



PRELIMINARY MISSION STATEMENT

**BY THE
SADC PARLIAMENTARY FORUM ELECTION OBSERVATION MISSION TO THE
2022 ANGOLA GENERAL ELECTIONS**

**DELIVERED BY
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FRIDAY, 26TH AUGUST 2022

LUANDA, REPUBLIC OF ANGOLA

SALUTATIONS

It is my singular honour and privilege to present the SADC Parliamentary Forum Election Observation Mission's Preliminary Statement on the 2022 Angola General Elections.

1. INTRODUCTION

Following an invitation by the National Electoral Commission (CNE) of the Republic of Angola, the SADC Parliamentary Forum (SADC PF), the regional organisation of national Parliaments of SADC Member States,¹ constituted an Election Observation Mission to observe the 24th August 2022 General Elections in Angola. It is worth noting that this year's elections mark the fourth election in Angola's post-war period.

This is the 52nd Election Observation Mission to be deployed to a SADC Member State since 1999 when the SADC Parliamentary Forum started observing elections. In the case of Angola, this is the second time that SADC PF is observing the country's elections, having previously observed the 2012 elections. SADC PF deployed a 23-member Election Observer Mission which includes Members of Parliament, staff of Parliament, officials from SADC PF's Secretariat and language officers and was deployed from 20th to 25th August 2022.

The Mission is led by the Speaker of the Parliament of Zimbabwe, Honourable Advocate Jacob Francis Nzwidamilimo Mudenda. The Mission comprises Members of Parliament drawn from 6 of the 15 National Parliaments of SADC PF, namely Madagascar, Mozambique, Namibia, South Africa, Zambia and Zimbabwe, and is supported by officials from the SADC PF Secretariat and National Parliaments. Hon. Dought Ndiweni, Member of Parliament from the Parliament of Zimbabwe and Chairperson of the SADC PF's Standing Committee on Democratisation, Governance and Human Rights (DGHR) was also in attendance. Election observation falls under the purview of the DGHR Committee. The DGHR Committee is the relevant portfolio Committee for elections observation.

The purpose of this Interim Statement is to share the SADC PF Mission's observation, findings and recommendations in the firm believe that they will serve to strengthen the democratic electoral practices in Angola and the SADC Region at large. The Interim Statement will be followed by a more detailed Final Report which will be compiled and published in 90 days from the date of this Statement.

2. TERMS OF REFERENCE

¹ The SADC Parliamentary Forum (SADC PF) is a Regional inter-parliamentary forum for national Parliaments of SADC Member States which was established in 1996 and was approved by the SADC Summit in 1997 as a consultative and deliberative body in accordance with Article 9 (2) of the SADC Treaty. It is currently composed of 15 National Parliaments, namely Angola, Botswana, Democratic Republic of Congo (DRC), Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Eswatini, Tanzania, Zambia and Zimbabwe.

The SADC PF's Election Observation Mission to the 2022 Angola General Elections was guided by the SADC Model Law on Elections (2018), revised *SADC Principles and Guidelines Governing Democratic Elections* (2015), *African Charter for Democracy, Elections and Governance* (2007), *SADC Protocol on Gender and Development* (2008) among other regional and international election instruments.

Accordingly, the specific terms of reference of the Mission were to assess and document the 2022 Angola General Elections in light of the following:

- (a) constitutional and legal framework and its conformity to established normative benchmarks;
- (b) political campaign environment;
- (c) capacity of the National Electoral Commission of Angola (CNE);
- (d) existence of special provisions and facilities (diaspora and advance voting); and
- (e) good practices and areas for improvement.

The assessment and examination of these issues enabled the Mission to independently and impartially determine the extent to which conditions existed for the people of Angola to freely elect the president and leaders of their choice. The preliminary report will be complemented by a comprehensive report which will be released within 90 days from the date of this report.

3. TRAINING AND ORIENTATION WORKSHOP

The SADC PF Election Observation Mission commenced with a Training and Orientation Workshop for the MPs and staff which took place from 18th to 19th August, 2022 in Luanda. The Training and Orientation Workshop served to familiarise the Forum's Mission with Angola's political and electoral context as well as SADC PF's methodology for election observation.

