



AFRICAN UNION ELECTION OBSERVATION MISSION TO THE 23 AUGUST 2017 GENERAL ELECTIONS IN THE REPUBLIC OF ANGOLA

PRELIMINARY STATEMENT

Luanda, 25 August 2017

I. INTRODUCTION

1. Following the invitation by the Government of the Republic of Angola, the Chairperson of the African Union Commission **H.E Moussa Faki Mahamat** deployed an African Union Election Observation Mission (AUEOM) to the 23 August 2017 General Elections. The AUEOM is led by **H.E José Maria Pereira Neves**, former Prime Minister of the Republic of Cape Verde.
2. The AUEOM comprises forty (40) election observers from Members of the Permanent Representatives' Committee of the African Union, Pan African Parliament, Election Management Bodies, Civil Society Organizations and academia. The observers are drawn from twenty-five (25) countries namely, South Africa, Algeria, Benin, Burkina Faso, Cameroon, Cape Verde, Congo, Ethiopia, Gabon, Guinea, Guinea Bissau, Kenya, Lesotho, Madagascar, Mauritania, Mozambique, Niger, Central African Republic, Democratic Republic of Congo, Rwanda, Sao Tome et Principe, Somalia, Sudan, Swaziland and Zambia.
3. The AUEOM was preceded by a pre-election assessment mission which was deployed from 22 June 2017 to 2 July 2017 to assess the environment within which the elections were being organized. The pre-election assessment mission noted that the National Electoral Commission (CNE) had made significant progress towards preparation of the 23 August 2017 polls, in line with the legal framework and the election calendar.
4. The AUEOM was supported by a team of experts from the African Union Commission, Pan African Parliament and the Electoral Institute for Sustainable Democracy in Africa (EISA).
5. This interim statement presents the preliminary findings of the AUEOM based on observation and assessment made thus far up to the closing and counting processes. The AUEOM has made recommendations to improve future elections in order to contribute towards consolidation of democratic governance in Angola. At the time of releasing this statement, the AUEOM is aware that the electoral process is still ongoing and will therefore produce a more comprehensive and final report in due course and share it the relevant authorities in the country.

II. OBJECTIVE AND METHODOLOGY

6. The objective of the AUEOM is to make an independent, objective and impartial assessment of the 2017 General Elections. The AUEOM has observed the 23 August 2017 General Elections in conformity with the relevant provisions of the African Charter on Democracy, Elections and Governance, which entered into force on 15 February 2012; the AU/OAU Declaration on the Principles Governing Democratic Elections in Africa adopted by the Assembly of the African Union in July 2002; the African Union Guidelines for Elections Observation and Monitoring Missions; relevant international instruments governing elections observation; and the Constitution as well as the relevant laws of Angola.

7. From the 18 to 20 August 2017, observers underwent a briefing and orientation programme on theoretical and practical aspects of AU observation methodology. The briefing was also an opportunity for observers to get first-hand information from election stakeholders. The observers were subsequently deployed in 19 teams to cover each of the provinces in the country (Bengo, Benguela, Bie, Cabinda, Cuando Cubango, Cuanza Norte, Cuanza Sul, Cunene, Huambo, Huila, Luanda, Lunda Norte, Lunda Sul, Malanje, Moxico, Namibie, Uige and Zaire).

8. In their areas of deployment, observers further consulted with the local representatives of the CNE and other stakeholders, and observed the end of campaign, election silence, as well as opening, voting, closing and counting processes. On polling day, the AU observers visited 260 polling stations.

9. The Head of AUEOM also met with key stakeholders at the national level such as the Minister of Territorial Administration, the Constitutional Court, the CNE, National Police, political parties, and heads of other international election observation missions.

III. SUMMARY OF FINDINGS

1. Pre-election Phase

a. Political and Electoral Environment

10. The 2017 general elections are the fourth since Angola's independence in 1975 and its return to multiparty system in 1992 and marked an important milestone towards consolidating democracy in the country. The AUEOM notes that the incumbent President José Eduardo Dos Santos from the People's Movement for the Liberation of Angola (MPLA) did not contest for re-election as President.

11. The pre-election political and electoral environment was generally peaceful. Political parties and supporters were generally free to carry out their political activities of voter mobilisation throughout the country without major incidents.

12. Through interaction with various electoral stakeholders, the AUEOM notes that the majority of the stakeholders were of the view that the 2017 electoral process was better organised in an

environment characterised by political tolerance, freedom of speech, movement, association and assembly.

b. The Electoral and Legal Framework

13. The 2017 general elections were the second to be conducted following the revised Constitution of 2010 and the amended Electoral Law of 2011. The Angolan Constitution and legal framework provide for fundamental rights and freedoms which are key to safeguarding political participation in a democratic electoral process.

