Call on Germany to shoulder her International Responsibility in pursuance of Article 35 of the Charter of the United Nations.

Mr. Heiko Maas
Germany’s Foreign Minister

Together with Germany and Portugal, we can solve most, if not all, African critical issues, and thus curb all at once migration from Africa and populism in Europe.

Berlin, January 24, 2019
To His Excellency Mr. Heiko Maas
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Abstract

On 1 January 2019 Germany started a two-year membership of the United Nations Security Council. This is actually an opportunity to remind Germany of the need to solve once and for all the lasting bloody conflict between Cabinda and Angola, which is but a Western genocide by proxy of the vulnerable people of Cabinda. As it is a legal-political problem that falls within the competence of the United Nations, being of the nature referred to in Art. 34 of the Charter of the United Nations, I am required to remind Germany of her international responsibility under Art. 35 of the Charter of the United Nations.

I also need to seize this opportunity to draw the attention of the German government and civil society to a couple of recent developments relating to the cries of pain that rise up from Cabinda. On 7 August 2018, for instance, H.E. Mrs. Nina Maria Fite, US Ambassador to Angola, visited the illicitly occupied territory of Cabinda. On 10 January 2019, H.E. Mrs. Skeek Frazee, US Congresswoman, met two young Cabindans representatives of a human rights association to discuss issues related to human rights violations in Cabinda, i.e. to the political repression, economic exploitation, and social degradation the Angolan regime is responsible for.

Besides, the mercenary government of Angola, which is notorious for its rampant corruption and the criminal use of the State and the economy, is desperately in need of one more illusory agreement with Cabindans previously suborned, with a view to postponing the independence of Cabinda by ten or even fifteen more years. Since I believe Germany and Portugal are called to play a vital part in the just resolution of the Cabinda issue, I must remind Germany of her own faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small.

https://cabindacitizenship.files.wordpress.com/2019/01/imperialism-charter-concerning-third-world-countries.pdf
Dear Minister Heiko Maas,

I am ready to help in whatever way I can, chiefly in respect of African issues, that Germany’s two-year (2019/20) membership of the United Nations Security Council will be crowned with success. I am stirred by the core values of Chancellor Merkel’s policy, i.e. openness, tolerance, and respect, in addition to her trustworthy confidence enshrined in her New Year’s address, which reads, I quote: We will only master the challenges of our time if we hold together and if we work with others across boundaries and borders. In line with my own researches, Germany is the Western nation better placed to help Africa make the type of progress time demands.

“Climate change, migration, and international terrorism” are issues Germany feels compelled to solve, as per Chancellor Merkel’s New Year’s address. Besides, as a non-permanent member of the UN Security Council, Germany has set herself to take on a wide array of duties, e.g. crisis transformation, crisis prevention, human rights, security and health policy. The fulfillment of such duties coincides with the fact that, under the provisions of the UN Charter, the Security Council is responsible for preserving world peace and international security. Its resolutions are legally binding for all UN member states and thus for practically every country in the world.

Dear Minister Heiko Maas,

The instituting principle of the Cabindan National Movement, ever since its inception in 1989, is to be the liberation movement that combines legitimacy, integrity, and the genuine desire to pursue its declared aims. In spite of adversities and Angola’s alluring offers, the movement has stayed loyal to its founding principle. Moreover, CNM accepts in advance the obligations of pacific settlement provided in the Charter of the United Nations, because it is committed to contributing to the fulfillment of international order of justice and peace—that is, of global interdependence, all at once competing and cooperating.

The Cabindan National Movement, of which I am a member of the Joint-Presidency, is a partial subject of international law, inasmuch as it draws its legitimacy and significance from the self-determination of peoples, which is one of the chief purposes of the United Nations. Hence, I am requesting the German Federal Government and Civil Society to fulfill your international responsibilities in Cabinda, and Africa at large, in my capacity as subject of international law. I am under the responsibility to strive for the upgrade and observance, in Cabinda, of the rights enshrined in both the 1966 ICCPR and 1966 ICESCR.
In view of the fact that international law is first and foremost a prerogative of national States, in order to put an end to the long-lasting belligerent occupation of Cabinda by Angola, which entails revolting political repression, economic exploitation, and social degradation, I have to have recourse to law-abiding UN member States, e.g. Germany. I must rely upon nations that work for a world in which faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small is reaffirmed on a daily basis by both the minor and major actors in international relations.