Representatives of contesting political parties shared their perspectives and the mission took note of CNE's presentation, on Sunday, 21 August 2022, regarding its preparedness to conduct the 2022 Angola General Elections. The Mission continued to engage other Missions and various other stakeholders during the course of its election observation.

4. DEPLOYMENT

The SADC PF Election Observation Mission was divided into 4 Teams, which were deployed from 20th to 25th August 2022. Since Luanda is densely populated and was accordingly allocated more polling stations, two teams including that of the Head of Mission covered Luanda Province and its municipalities whilst the other two teams were deployed to Uige and Zaire, respectively. The Teams closely observed the pre, polling and post-polling activities within the municipalities of these regions.

SADC PF's Election Observation Mission's Teams were deployed as follows:

Province Covered	Team Members	Country
Luanda	Team 01 1. Hon. Speaker Adv Jacob Francis Nzwidamilimo Mudenda – Mission Leader 2. Ms Betty Zulu – Staff 3. Mr Cleopas Gwakwara – Staff 4. Ms Martha Mushandinga – Staff 5. <i>Interpreter TBA</i>	Zimbabwe Zambia Zimbabwe Zimbabwe Angola
Luanda	Team 02 1. Hon. Dought Ndiweni – Deputy Mission Leader 2. Hon. Ramarosoia Emiline Rakotobe 3. Mr Frank Mike Nyamahowa – Staff 4. <i>Interpreter TBA</i>	Zimbabwe Madagascar Zimbabwe Angola
Uige	Team 03 1. Hon. Jerónima Agostinho -Team Leader 2. Hon Victor Lumayi 3. Mr Jaime Ezequiel Numaio – Staff 4. Mr Andreas Shivute – Staff 5. <i>Interpreter TBA</i>	Mozambique Zambia Mozambique Namibia Angola
Zaire	Team 04 1. Hon. Paula Kooper Team Leader 2. Hon. Nkhensani Kate Bilankulu 3. David Zimunhu – Staff 4. Ms Zanele Mazibuko – Staff 5. <i>Interpreter TBA</i>	Namibia South Africa Zimbabwe South Africa Angola

5. OBSERVATION METHODOLOGY

SADC PF's election observation follows a multi-pronged approach which includes the following:

- (a) review of the country's constitutional and legal framework for elections;
- (b) analysis of relevant election documents;
- (c) attendance of political campaign rallies;
- (d) witnessing of door-to-door and other campaigns by political parties and candidates; and
- (e) monitoring of the mass media.

In addition, the Mission engaged with other Election Observation Missions such as the SADC Election Observer Mission (SEOM), African Union (AU) Election Observation Mission and the SADC Elections Commissions Forum (SADC-ECF).

The different methods employed by the Mission enabled gathering of comprehensive information on Angola's context, administration and management of the 2022 General Elections and informed the basis of this Preliminary Statement.

6. GUIDING PRINCIPLES AND POINTS OF ENQUIRY

6.1. The 2022 Angola General Elections were observed against the following specific points of enquiry:

- (a) Constitutional and legal framework;
- (b) Comprehensiveness of Voters Roll;
- (c) Civic and voter education;
- (d) Participation of women and youths as voters, candidates and election officials;
- (e) Preparation and distribution of voting materials;
- (f) Adequacy and location of polling stations;
- (g) Polling arrangements;
- (h) Counting of ballots, tabulation and verification of results;
- (i) Use of information and communication technologies (ICTs);
- (j) Conflict resolution mechanisms;
- (k) Media coverage of parties, candidates and election-related events;
- (l) Conduct of the campaign process;
- (m) Role of security forces;
- (n) Political party funding;
- (o) Conduct of political parties and candidates;
- (p) Good practices from the Angola General Election;
- (q) Areas of improvement; and
- (r) Overall Mission Assessment of the entire electoral process.

6.2. Guiding Principles: In carrying out its election observation work, the Mission was guided by the principles of impartiality, neutrality, comprehensiveness, transparency, inclusiveness, and objectivity.

