



PRELIMINARY STATEMENT

BY

**THE HEAD OF THE SADC ELECTORAL OBSERVATION MISSION
(SEOM)**

TO

THE 24TH AUGUST 2022 GENERAL ELECTIONS

IN

THE REPUBLIC OF ANGOLA

**HONOURABLE FRANS KAPOFI MINISTER OF DEFENCE AND
VETERANS AFFAIRS OF THE REPUBLIC OF NAMIBIA**

LUANDA, 26 AUGUST 2022

Your Excellency, Joaquim Alberto Chissano, Former President of the Republic of Mozambique;

Your Excellency, Dr. Jakaya Mrisho Kikwete, Former President of the United Republic of Tanzania and the Chairperson of the SADC Panel of Elders;

Your Excellency, Hailemariam Desalegn, Former Prime Minister of the Federal Republic of Ethiopia and the Head of the African Union Electoral Observation Mission to the 2022 General Elections in the Republic of Angola;

Your Excellency, Jorge Carlos de Almeida Fonseca, Former President of the Cape Verde Islands and the Head of the Community of Portuguese Speaking Countries Electoral Observation Mission to the 2022 General Elections in the Republic of Angola;

Your Excellency, Peter Masany Musonge, Former Prime Minister of the Republic of Cameroon and Head of the Economic Community of Central African States Electoral Observation Mission to the 2022 General Elections in the Republic of Angola;

Your Excellency, Dr. Nevers Mumba, Former Vice President of the Republic of Zambia, representing the International Conference on the Great Lakes Region (ICGLR);

Distinguished Members of the SADC Organ Troika;

Your Excellency, Mr. Elias Magosi, Executive Secretary of SADC;

Chairperson/Representatives and Members of the National Electoral Commission;

President of the Constitutional Tribunal;

Distinguished Heads of International Electoral Observation Missions;

Your Excellencies, Heads and Representatives of the Diplomatic Missions accredited to the Republic of Angola;

Members of the SADC Electoral Advisory Council;

SADC Election Observers;

Leaders and Representatives of Political Parties;

Representatives of Local and International Election Observation Missions;

Religious Leaders and Members of the Civil Society;

Members of the media;

Distinguished Guests;

Ladies and Gentlemen.

I. INTRODUCTION

On behalf of the Southern African Development Community (SADC), it is my distinct honour to welcome you all to this important event where I will present the SADC Electoral Observation Mission (SEOM)'s Preliminary Statement on the conduct of the General Elections in the Republic of Angola.

Following my appointment as Head of the SADC Electoral Observation Mission to Angola by His Excellency Dr. Hage G. Geingob, President of the Republic of Namibia, who is currently the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, I maintained close collaboration with members of the Organ Troika, currently comprised of Republic of Namibia, Republic of South Africa and Republic of Zambia. The Observation Mission also benefitted from expert advice from the SADC Electoral Advisory Council (SEAC).

The SADC Electoral Observation Mission to the 2022 General Elections in Angola is composed of 52 observers who were deployed to 12 provinces, namely, Luanda, Bengo, Benguela, Bie, Cabinda, Huambo, Huila, Cuanza-Norte, Cuanza-Sul, Namibe, Malanje and Zaire.

The Mission consulted key political stakeholders, including political parties, the National Electoral Commission of Angola (CNE), Government Ministries, the Police, civil society, religious leaders, academia, members of the diplomatic corps, media and international observation missions.

The Mission observed the 24 August 2022 General Elections in Angola in line with the revised SADC Principles and Guidelines Governing Democratic Elections (2021) and the relevant laws of the Republic of Angola.

This Preliminary Statement covers the Mission's observations of the pre-election period and voting day activities. The Mission's final report will cover observations of the pre-election, election

and post-election phases and is aimed at supporting and strengthening the democratic electoral processes in Angola as a SADC Member State.

Your Excellencies,

Ladies and Gentlemen

II. SUMMARY OF KEY FINDINGS

(a) Political and Security Environment

The political and security environment in the pre-election and election period was calm and peaceful, with no political and security risk that could adversely affect the conduct of the elections.

The Mission observed campaign activities which included rallies by the contesting parties. These campaigns were conducted peacefully. The police maintained presence at the campaign events that the Mission observed and did not interfere with proceedings.

The Mission noted submissions from stakeholders that the country was experiencing active participation in attendance of campaigns by a large number of youth who are eligible to vote for the first time and mainly interested in socio-economic development issues.

(b) Electoral Law and Electoral System

The Angolan General Elections of 2022 are regulated by the Constitution of the Republic of Angola of 2010 (as amended). In addition to the Constitution, there are other applicable laws and these include: The Organic Law on the General Elections, Organic Law on the Organisation and Functioning of the National Electoral Commission, The Law on Political Parties, The Law on the Funding of Political Parties, The Nationality Law, The Law on the Elections Observation, The Organic Law on the Media

Regulatory Authority, and The Code of the Electoral Conduct. The Mission noted that the Constitutional Court has original jurisdiction in all matters concerning the elections.