**Germany and the Cabinda Crisis**

The belligerent occupation of Cabinda by Angola since 1975 is definitely a legal-political crisis that falls within the competence of the United Nations. Although the situation of Cabinda has been duly brought to the attention of the UN General Assembly in 1962, the Security Council has so far failed to transform the Cabinda crisis into a success story. In addition to the fact that some permanent members of the Security Council favored Angola’s invasion and occupation of Cabinda to get their hands on Cabinda’s natural resources, the *Imperialism Charter* relating to third world countries also causes the continuation of the revolting situation in Cabinda.

The unlawful occupation of Cabinda by Angola is actually the major contributing factor to the political insecurity and instability in central and southern Africa, and, by extension, in Western Europe. In both Africa and Western Europe, Angola’s *war chest* is aimed at frustrating the free functioning of democratic institutions, as it is being used first to bribe prominent officials, and later to blackmail them into undermining the legitimate struggle of the oppressed people of Cabinda. E.g. the putsch against president Pascal Lissouba in 1997; the French political scandal, *Angolagate*, in the 1990s; and the Swiss financial scandal bared in the *paradise papers* in 2017.

Germany, in her capacity as a non-permanent member of the United Nations Security Council, has a great challenge to take up, i.e. to make sure the right of the oppressed people of Cabinda to regain political and economic sovereignty is fulfilled. The conversion of the Cabinda crisis into a success story, and thus set Cabinda as an example other African countries can emulate, is fitting enough to curtail migration from Africa and populism in Europe. This allows Germany to dispense with the idea that foreign powers, e.g. EU or World Bank, acquire land in Africa, build and govern cities in order to boost job creation and development so as to curb migration.
Germany and Human Rights in Cabinda

As long as it occupies Cabinda, the Angolan regime will never come down on the right side of human rights, nor of international law. Never, for the role it has been assigned to in Cabinda, as well as in the whole Congo basin, is that of a mercenary body in charge of terrorizing related peoples to secure the looting of natural resources by a set of Western States and Companies. Effects of recurrent oil spills in Cabinda are devastating. Yet, even though Chevron claims to respect human rights anywhere it is involved in crude oil extraction, it believes that the ultimate responsibility for protecting human rights rests with governments.

Human rights violations in the taken Cabinda are such that, though the natives of Cabinda do not top two million, life expectancy at birth has dropped from 75 years in Portuguese colonial era to 48 years today; child and maternal mortality rates are among the highest in the world. Angola’s rampant corruption and criminal use of the State and the economy are such that sixty percent of the population of Cabinda have fled repression and misery, and are presently facing the hardship of wandering as exiles in foreign countries. If truth be told, our being long-lasting refugees (migrants) cannot help increasing the anxieties of our host-countries’ taxpayers.

It is self-evident that the mercenary government of Angola will never recognize the principle that the interests of the inhabitants of Cabinda are paramount; it will never accept as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants of this oil-rich territory; and will never take due account of the political aspirations of the subjugated people of Cabinda, as recommended in Article 73 of the Charter of the United Nations. Consequently, since the ultimate responsibility for protecting human rights rests with governments, the task and duty of Germany and Portugal is to help reinstate the sovereign government of Cabinda.

Cabinda as a UN Legal-Political Problem

The United Nations has consistently issued statements supportive of or consistent with the right of the people of Cabinda to regain political sovereignty. This is verified by the hearing of the then legitimate leader of Cabinda as a petitioner, i.e. H.E. Mr. Luís Ranque Franque, and by a set of General Assembly resolutions adopted in response to the petitioner’s appeal. Even though the United Nations recognized the legal and historical factors that reaffirm Cabinda as a full subject of international law, the UN GA resolution 1542 (XV) of 15 December 1960 brings out a deliberate political attack by a few UN member States on Cabinda’s territorial integrity.
The 1885 International Protectorate Treaty between Cabinda and Portugal received attention and ratification at the 1884-1885 Berlin-Congo Conference; the Constitutions of Nations issued by Mr. Amos J. Peaslee and put at the disposal of the UN Legal Department in the early 1960s, contains the 1933-1976 Constitution of Portugal in which the legal status of Cabinda is upheld; ever since its inception on 25 May 1963, the Organization of African Unity (OAU) made a list of the African countries in which Cabinda is the 39th, with Angola as the 35th. Among the main UN GA resolutions pertaining to Cabinda’s legal-political struggle, surface the following:


Germany’s Role in Transforming the Cabinda Crisis

As a UN member State, Germany is the Western nation most expected to play a constructive part in Cabinda, and Africa at large. The values she stands for, and her concept of a cooperative multilateralism, makes a trustworthy democracy of Germany. Aside from having managed to become the fourth largest contributor to the regular budget of the United Nations, Germany has been working for years to reform the UN Security Council, with the aim of giving this key body in fostering the UN ideal of universal peace additional legitimacy and authority. The fact that Africa is deprived of a permanent seat on the UN SC cannot help giving rise to worries.