7. MISSION FINDINGS

7.1 The Constitutional and Legal Framework

The Mission established that the constitutional and legal framework governing elections in the Republic of Angola is based on the following legal instruments:

- a) Constitution of the Republic of Angola 2010;²
- b) Organic Law on the General Elections – Law No. 36/11 of December 2021;
- c) Organic Law on the Organisation and Functioning of the National Electoral Commission - Law No. 12/12 of 13 April 2012;
- d) Electoral Observation Law – Law No. 11/12 of March 2022; and

² The Constitution of the Republic of Angola was amended on 22 June 2021 to amongst other things ensure that Angolan citizens who are outside the country will be able to exercise their right to vote in the country's elections.

e) Electoral Code of Conduct – Resolution No. 7/12 of March 2012.

In addition, there is also supplementary legislation governing various electoral aspects such as citizenship, political parties, political party financing and media, namely:

- a) Nationality Law – Law No. 2/16 of April 2016;
- b) Political Parties Act – Law No. 22/10 of December 2010;
- c) Press Law – Law No. 1/17 of 2017; and
- d) Organic Law of the Angolan Media regulatory Authority – Law No. 2/17 of 2017.

The Constitution of the Republic of Angola sufficiently provides for the protection of citizens' fundamental rights and liberties. The Constitution of Angola expressly provides for citizens' right to take part in political life and public affairs of Angola (Articles 52 to 53) as well as the citizens' right to vote for political representatives of their choice and form political associations and/or parties (Articles 54 and 55).

Further, the Constitution of Angola in Articles 109 to 111 provides for the election of the individual heading the national list of the political party or coalition of political parties which receives the most votes in general elections as the President of the Republic and Head of the Executive whilst the Members of the National Assembly are elected through a system of proportional representation (Articles 142 to 146).

The Mission is of the view that the constitutional and legal framework governing elections in the Republic of Angola generally augurs well for the conduct of free and fair elections.

7.2 The National Electoral Commission of Angola (CNE)

The Constitution of Angola in Article 107(1) provides for the establishment of an independent electoral commission and the mandate, structure and other issues of the Electoral Commission of Angola (CNE) are laid out in the Organic Law on General Elections (2011). CNE is composed of 17 Commissioners and its Chairperson is a judge appointed by the Superior Council of the Judiciary. The other 16 members of the Commission are appointed by the National Assembly on the basis of proposals by the parties and coalition of political parties represented in Parliament in line with the principles of majority rule but with due regard to minority representation. Members of the National Electoral Commission are appointed for up to two terms of five years. CNE has structures at the provincial and municipal levels.

The Mission observed that the design of the composition of CNE to the extent that it is composed of Commissioners proportionally representing elected political parties does not guarantee the requisite independence and impartiality required from an electoral Commission. Commissioners under this arrangement are likely to remain loyal and aligned to the political parties that nominated them and the independence and impartiality in the managing of elections and resolving election disputes may be questionable.

The mission noted with concern that information about the 2022 Angola General Elections was not readily available and the engagements with CNE did not fill the information gaps. Important issues and questions such as the appearance of the names of deceased voters on the Voters Roll, the reasons for the delay in the release of the Voters Roll and the compliance with the requirement for its audit, the drastic reduction in the number of observers accredited to observe the 2022 Angola General Elections and the details regarding results management system and process all remained unanswered.

The mission observed that although the Voters' Roll was published later than the legally prescribed 30 days before the election, the CNE was evidently prepared to conduct the 2022 General Elections. Election materials including ballot papers were printed and dispatched to the provinces and municipalities, election officials were trained, and voter education was carried out, all of which confirmed the preparedness of the CNE.

7.3 Reduction in Accreditation of Observers

The Mission noted with concern the drastic reduction in the number of local and international observers accredited to observe the 2022 Angola General Elections to about 2000, which is less than half of what was permitted in the previous elections. Angola is geographically a vast country (1.245, 700 km²) and CNE accordingly established many polling stations.

The reduction in the number of observers had the potential to limit the extent to which the observers will observe the election. The Mission noted that whilst the accreditation of observers was enhanced with technological innovations, the process was however slow.

7.4 Voter Registration and the Delayed Voters' Roll

The voting age in Angola is 18 years and above. The voter registration is undertaken by state officials at local level under the supervision of the CNE. CNE informed the Mission that they registered more than 14 million voters (14,750,000) for the 2022 Angola General Elections and the exact number remained disputed. The Mission was informed that voters could register by presenting their national identity cards or by being supported by two witnesses who would testify that they are nationals and of voting age.