14. Angola uses a Closed-List Proportional Representation system to elect members of Parliament. Two hundred twenty (220) seats are to be filled in the next Angolan National Assembly. The President and Vice-President of the Republic are indirectly elected through the party or coalition of parties that wins a majority of seats in Parliament. The AUEOM notes that the current electoral system does not contain affirmative action measures aimed at guaranteeing representation of potentially marginalised groups in the society such as women, youth, and people living with disability.

15. Article 81 of the Organic Law on the General Elections makes provision for public funding for campaigning of election candidates, which shall be equitably distributed to each list. The law also mentions that the funding shall be made available to political parties or party coalitions within 5 days after the Constitutional Court's disclosure of the definitive list of approved candidates. The AUEOM notes that these regulatory measures on campaign financing are important in promoting level playing field in the electoral process.

c. Election Management and Preparedness

16. The management of elections in Angola is vested in the National Electoral Commission (CNE), an independent body established by the Constitution, tasked with responsibility of organising, executing, and coordinating the electoral process. The structure, operation, composition and competences of CNE are defined by law.

17. The responsibility to register voters and maintain voters' register in Angola is bestowed on the Ministry of Territorial Administration. The CNE's role is limited to supervision of the registration update and administering the voters' register in elections. Various stakeholders expressed views that the responsibility for voter registration should be bestowed on the CNE as it is the body which is tasked with the overall mandate of managing elections.

18. The CNE made efforts to introduce technology, with 16,000 agents deployed throughout the country equipped with tablets and a computer-based application to help voters check their names in the voter register, get information on where to cast their vote and help other stakeholders, including observers, to locate polling stations on Election Day.

19. In order to ensure that there is transparency in the electoral process, the CNE put in place measures to accredit international and citizen observers, as well as party agents. Article 94 of the Organic law on the general elections stipulates that the National Electoral Commission

shall distribute party agents accreditations to parties ten (10) days before the elections. However, the AUEOM received reports regarding delays and non-accreditation of some party agents.

20. The AUEOM notes that the CNE undertook measures for training of polling personnel, deployment of material and personnel, voter education and information as well as ensuring that there is adequate provision for election security in collaboration with security agencies. In general, the CNE demonstrated adequate preparedness for the polls.

d. Voter Registration

21. According to the electoral registration law, the voter registration is compulsory and continuous. However, the AUEOM notes that continuous registration of voters has not been fully operationalized, as registration by the Ministry of Territorial Administration (MAT) is currently periodic. The law provides that the Ministry must submit an updated register to the CNE on an annual basis. On the election year, the Ministry is required to submit an updated register fifteen days following the proclamation of the election date.

22. The AUEOM received reports from various stakeholders who expressed perceptions of conflict of interest with regard to the fact that the Minister of Territorial Administration who is tasked with overall responsibility for voter registration was also a vice-presidential candidate.

23. There were 9,317,292 registered voters for the 2017 elections, which presents a decrease from 9,757,671 voters in the 2012 general elections. This is despite the fact that there were 2,634, 768 new registrants for the 2017 polls. The significant decrease in the total number of registered voters is reportedly due to measures undertaken to clean up the register by the Ministry of Territorial Administration.

24. The law provides that the voter register should be displayed for public inspection at least 30 days before Election Day. Adequate time was not allocated for the display of the register as it was only provided 15 days prior to the polls.

e. Candidate Nomination Process

25. Article 37 of the Organic Law on the General Elections provides that nominations for the candidates for elections shall be submitted by the 20th day following the proclamation of the date of elections. The AUEOM notes that none of the six (6) political parties or coalition of parties that expressed their wish to participate in the electoral contest were disqualified in the nomination process.

f. Election Campaigns

26. The electoral campaign period lasted for thirty (30) days and ended 24 hours before the polling day as per the electoral law. The AUEOM observed the conclusive stages of the campaign process and noted with satisfaction that the campaign environment was generally peaceful, and without any major incidents. The AUEOM notes that the electoral silence was respected in places observed.

27. The law stipulates that public funding should be made available to political parties or coalitions within five (5) days following the publication of the approved list of candidates to facilitate the campaign activities. The AUEOM notes that campaign funding was equally distributed on time. Each party or coalition contesting in the elections received an amount of K173,333,333 (US\$1,044,000).

g. Women Participation

28. Angola is one of the few African countries which have made progress towards ensuring greater political participation of women. The AUEOM encourages further efforts towards continuous improvement of gender equity in political participation as there was a notable absence of women among presidential candidates. Also notable is the fact that the current electoral system does not have measures of affirmation action to guarantee gender balance in political participation. Furthermore, the AUEOM notes that only four (4) out of the 17 CNE commissioners are women.

h. The Media

29. AUEOM notes that the national television network Televisao Popular de Angola (TPA) and the national radio station (Radio Nacional de Angola) dominate the media landscape in Angola. The Angolan Media Regulatory Entity was established on August 2017, during the campaign period and barely two weeks to the polls. This made the media regulatory institution to have limited time to optimally and effectively monitor the media in election reporting.