The Mission noted that according to Article 106 of the Constitution of 2010, the President and the members of the National Assembly are elected by universal, direct, secret, and periodic suffrage. According to Article 21 of the Organic Law on General Elections, the candidate from a political party or coalition of political parties with the most votes in the General Elections shall be elected as President of the Republic.

In the Mission's interactions with stakeholders, concerns were expressed by some stakeholders that while the law provides for national observers, the law imposes a limit on the number of the said observers. The Mission noted that in accordance with the CNE directive of 2022, the total number of two thousand (2,000) national election observers has indeed been set. The concern is that given the vast geographical scope of the electoral map of Angola and the number of polling stations which were twenty-six thousand, four hundred and forty-three (26,443), it might have been a challenge for the national observers to cover the length and breadth of the country.

(c) The Management of the Electoral Process

The Mission observed that the elections in Angola are managed by the National Electoral Commission (CNE). The CNE is established by Article 1 of the Organic Law on the Organisation and Functioning of the National Electoral Commission in implementation of Article 107 of the Constitution of Angola. It is established as an independent body with a mandate to organize, implement, coordinate and conduct elections. The CNE consists of seventeen (17) members, one is a judge appointed by the Superior Council of the Judiciary and, sixteen (16) are appointed by the National Assembly by an absolute majority of the

Members in office, based on proposals by the parties and coalitions of political parties in parliament. The Members of the CNE serve for two five-year terms.

The Mission noted that, voter registration is carried out through the collection of data obtained from the civil identification database of the Ministry of Territorial Administration (MAT) and the information provided by voters. Once the MAT has completed its regular process of civil registration, the CNE, in terms of Article 6 (1) (h) and (i) of the Organic Law on the Organisation and Functioning of the National Electoral Commission has the duty of conserving and managing data about voters obtained from the civil identification database and the information provided by voters.

The Mission observed that the CNE reported that **14,399,391** (*Fourteen Million, Three Hundred and Ninety-Nine Thousand, Three Hundred and Ninety-One*) voters, within and outside Angola, were said to be on the voters roll, which is an increase of about 50%, based on the registered voters from the previous election cycle of 2017. The Mission also noted that **13,212** (*Thirteen Thousand, Two Hundred and Twelve*) polling assemblies were established across the country.

The Mission took note of concerns from stakeholders in relation to the disclosing of the voters roll as prescribed by Article 86 (5) of the Organic Law on General Elections. The concern was that CNE did not timely publish the voters roll at least 30 days prior to the date set for elections. Another concern, which was primarily from the political parties is that the composition of the CNE is based on the proportion of parliamentary seats held by each respective political party, such that members of the party in majority will only take decisions which are acceptable to their party. The Mission has noted that according to Article 16 (2) of the Organic Law on the Organisation and Functioning of the National Electoral Commission, decisions of CNE are made by

consensus, failing which, the absolute majority of members present prevail.

The Mission observed the following challenges that may require attention:

- i. the need for compliance with the law pertaining to timely disclosing of the voters roll; and
- ii. the need for the periodical updating of the civil identification database.

(d) Access to Media

The SADC Principles and Guidelines Governing Democratic Elections enjoin SADC Member States to “*promote necessary conditions to foster transparency, freedom of the media; access to information by all citizens; and equal opportunities for all candidates and political parties to use the state media*”. The Mission noted that the Constitution of Angola provides for media freedom and freedom of expression which serves as a broad guidance for the conduct of the media. The Organic Law on the General Elections gives rights to all candidates for the General Elections to use public media on an equal basis. Complaints however, have been noted during interactions with stakeholders, that the ruling party was being favored by the state-owned television.

(e) Participation of Women in Politics

The Mission noted that although some political parties have put in place policies for the equal participation (50/50) of women in politics, the stakeholders acknowledged that the participation of women in the electoral process is still minimal compared to the relevant demographics. Out of the 8 candidates who had been listed by their political parties as presidential candidates, only one was a woman.

(f) Political Party Funding

The provision of political party funding is stipulated in the revised SADC Principles and Guidelines Governing Democratic Elections (2021) as an important factor in levelling the playing field for electoral contestants.

The Organic Law on the General Elections provides equal funding for political parties. The law further prescribes the time within which the funds should be made available to the political parties which is within 5 days following the Constitutional Court's disclosure of the definitive list of approved candidates. Despite these provisions in the law, the Mission noted concerns raised by some stakeholders that the funds were released late into the campaign process.