CNE's registration requirement in the absence of an inspection, verification and audit of the Voters' Roll had the potential for voters to be registered for two or more times. Opposition political parties and Civil Society Organizations (CSOs) complained that the Voters' Roll contains more than 3 million names of deceased voters and this undermined the accuracy and credibility of the Roll.

Furthermore, the Mission noted that instead of the legally stipulated 30 days timeline for the publication of the Voters Roll, it was only released on Wednesday, 17th August, 2022, which was only 8 days before Election Day. Stakeholders complained that the delayed publication of the Voters' Register denied the voters the opportunity to verify the accuracy of the information on

the roll, including where exactly they were registered to vote, which in some cases, negatively affected the voters' logistical arrangements .

7.5 Voter Education

The Mission observed CNE, political parties, CSOs and other stakeholders carried out civic and voter education to prepare the voters for the 2022 Angola General Elections. Considerable voter education was also carried out through mass media. Many Angolan citizens went to the polling stations to exercise their civic duty of electing the party and President of their choice and it was evident that they generally knew the voting procedures and processes.

7.6 Role of Security Forces

The Mission observed that Police officers were present at most of the polling stations visited. Police officers were performing their duty of maintaining law and order and did not interfere with the electoral process. The Police readily received the Observers of the Mission at the different police stations visited and assured them of their commitment to fulfil their mandate to ensure that the 2022 Angola General Elections would be peaceful.

7.7 Participation of the Youth

The youth are estimated to be the majority of the population of Angola and the 2022 Angola General Elections were noted to be of particular interest to them. The manifestos of political parties therefore included issues of interest to the youth, such as employment creation, education and training, and business development. The youths participated in the elections as mobilisers for their respective political parties, political party agents and electoral officials.

7.8 Role of Civil Society Organisations (CSOs) and other Stakeholders

CSOs informed the mission that they usually participate in civic and voter education during elections but due to reduced donor funding which is the main source of their financing they did not adequately undertake civic and voter education. CSOs participation was further constrained by the decision to limit the number of local and international observers to the 2022 Angola General Elections.

The Electoral Code of Conduct (Articles 25) also enjoined the traditional authorities of Angola to provide voter education to their communities in a balanced and apolitical manner.

7.9 Media Coverage of the Electoral Process

Article 73 of the Organic Law on General Election (2011) confers upon political parties and candidates for the General Election, the right to use public radio and television services during the official campaign period. The law provides for 10 minutes per day for radio and 5 minutes per day for television at prescribed times during the official campaign period.

This notwithstanding, the Mission was informed, and observed that, the ruling party enjoyed greater media coverage from both the public and private media. Stakeholders complained that

the public media's news and current affairs programmes gave unfair coverage to the ruling party at the expense of other contesting parties during the 2022 Angola General Elections. Opposition political parties however acknowledged that their campaigns and rallies enjoyed improved media coverage when compared to the 2017 Angola General Elections.

7.10 The Political Environment

Eight political formations and their respective presidential candidates are contesting the 2022 Angola General Elections. The following seven political parties and one coalition are vying for the 220 seats in the National Assembly:

- (a) People's Movement for the Liberation of Angola (MPLA);
- (b) National Union for the Total Independence of Angola (UNITA);
- (c) The National Liberation Front of Angola (FNLA);
- (d) Nationalist Party for Justice in Angola (P-NJANGO);
- (e) Humanist Party of Angola (PHA);
- (f) Social Renewal Party (PRS);
- (g) National Patriotic Alliance (APN); and
- (h) Broad Convergence for the Salvation of Angola - Electoral Coalition (Casa-CE).

The Mission observed a generally peaceful political environment as evidenced by unimpeded political rallies, campaigns, and a generally high degree of tolerance among political party supporters. Campaign messages of the political parties and candidates were generally focussed on substantive policy issues as opposed to targeting personalities which tends to polarise society. Representatives of the Political parties and candidates met by the Mission gave assurances of their commitment to promote peace and tranquillity in the country prior, during and after the elections.