In the same way as the German government, I believe that current crises and conflicts that bring with them immense human suffering, such as the belligerent occupation of Cabinda by Angola, are issues the Security Council must necessarily be called on to address. Actually, most of the African crises and conflicts owe their persistence to the fact that the implementation of the UN GA Resolutions 1514 (XV) of December 14, 1960, and 1803 (XVII) of December 14, 1962 has simply been frustrated by the most powerful nations. As a result, Germany has to resort to Article 35 of the Charter of the United Nations in order to transform the Cabinda crisis.

The transformation of the Cabinda crisis implies a negotiated reasonable time for the transfer of power to the sovereign people and nation of Cabinda, and a realistic political arrangement aimed at enabling the establishment of the vital administrative and economic infrastructures,
ahead of the agreed date for the retrocession of Cabinda to the people of Cabinda. To convert the Cabinda crisis into a success story means to work with Germany and Portugal, to supervise with Germany the building of cities in Cabinda and everywhere it is needed on the continent, and together endow African children with an up-to-date global development.

**Partners for Germany in Solving the Cabinda Issue**

**UNHCR.** One of the catastrophic consequences of the invasion and occupation of Cabinda by Angola is the masses of escapees facing, ever since 1975, the danger of wandering as refugees in alien countries. Therefore, the Cabinda issue falls inevitably within the jurisdiction of the United Nations High Commissioner for Refugees. Acting under the authority of the UN General Assembly, HCR assumes the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the Statute of his/her Office, and of seeking lasting solutions for the problems of refugees.

The High Commissioner for Refugees is entitled to presenting his/her views before the General Assembly and ECOSOC, and reporting annually to the very General Assembly via ECOSOC. So the serving HCR is a partner for Germany, as he can be invited to apply the legal power of his Office so that the General Assembly and ECOSOC are formally acquainted with the Cabinda issue, and thus play their part in the application of the lasting solution for said problem. As a partner in the ending of the illegal occupation of Cabinda, UNHCR comes into Cabindan exiles’ view as the UN official who brings about the chance of returning to their homeland.

**ECOSOC.** Ending poverty and achieving sustainable development are the foremost ambitions of the *United Nations Economic and Social Council.* In this connection, the sitting President of ECOSOC, H.E. Mrs. Inga Rhonda King, says: “We firmly believe that to find effective approaches to ending poverty, those experiencing it must have a seat at the table and be given the tools to empower themselves and participate fully.” Hence, since *self-determination* is one of the strongest human rights, and owing to the fact that the ultimate responsibility for protecting human rights rests with governments, ECOSOC has a significant part to play.

**UNHCHR.** The *Office of the High Commissioner for Human Rights* is mandated to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international human rights laws and treaties. In this respect, the *High Commissioner for Human Rights*, H.E. Mrs. Michelle Bachelet, enjoys the backing of the *Deputy Secretary-General of the United Nations*, H.E. Mrs. Amina Mohammed, who decisively
holds, quote: “We must empower youth to participate in and shape the political and economic lives of their countries and communities; to be the agents of peace and development.”

PORTUGAL. In the aftermath of the 1974 Carnation Revolution in Portugal, General António de Spínola, President of Portugal from May to September 1974, did everything in his power to have Cabinda’s political sovereignty restored. His attempts were obstructed by mighty fellow NATO members, who instigated the annexation of Cabinda to Angola through the 1975 Alvor agreement between Portugal and the Angolan liberation movements, i.e. FNLA, UNITA, MPLA. Soon afterwards, faithful to the provisions of the 1885 protectorate treaty with Cabinda, the Portuguese revoked the Alvor treaty by way of the Decree-Law 458-A/75 of 22 August 1975.

Dealing with a global system in which international law and human rights are gradually being mocked and replaced by the jungle-like principle of might is right, the Portuguese government has ended up being stripped of its traditional courage to stand up for the rule of law in Cabinda as well as in Angola. Unlike the Portuguese government, HRH D. Duarte Pio, Duke of Braganza (Portugal), who has worked long and hard on behalf of then-oppressed people of East-Timor, has remained honest and is accurately and tirelessly drawing the attention of the international community to the fact that there is a legitimate case for the independence of Cabinda.

