resorted to selective military filtrations in order to root out insurrectional intentions and dissidence in Cabinda. [59] In response to the hostage-taking and kidnapping attacks, the FAA allegedly responded with arbitrary arrests, unlawful detention of innocent civilians and torture in its attempts to quell secessionist splinter groups within Cabinda society. [60] For example, between 2007 and 2009 approximately 38 arrests were made, mainly of individuals who were implicated in separatist endeavours. [61] A series of military raids executed by the FAA have also prompted numerous reports of human rights violations ranging from disappearances, torture and

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incommunicado detentions to martial executions and rape cases. [62] Accounts of such atrocities committed by the FAA are detailed in a 2009 report released by *Human Rights Watch*. Such abusive actions, which have increased since the end the Angolan civil war in 2002, have fallen under the FAA counterinsurgency measures. These have been central in engendering a state of mutual mistrust between the parties involved, adding a further level of complexity to the convoluted dilemma.

The Angolan government's record of misconduct in Cabinda has raised the wariness among leaders of the FLEC and the province's civil society organisations regarding Luanda's intentions. Notwithstanding the efforts by Luanda and FLEC's leadership to reach a peace deal in 2006, the peace-making efforts have been tainted with signs of dissatisfaction among particular segments of the separatist organisation and Cabinda's various civic institutions. [63] While the insurgency was brought to a *de facto* end with the signing of the Memorandum, there have been continued reports of isolated spates of insurrectionary violence as well as statements of dissidence from within Cabinda. The antagonism has been largely attributed to the dissatisfaction regarding two central factors: 1) the nature of the peace Memorandum, which only grants Cabinda 'special status' and a limited measure of autonomy - a decision which some elements within the province have refused to sanction; and 2) the apprehension among the region's civil society organisations about the FAA's record of human rights abuses against civilians. [64] The discontent with the first of these factors was fuelled by the high level of discord within Cabinda's independence movements, with a divided leadership within the FLEC. There was also a divergence in the perspectives between the FLEC and other institutions such as churches and human rights groups. [65] Disquiet regarding the second factor was animated by Luanda's ban on the Civic Association of Cabinda (Mpalabanda), Cabinda's principal human rights civil society institution, which has been instrumental in advocating the region's foremost interests. [66]

While the actions of the FLEC in the 2010 attack on the Togo football team may have provoked the desired reaction from Luanda and the international community, the event added further complexity to the impasse between the central Angolan government and Cabinda. Among other factors, the incident presented an opportunity for Luanda's security forces to further infiltrate Cabinda's separatist leaders and pivotal elements in the secession movement. The reaction of Luanda's security forces has been succinctly expressed by a 2010 Human Rights Watch report. Following the arrest of Belchior Lanso Tati, Francisco Luemba, and Raul Tati, three pivotal figures in Cabinda's independence movement, Luanda released a statement citing that it would bring to court all of the 'material and moral authors' of the onslaught. [67] Moreover, the government proceeded to label the rebel leaders as 'terrorists' who needed to be brought to book for committing 'state security' crimes. [68] Following a series of detentions by Luanda, reports have emerged regarding the abusive and unconstitutional treatment of detainees, many of whom had been arrested and kept incommunicado and without due process.

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Despite the succession of arrests by the government, it appears that these efforts have not been followed by any criminal and/or forensic investigations. Evidently, the government may have taken advantage of the state of affairs in Cabinda by exacting unlawful imprisonment of suspects and those believed to be instrumental to Cabinda's separatist cause. In this context, Cabinda's militant efforts in the previously described January 2010 attack may have produced undesired consequences. Although the event garnered widespread international attention, the implications are clearly not beneficial for the broader cause; the arbitrary arrests of key Cabinda figures and the coincident human rights abuses by Luanda have effectively made it difficult for international human rights and criminal organisations to access critical information essential to making meaningful strides in resolving the quandary in the long-term. [69] Correspondingly, in the context of peace-building, the incommunicado arrests of key figures of Cabinda's movement, including militant organisations and civic institutions, significantly undermines the capacity for the province to present a staunch and efficient front to tackle Luanda's abuses of criminal and territorial legislation in the name of weakening secessionist efforts. [70]

### **Summary**

From the broader political economic perspective of Angola's oil production, the instability in the region presents potential threats to Luanda's secluded oil resources. The age-old standoff between Cabinda and the central government is grounded in fundamental historical, socio-cultural and economic issues which are impossible to ignore despite the foray into militancy by the FLEC. While the historical and territorial arguments continue to be pivotal in Cabinda's line of reasoning, the most pressing concerns from both perspectives are palpably economic. Cabinda's on- and offshore oil deposits represent a significant proportion of Angola's annual oil revenue which the state cannot afford to lose, although the benefits of this increasing wealth are not apparent for Cabinda's inhabitants.

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### **Notes**

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- [4] Those studying terrorism do so from various disciplines (such as the social sciences) as well as within various institutions such as the military, intelligence and law enforcement agencies. See: Younger, S. (2008). *Terrorism: Concepts, Causes, and Conflict resolution*, Advanced Systems and Concepts Office Defense Threat Reduction Agency, Virginia: Defense Threat Reduction Agency, p.5
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- [47] *Ibid.*
- [48] Human Rights Watch (2010) 'Angola: Release Cabinda Rights Defenders. Attack on Togolese Footballer's Used to Crack Down on Civil Society,' January 8 2010, p.1.
- [49] Second Angola rebel group admits Togo football attack. BBC News, January 12, 2010. <http://news.bbc.co.uk/2/hi/africa/8454321.stm>
- [50] *Ibid.* According to HRW, "the Angolan law on 'crimes against the security of the state' dates from 1978. It includes not only those participating in violent acts that undermine the territorial integrity & sovereignty, & 'collective action aimed at instigating public opinion i.e. in accordance with foreign pretensions' (article 1)."
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- [58] Ad-Hoc Commission for Human Rights in Cabinda Coalition (2002) *Terror in Cabinda: 1st Report on the Human Rights Situation in Cabinda*, p.4.
- [59] Human Rights Watch (2009) 'They put me in a hole': Military Detention, Torture and Lack of Due Process in Cabinda,' p.6.
- [60] In efforts to contain the secessionist efforts in Cabinda, the Angolan government has methodically deployed the Angolan Armed Forces (FAA). The FAA has been cited in various human rights violations against Cabinda's inhabitants.
- [61] Voice of Africa (2010), *op. cit.*
- [62] Kagwanja, P. (2006) 'Angola: Plenty of Oil, a Forgotten War And New Hope, That's Cabinda,' *Africa Policy Brief* (13), p. 3.
- [63] *Ibid.*, p.1. - The peace deal, the 'Memorandum for Peace and Reconciliation for Cabinda,' was signed by Luanda and the FLEC on July 15, 2006, in Congo-Brazzaville and overseen by the African Union.
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- [66] Pham, J. P. (2007), 'Cabinda: The "Forgotten Conflict" America Can't Afford to Forget' *World Defence Review*, p.6
- [67] Human Rights Watch (2010), *op.cit.*, p.1.
- [68] *Ibid.*
- [69] Human Rights Watch (2009), *op.cit.*, p. 9.
- [70] *Ibid.*, p. 9-11.
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