7.11 Political Campaigns

The Organic Law on General Elections (2021) in Article 62 provides for a period of 30 days electoral campaign before polling date and stipulates that campaigns should end at mid-night on the day preceding the day of election. The Mission observed that political parties observed the stipulated campaign period as well as the provisions of the Electoral Code of Conduct that governs the behaviour of stakeholders during campaigns.

Political campaigns for the 2022 Angola General Elections included political rallies, billboards, posters, radio and television advertisements and social media. The Mission predominantly observed campaign materials from the MPLA, UNITA and Casa-CE and no serious cases of damage and violation of such materials were observed and reported.

The opposition parties' campaign included an instruction "vote and stay" whilst the ruling party instructed its supporters to "vote and go home". These conflicting instructions were noted to create confusion and tension amongst the voters. Apart from isolated reports of minor election related disputes mainly between supporters of the ruling MPLA and UNITA, the election campaigns were calm and peaceful and this greatly contributed to a calm and peaceful political.

7.12 Funding of Political Parties

The Law on Financing of Political Parties (2012) provides for public funding of political parties with seats in the National Assembly on an annual basis. In addition to public funding, the law provides for the allocation of campaign funds to all registered political parties participating in general elections. The Mission noted that the requirements of the law in this regard were largely complied with.

7.13 Polling Stations

According to CNE, 13,212 polling stations (polling assemblies) and 26,446 voting streams (voting tables) were established in all the 18 provinces of Angola. Polling stations were mainly set up in schools, universities and other politically neutral public places. The Mission further noted that the Voters' Roll was also customised up to a specific polling station, with a register for each polling board (table/stream).

Polling stations visited by the Observers of the Mission were well staffed, with each polling board (table/stream) manned by an average of four officers. The election officials generally demonstrated good knowledge of the requisite voting procedures. The Mission is of the general view that the number of polling stations were adequate and generally accessible enough to allow as many eligible voters as possible to cast their vote. Most polling stations visited by the Teams of the Mission opened at 07:00h and closed 18:00h as stipulated in law. Chairpersons of polling boards as provided for in law were giving priority to the elderly, the disabled, the sick and the pregnant to cast their vote without being inconvenienced.

7.14 Voting and Counting

The concern and fears about the integrity of voters' roll in that it contains names of deceased voters was allayed by the fact that CNE administered a robust voter verification process through the digital screening of voters on I-pads and confirmation of the information in the voters' roll. This was also complimented by the use of indelible ink that would make it impossible for any voter to present themselves as a voter at another polling station.

The mission observed that agents of Political Parties were present at all Polling Stations which they visited. International Observers were also visible.

The counting of ballots commenced soon after the closing of polling stations. This was conducted in a transparent manner, in the presence of Political Party agents and observers.

7.15 Conflict Resolution Mechanism

Angola's law provides for a hierarchical electoral conflict resolution mechanism, which prescribes that conflicts, be registered and resolved at the following:

- (a) Municipal Electoral Commission;
- (b) Provincial Electoral Commissions; and

(c) National Electoral Commission through to the Constitutional Court, which is the final court of appeal on electoral disputes in that order.

The Mission is of the view that the conflict resolution mechanism in place is legally and operationally adequate and conforms to established regional and international standards.

7.16 Provision of Special Arrangements

Recalling the observations and recommendations of the SADC PF's Election Observation Mission to the 2012 Angola General Elections and those of other Missions which observed the subsequent election in 2017, the Mission is pleased to note that CNE has put the necessary arrangements in place which for Angolan citizens abroad to vote for the 2022 General Elections.

The Mission however noted that there were no arrangements put in place to enable election officials, police officers and other civil servants on duty during polling day to cast their votes although the law provides for such an arrangement. This inadvertently and unfairly affected many citizens who, because of the fact that they were on duty, could not vote.

7.17 Gender Representation

Amongst the eight presidential candidates, only Ms. Bela Malaquias, the President of Humanist Party of Angola (PHA) is a woman, while the rest are male.

The low adoption of women candidates presents a challenge for the ultimate attainment of 50/50 women and men representation in both political and decision-making positions in line with the SADC Protocol on Gender and Development (2008).