Germany and the Cabinda People’s Cultural Rights

Pursuant to UN GA Resolution 41/128 of December 4, 1986, the human right to development also implies the full realization of the right of peoples to self-determination. For its part, the UN GA Resolution 68/237 of December 23, 2013, decreed “2015-2024” as The International Decade for People of African Descent, mentioning the need to strengthen national, regional and international cooperation on the full enjoyment of economic, social, cultural, civil, as well as political rights by People of African descent, plus their complete and equal participation in all aspects of society.

In its Article 1, the 1966 International Covenant on Economic, Social and Cultural Rights insists: “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” This goes for Cabinda’s right to political sovereignty, and to an all-inclusive development. This is an irrefutable human right by virtue of which every Cabindan citizen is entitled to participate in, contribute to, and fully enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can entirely be realized.
Germany and Cabinda’s Economic Sovereignty

In its Article 1, paragraph 2, the 1966 *International Covenant on Economic, Social and Cultural Rights* makes the following claim: “All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.” Yet, owing to the principle of *might is right*, the people of Cabinda are so far deprived of their own means of subsistence, i.e. denied the right to permanent sovereignty over their own natural wealth and resources.

On top of oil, extracted in millions of tons every single year, Cabinda is rich in minerals such as gold, diamonds, iron, uranium, manganese, and so forth. Its deposits of phosphate are the largest in the world; and there are enormous palm-groves that may interest oleaginous industry. Cabinda has also incredibly rich forests, which furnish sawmills, from which plywood, laminated and compressed wood products can be obtained; not to mention coffee and cocoa plantations. Besides, there are the food crops of the region, the inhabitants of which cannot starve, e.g. wheat, banana, manioc, yam of all kinds, and diverse tropical fruits.

In oil alone, the invaders get from the illegally occupied Cabinda over US $ 35 billion per year in royalties, chiefly paid by Chevron’s wholly owned subsidiary *Cabinda Gulf Oil Company Ltd.* (CABGOC). And yet, as mentioned earlier, life expectancy at birth has dropped from 75 years in Portuguese colonial era to 48 years nowadays; and child and maternal mortality rates figure among the highest in the world. Trash and rubbish dumped beside oil companies have become children’s last resort. As a nation with obligations to the human family to which she belongs too, Germany is awaited to help end Western genocide by proxy in my native country.

Taking into account the scientific evidences, Angola’s power over Cabinda is absolutely devoid of legal title, i.e. devoid of both legality and legitimacy. This highlights the fact that the people of Cabinda are the unique genuine holders of the legal and inalienable title to the territory of Cabinda and its natural resources. Accordingly, the only remaining way for foreign companies to carry out law-abiding operations in Cabinda is to do business with the people of Cabinda. This presupposes the endorsement of this people’s right to take matters into their own hands, i.e. to dispose of their own means of subsistence, and freely develop self-government.
Germany and Cabinda’s Political Sovereignty

According to international law, before and after the establishment of a complete protectorate treaty—that is, a treaty duly ratified by third countries, the protected State is indisputably a State in international law, and subject to this legal order. Furthermore, it goes on, a State does not cease to exist as a legal entity even if its entire territory is occupied by an enemy whatever. Having said that, the protagonists of the 1884-1885 Berlin-Congo Conference that ratified the protectorate treaty between Cabinda and Portugal, are herein exhorted to grant the faithful representative of the State of Cabinda, i.e. CNM, the political credit and support it deserves.

States, considered the most powerful actors in the international system, have four well-known characteristics, namely: 1) territory; 2) a sovereign central government; 3) a loyal population; 4) a recognition by other States. For now, the implicit State of Cabinda includes territory and a loyal population. CNM (Cabindan National Movement) is of the view that the setting-up of the central government must take place within the country, i.e. Cabinda. Thus, international recognition by Germany and other States is meant to clear the path to a peaceful, negotiated power transition towards a full self-determination, self-respect, and self-defense.

It must be pointed out that no government in the world, whose people are deprived of their own means of subsistence—that is, denied the right to permanent sovereignty over their own natural wealth and resources, can effectively fulfill its obligations in the area of human rights. In fact, political sovereignty goes hand in hand with economic sovereignty. Thus, from their oil revenues, over € 35 billion per year, 5 billion are for now requested for Cabindans at home, and 500 million for Cabindans abroad (exiles) on a yearly basis, under the auspices of Germany and Portugal. They must be given the tools to empower themselves and participate fully.

Dear Minister Heiko Maas, in the name of the oppressed and dying people of Cabinda, I thank you in advance for your time, your empathy, and help in the above matters.

Yours faithfully,

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“Do Whatever He Tells You”