AFRICAN UNION ELECTION OBSERVATION MISSION TO THE
24 AUGUST 2022 GENERAL ELECTIONS IN THE REPUBLIC OF
ANGOLA

PRELIMINARY STATEMENT
LUANDA, 26 AUGUST 2022
A. INTRODUCTION

1. At the invitation of the National Electoral Commission of the Republic of Angola and as part of its mandate to deepen democratic governance in Africa, the African Union (AU) deployed a Short-Term Election Observation Mission (EOM) from 19 to 27 August 2022 to observe the 24 August 2022 general elections. The AU Election Observation Mission (AUEOM) comprised forty-nine (49) observers drawn from twenty-five (25) AU Member States, including an expert support team. The AUEOM is led by His Excellency Hailemaria Desalegn, former Prime Minister of the Federal Democratic Republic of Ethiopia, and is assisted by Amb. Bankole Adeoye, AU Commissioner for Political Affairs, Peace and Security.


3. As part of its methodology, the AUEOM engaged with key electoral stakeholders, including the Constitutional Court, the National Electoral Commission (CNE), political parties and candidates, security agencies, representatives of civil society organisations, media, and diplomatic corps among others.

4. This preliminary statement presents the findings and recommendations of the AUEOM on the electoral process up-to the counting phase of the Election Day.

5. The AUEOM acknowledges that the electoral process is ongoing and will continue to observe the remaining phases. The AU will produce a more comprehensive final report of the electoral process.

B. PRELIMINARY FINDINGS

6. The AUEOM makes the following preliminary observations:

General Political Context of the Elections

7. The 2022 general elections are the fifth since the country’s independence in 1975, and return to the multiparty system in 1992. The elections presented another important opportunity for the people of Angola to consolidate their democracy, peace and stability since the end of the civil war in 2002. They also took place against a backdrop of socio-economic challenges exacerbated by the COVID-19 global pandemic.

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8. The elections enfranchised voters in the diaspora for the first time in the history of the country, thereby extending the democratic right to this category of citizens to elect their leaders. The AUEOM is pleased to note that this was one of its recommendations during the 2017 general elections and commends Angola for taking this initiative.

9. Seven parties and one coalition are vying for the presidency and 220 seats in the National Assembly. Incumbent President Joao Lourenco is seeking a second and final term in office, in line with the 2010 Constitution amendment which introduced term limits.

10. The electoral environment was generally peaceful. The AUEOM noted some instances of disturbances such as demonstrations during the electoral process. However, these disturbances did not affect the overall planning for the elections.

Legal Framework

11. The Angola elections are governed by the Constitution (2010), and a set of electoral laws that cover electoral administration, political parties and funding, election observation, voter registration and the media. The framework provides for a set of bill of political rights and freedoms which are important for participation in electoral process.

12. However, as was in 2017, the AUEOM noted some limitations on the right of access to information and the freedom of press. The AUEOM had made recommendations to address these limitations.

13. The AUEOM noted the changes made in the legal framework particularly on election results transmission and number of national observers. The law restructured the results management process by introducing direct transmission of results from municipality level to the national tallying centre. The CNE, empowered by the law through Articles 11 and 27 of the Law on Elections Observation, to discretionally determine the number of national and international observers set a ceiling of 2000 national observers for the 2022 elections. These provisions undermine the principle of unimpeded access in line with Article 19 para II of ACDEG, the 2005 Declaration of Principles for International Election Observation, the 2012 Declaration of Global Principles for Non-partisan Election Observation and Monitoring by Citizen Organizations and the 2015 SADC Principles and Guidelines Governing Democratic Elections.

14. The AUEOM noted that some stakeholders expressed concerns about lack of inclusiveness in the amendment process of the legal framework for the 2022 elections.
Electoral System

15. Angola’s electoral system is Proportional Representation (PR). In light of the political history of the country, the PR electoral system potentially promotes inclusive governance which is critical for long-term peace and stability.

16. However, the current design of the electoral system does not provide for affirmative action which is important for correcting societal imbalances in ensuring equitable representation in elective institutions, particularly on gender.