8. GOOD PRACTICES FROM THE 2022 ANGOLA GENERAL ELECTIONS

The Mission observed the following good practices from the 2022 Angola General Elections and wish that they be continued and be emulated across the SADC Region:

- (a) Angola's Constitution and laws sufficiently provide for the administration and management of the country's elections thus providing for legal certainty and reducing conflict;
- (b) The existence of a comprehensive legally enforceable Electoral Code of Conduct and the general observance of the same by stakeholders is important for conducting elections in a peaceful manner;
- (c) Angola has maintained a calm and peaceful political and campaign environment, which makes it possible for the voters to freely elect the party and candidate of their choice. The role and commitment of stakeholders to peace during all phases of the election is duly acknowledged;
- (d) The funding for political parties represented in Parliament and the campaign funding received by registered political parties was important for levelling the playing field, and served to enhance the campaign of political parties and their candidates;

- (e) Most of the Polling stations visited received all their elections materials on time; these were being safely guarded by the Police. Polling Stations were therefore observed to have been generally ready to conduct elections on Election Day;
- (f) The presence of the Police at the Polling stations was evident and they maintained the law and order without interference in the electoral process;
- (g) CNE's voter verification at the point of voting is commendable and it should be continued to ensure that only the duly registered voters vote. Furthermore, the use of Information Communications Technologies (ICTs) in addition to the printed voters' roll is a source of assurance to the voter and political stakeholders;
- (h) Polling stations were generally adequately laid out and had the requisite signage which made it easier for the voters and observers to access them;
- (i) Angola's laws ably provide for the speedy resolution of electoral disputes. In this regard, any appeals to the Constitutional Court are required to be resolved within 72 hours from the time that they are lodged; and
- (j) The decentralization of CNE to the municipal and provincial levels makes the Commission easily accessible to the voters and stakeholders.

9. AREAS FOR IMPROVEMENT

The Mission however wishes to submit that the CNE considers the following issues, which will serve to improve the administration and management of elections of Angola:

- (a) It is recommended that an independently audited Voters' Roll be published and released within the legally prescribed 30 days ahead of election to ensure public scrutiny and enhance the credibility of the election;
- (b) Through an inter-government agency approach, stakeholder cooperation and community participation, the names of deceased voters should be timeously removed from the voters roll;
- (c) The credibility of the Voters' Roll should be enhanced through the synchronization of the use of the National Identity Card (ID) and the voter's card;
- (d) Notwithstanding the provision in law for contesting political parties to have equal access to public media, during the official campaign period, more needs to be done to achieve the objective of this legal provision in practice;
- (e) CNE should seriously reconsider its decision to drastically reduce the accreditation of Observers, as was the case with the 2022 accreditation process, as this is limiting the work of observers and has the potential to undermine the confidence in the outcome of elections. Observer Missions should also be allowed to freely and independently determine their deployment;
- (f) CNE should be more open and transparent with sharing information. In this regard, CNE should ensure that they hold timely and meaningful engagements with the stakeholders;
- (g) The current legally prescribed composition of the CNE, which proportionally draws commissioners from Political Parties that are represented in Parliament, has the potential to compromise the image, work and integrity of the commission and should therefore be reconsidered;

- (h) Whilst welcoming the fact that Angolan citizens who are abroad were for the first time enabled to vote, more needs to be done to ensure reasonable proximity of the voters to the diaspora voting stations and the participation of observers;
- (i) Polling officials, the police and personnel of the armed forces and other civil servants, who due to the nature of their work could not vote, should in future be facilitated to vote in advance through early or special voting arrangements as provided for in law;
- (j) Angola needs to strengthen its efforts and put in place enhanced measures to ensure the attainment of the 50/50 women and men representation in both political and decision-making positions, in line with the SADC Protocol on Gender and Development (2008); and
- (k) Finally, the SADC Parliamentary Forum expresses its gratitude to the good cooperation received from other Election Observation Missions and encourage that this cooperation in future be harnessed to coordinate the deployment of Missions particularly in instances where observers are limited.

10. MISSION'S OVERALL ASSESSMENT OF THE 2022 ANGOLA GENERAL ELECTIONS

To be added after Team presentations

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