III. OBSERVATIONS ON ELECTION DAY (24 AUGUST 2022)

Based on the Mission's observation of Two Hundred and One (201) polling stations in the 12 Provinces of the Republic of Angola, the following was observed:

- (a) The environment at the polling stations was peaceful and the voting proceeded in an orderly manner;
- (b) Police were present at most of the polling stations and conducted themselves in a professional manner;
- (c) 88% of the polling stations observed opened on time; while 12 % did not open on time for a variety of reasons, including slow opening procedures and late arrival of polling officers;
- (d) 88% of the polling stations observed were accessible to persons with disabilities. In addition, persons with

disabilities, the elderly, expectant and nursing mothers were given priority;

- (e) Party agents were present at all times in the polling stations that were observed;
- (f) Seals and serial numbers of ballot boxes were verified by party agents at polling stations that were observed;
- (g) Most of the polling stations that were observed were not congested and there appeared to be a low turnout of voters;
- (h) There appeared to be inconsistencies as regards the closing time at the observed polling stations as provided by the law. Some polling stations closed at 1600hours whilst others closed at 1700hours; and
- (i) At all the polling stations observed, the party agents signed and received a copy of the results.

IV. BEST PRACTICE

1. The Mission commends the CNE for the following best practices that were noted:
 - (a) Maximised use of Information Technology tools to ensure smooth election day operations;
 - (b) Telecommunication messaging system to inform people where they would be voting ahead of the election day which enabled a smooth and efficient voting process;
 - (c) Consultation between polling officers and the party agents on the election processes that enhanced transparency; and
2. The Mission commends the Republic of Angola for the following best practices that were noted:

- (a) Equal funding of political parties; and
- (b) Introduction of voting by eligible Angolan citizens in the diaspora.

RECOMMENDED IMPROVEMENTS IN THE ELECTORAL PROCESS

At this juncture, allow me to recall that the SEOM is continuing the process of electoral observation in the post-election phase. As such, the Mission will not be rendering comprehensive recommendations or qualifications of the election at this stage. However, the Mission has observed the following areas of the electoral process and system that relevant stakeholders may wish to consider improving:

(a) The Management of the Electoral Process

- (i) Article 5.1.3 of the SADC Principles and Guidelines Governing Democratic Elections enjoin SADC Member States to “*establish impartial, professional, independent, all inclusive, competent and accountable Electoral Management Bodies (EMBs) staffed by eminent, non-partisan and capable commissioners, and efficient and professional personnel*”. In this regard, it is recommended that the Republic of Angola fully implements the above commitment.
- (ii) CNE should conform with Article 86 (5) of the Organic Law on General Elections (36/11), by publishing the voters’ roll at least 30 days prior to the set date of election.
- (iii) CNE should conform with the requirements of Article 6 (h) and (i) of the Organic Law on the Organization and Functioning of the National Electoral Commission by

preparing electoral rolls based on Civil Identification Database.

- (iv) CNE should enhance its stakeholder communications, civic and voter education to ensure that the electorate fully understand electoral procedures.
- (v) The CNE should also consider simplifying the law on the closing of the polling stations by only providing for the time at which a polling station will close and maintaining the right of those in the queue at that time to be allowed to vote.
- (vi) Article 9 of the SADC Principles and Guidelines Governing Democratic Elections provides SADC observers the rights of movement within the Member State holding elections and timely accreditation of SEOMs to conduct their work. In this regard, it is recommended that CNE extends these rights to observers.

(b) Access to Media

The CNE is urged to review the enforcement mechanisms for the law relating to the coverage of political parties and candidates by the public media, to ensure effective implementation of equal coverage provisions.

(c) Participation of Women in Politics

Government and Political stakeholders are urged to improve the social, cultural and political environment to enhance the participation and inclusion of female candidates in the political process, and to increase the representation of women in elected offices in line with the SADC Protocol on Gender and Development.

(d) Political Party Funding

The Mission recommends that the Government make available the funds to political parties within the prescribed time frames in accordance with Article 81 of the Organic Law on the General Elections. The law prescribes the time within which the funds should be made available to the political parties which is within 5 days following the Constitutional Court's disclosure of the definitive list of approved candidates.

CONCLUSION

In conclusion, the Mission observed that the pre-election and voting phases, on the 24 August 2022 General Elections were peaceful, calm and well organised, which enabled voters to express their democratic will. The Mission also observed that political parties were able to campaign freely.

Finally, the Mission commends the Angolan people for maintaining a peaceful political environment during the pre-election and on voting day. The Mission will release its final report after the validation and proclamation of final results, as provided for in the *revised SADC Principles and Guidelines Governing Democratic Elections (2021)*. The final report will be shared with the CNE and all stakeholders.

In terms of the revised SADC Principles and Guidelines Governing Democratic Elections (2021), our long term of observers will remain on the ground to continue with the post-election observation until the 9th of September 2022. The SEAC shall return at an appropriate time, to undertake a post-election review to determine the extent to which the recommendations of SEOM have been implemented and the nature of support, if any, that the Member State holding elections may require from the SADC region, to implement those proposals.

In the event of any electoral disputes, the Mission appeals to all contestants to channel their concerns through established legal procedures and processes. The Mission urges all political parties and Angolan people and all other stakeholders to allow the CNE to announce the final results as legally mandated.

Thank you very much
Muito Obrigado
Merci beaucoup
Asante sana