Election Management

17. Article 107 of the 2010 Constitution establishes The National Electoral Commission of Angola (CNE), as an independent body tasked with election management. The CNE consists of seventeen (17) members comprising a President drawn from the judiciary, and 16 citizens chosen by the National Assembly based on proposals by the political parties and coalitions. Some stakeholders raised concerns about the impartiality of the CNE. The nature of Election Management Body (EMB) model where political parties are represented makes it susceptible to undue political influence which potentially undermines the principle of independence in election management.

18. The AUEOM noted that voter registration, a key process in election management is carried out by the Ministry of Territorial Administration. This limits the role of the CNE in ensuring full control of all key responsibilities of election management.

Voter Registration

19. Voter registration in Angola is undertaken by the Ministry of Territorial Administration. Registration of adult citizens at the age of 18 guarantees their automatic inclusion in the database of Legal Age Citizens and in the Electoral Roll.2

20. The Mission received reports that the voters’ list was audited to assess its integrity. However, stakeholders raised concerns about the lack of transparency in appointing the audit firm and results thereof. They also cited inadequate consultation during voter registration and verification which undermine public trust and confidence in the electoral process.

21. The CNE is mandated by Article 86 (5) of the Organic Law on General Elections to disclose the voters’ lists by voting station, at least 30 days prior to polling day. The AUEOM noted that the failure to comply with this provision undermined the opportunity for voters to scrutinize the list in order to enhance its accuracy and overall integrity. For instance, some stakeholders raised concerns about the presence of dead voters in the list.

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2 Art 8 of the Law on Non-Official Voter Registration
Campaigns

22. The electoral campaign period lasted for 30 days from 25 July and ended 24 hours before the polling day as defined by law. The AUEOM noted that the campaign process was generally peaceful.

23. Political parties were generally able to canvass voters through rallies, door to door and via media platforms. However, some political parties raised concerns regarding limited access to public spaces in order to conduct their rallies, as well as biased media environment. The AUEOM noted that while both public and private media provided some coverage for political parties, such coverage was not in full compliance with legal provisions of equality.

Inclusive Participation

24. The AUEOM noted the progressive measures\(^3\) to promote inclusion in the electoral process. This includes according priority to the elderly, physically challenged and expectant voters. The measures further include providing assisted voting while ensuring secrecy of the ballot to disabled voters, and use of fingerprint for voters unable to read or write.

25. The AUEOM appreciates that there was one female candidate heading the Humanist Party of Angola (PHA). Similarly, the Popular Movement for the Liberation of Angola (MPLA) nominated a female Vice President for the first time.

26. Four (4) out of the 17 members of the CNE are women. The AUEOM also noted gender consideration among polling staff as well as political party delegates. These milestones, while significant, still need to be enhanced to ensure equal representation in political and electoral participation. The AUEOM reiterates its recommendation on affirmative action made during the 2017 elections.

C. ELECTION DAY OBSERVATION

27. The AUEOM deployed 49 observers in 7 provinces\(^4\) across the country. On Election Day, the observers visited 169 polling stations to observe the opening, voting, closing and counting procedures in urban (57%) and rural (43%) areas. The atmosphere in all polling stations visited on Election Day was peaceful.

a. Opening of polling

28. 92.0% of the polling stations visited opened on time, at 07h00 while 8% opened late. In the case of those that opened late, it varied between 16 minutes and 1 hour late for the different reasons including poor preparation by polling officials, late arrival of polling officials, and late arrival of materials.

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\(^3\) Art 104, 112 and 113 of the Organic Law on General Elections

\(^4\) Luanda, Bengo, Benguela, Cuanza Sul, Cuanza Norte, Uige and Malanje
29. The polling staff followed the required opening procedures and guidelines in stations visited.

b. Election materials

30. The AUEOM noted that materials were delivered in advance in most polling stations visited and were in sufficient quantities.

c. Election personnel

31. The polling staff were generally competent in carrying out their duties and demonstrated a sense of commitment.

d. Transparency of the Process

32. The AUEOM noted the presence of party delegates and international observers at some polling stations visited, which is critical for a transparent polling process. There was a notably limited presence of national observers in stations visited. In addition, there were some incidences where some AU observers were denied information and access to counting procedures in Luanda.

e. Voting Process

33. There were well-controlled queues outside 98% of the polling stations visited throughout the polling day. The AUEOM noted that voting proceeded uninterrupted throughout the day. However, in 2% of the stations visited there was poor crowd control and unruly voter behaviour.