30. Article 73 of the organic law on the general elections makes provision for candidates to access free airtime on radio and television daily during electoral campaign period. The AUEOM did not receive any reports on complaints with regard allocation of free daily airtime among election contestants.

2. Election Day Observation

31. AUEOM observers visited 260 polling stations in urban and rural areas in all 18 provinces in Angola to observe opening, voting, closing and counting processes and noted the following:

a. General atmosphere on Election Day

32. The AUEOM commends the peaceful atmosphere and environment in all polling stations visited. No incidents of intimidation or violence were reported by AU observers.

b. Opening of the poll

33. The AUEOM observed the opening of the polls at 19 polling stations. The majority of polling stations visited opened on time and opening procedures were followed by polling personnel.

34. The AUEOM notes that all polling stations observed had sufficient and adequate material at opening time.

c. Polling stations

35. The AUEOM notes that most of the polling centres visited were accessible by persons with mobility challenges.

36. The polling stations visited were laid out in a manner that facilitated the smooth flow of voters and the work of party agents and observers.

37. Polling booths were also generally located in a manner that guaranteed the secrecy of the vote.

d. Polling personnel

38. The AUEOM noted that all polling personnel were present in all polling stations visited by AU observers and commends the high representation of women and youth among the polling personnel.

39. The AUEOM also noted that the opening, polling, closing and counting procedures were conducted in accordance with the guidelines and regulations, and that the staff discharged their duties competently.

e. Party agents and Citizen Observers

40. AU observers noted the presence of party agents in all polling stations visited although not all parties were equally represented in polling stations. The AUEOM noted a low presence of citizen observers in stations visited.

f. Security personnel

41. The AUEOM noted the presence of security personnel in all polling centres visited, which was assessed as discreet and professional in all cases witnessed and ensured that the polling process ran smoothly and orderly. Throughout the electoral process, the security personnel have generally safeguarded the environment to ensure that it is peaceful for political parties, candidates and the electorate in general.

g. Closing and counting process

42. The AUEOM noted that the majority of polling stations visited by AU observers closed on time and that the counting process was conducted in the polling stations, in accordance with the law. The closing and counting procedures were undertaken according to the guidelines and in presence of international and citizen observers as well as party agents, which contributed to the transparency of the process. The AUEOM noted that in the majority of polling stations visited, party agents received signed copies of the results forms and that results were displayed in most of the polling centres after the counting.

43. The Mission noted that no official complaints were reported and that there was no observed interference with the process during the counting process. The Mission also noted that the number of spoilt and invalid ballots were low.

IV. PRELIMINARY RECOMMENDATIONS

44. Based on the aforementioned findings, the AUEOM makes the following recommendations in order to improve future electoral processes in Angola:

a) To the Government:

- Consider strengthening the capacity of the media regulatory body to improve equitable coverage and access to public media by all political parties and coalitions of parties;
- Consider the introduction of affirmative action measures to ensure greater political representation and participation of women, youth and people living with disability; and
- Consider undertaking measures to improve the voter registration process to ensure that all voters receive their voter card and the voter register is displayed on a timely manner.

b) To the National Electoral Commission (CNE):

- Consider strengthening mechanisms for continuous dialogue with national electoral stakeholders to enhance inclusion in the electoral process;
- Undertake measures to improve the process of accreditation of party agents;

To political parties:

- Undertake affirmative action measures to promote women's participation as candidates;

V. CONCLUSION

45. The AUEOM considers that the 2017 General Elections marked an important step towards consolidation of democracy in Angola. The AUEOM congratulates the people of Angola for peacefully turning out to voter in large numbers in order to exercise their democratic rights in choosing their leaders.

46. The AUEOM commends the significant efforts that have been undertaken by electoral stakeholders to improve the Angolan electoral process, and which have contributed to enhancing the credibility of the 2017 elections. The AUEOM further commends the National Electoral Commission, political parties and candidates, citizen observers as well and the security agencies for their efforts towards ensuring a peaceful and transparent electoral process, and encourages all stakeholders to work together towards consolidation of democracy, peace and development in Angola.

47. The AUEOM concludes that the 2017 general elections were generally conducted in line with the national legal framework as well as the international, continental, and regional standards for democratic elections.

48. The AUEOM encourages recourse to legally established mechanisms should there be any dispute arising from the outcome of the elections.

49. The AUEOM would like to take this opportunity to thank the Government of Angola for facilitating the Mission in executing its mandate.

Issued in Luanda, 25 August 2017

Head of Mission

H.E José Maria Pereira Neves