34. The Mission commends efforts by CNE for additional officials equipped with tablets at different polling centres, deployed by the Commission to assist voters in identifying their polling station.

35. The layout of the polling stations promoted the easy flow of voters. The voting procedures and polling station layout allowed for secrecy of the ballot in polling stations visited.

36. The CNE announced on polling day that voters with expired identification cards and photocopies with waiting slips within Angola and the diaspora would be allowed to vote. The AUEOM observed that some voters had already been turned away at the time of the announcement.

f. Closing of the polls

37. Most polling stations observed closed at 17h00. All voters in the queue at the closing time were allowed to cast their vote. However, the AUEOM observed some instances where there was confusion on closing time between 16h00 and 17h00. This could be attributed to the interpretation of the law.5

5 Article 105 of the Organic Law on General Elections
38. The AUEOM also noted that ballot reconciliation was done at the end of voting in polling stations visited.

g. Counting Process

39. The AUEOM noted that counting was conducted as per procedures in the presence of party delegates who were provided with copies of the results.

h. Polling Station Minute Writing

40. Some AUEOM observers witnessed that the materials used to capture the minutes of the polling station did not sufficiently duplicate beyond the third of the eight copies required. Ineligible duplicates given to party delegates has the potential of fuelling disputes around the official result.

i. Electoral Security

41. The AUEOM commends the security officers who were present at polling stations visited and who acted professionally. This contributed to the peaceful and orderly manner of Election Day operations.

D. CONCLUSION

42. The 2022 general elections presented another important opportunity for the people of Angola to consolidate their democracy, peace and stability since the end of the civil war in 2002.

43. While there were reports of an uneven playing field, the AUEOM notes that elections were generally conducted in a peaceful manner. The AUEOM commends the people of Angola for their determination to peacefully exercise their democratic right to choose their leaders through the ballot. As the electoral process is still ongoing, the Mission calls on all stakeholders to maintain peaceful conduct while awaiting the announcement of results by the National Electoral Commission.

44. The AUEOM calls on CNE to conduct the remaining electoral processes in a transparent and accountable manner and encourages all aggrieved parties to seek legal redress in case of any disputes on the outcome of the elections.

E. RECOMMENDATIONS

45. Based on the foregoing findings, the AUEOM proffers the following preliminary recommendations for consideration by stakeholders:
To the Government, National Assembly and other relevant stakeholders:

- Consider adoption of affirmative actions aimed at increasing participation of underrepresented groups in elective institutions such as women, disabled persons and youth.
- Strengthen enforcement mechanisms to promote balanced and equitable access to media coverage for all parties in the electoral process.
- Review the legal framework to eliminate the discretionary powers of the electoral commission to determine the number of election observers as well as allow the conduct of election observation in all aspects of electoral processes. The conduct of election observation is premised on the principle of unimpeded access to electoral processes.
- Strengthen the processes of voter registration and updating the voters’ lists based on principles of inclusion, transparency and accuracy to enhance its integrity.
- Consider expanding the responsibilities of the CNE, the institution tasked with election management, to include voter registration.
- Explore alternative models of election management body to strengthen its independence and insulate it from undue political influence.
- Consider reviewing Article 105 of the Organic Law on General Elections to clarify provisions on closing time.

To the National Electoral Commission:

- Strengthen mechanisms for regular and consultative multi-stakeholder engagement throughout the electoral cycle between the CNE, political parties and Civil Society Organizations, among others in order to promote a more participatory electoral process.
- Consider improving the quality of election material to minimize disputes arising from ineligible polling station minutes.

Issued in Luanda, Angola on 26 August 2022

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(Former Prime Minister of the Federal Democratic Republic of Ethiopia)