REPORT ON THE GENERAL ELECTIONS OF 31 AUGUST 2012 IN THE REPUBLIC OF ANGOLA

Miguel de Brito

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COUNTRY OVERVIEW

The first inhabitants of present-day Angola were Khoisan hunter-gatherer communities, later displaced by the Bantu migrations from the West Africa in the late XIII century. The first Portuguese arrived in 1482, and took control of the coastal strip through war and treaties with the local kingdoms. Portugal’s interest in the region was primarily as a source of slaves initially for the plantations of São Tomé and Principe and Brazil, but later also for the United States. The slave trade lasted until the XIX century, when it was replaced by a forced labour system used in the plantation economy, the mining industry, and railway construction in Angola, until it was outlawed in 1961.

During the second half of the 20th century, Portugal intensified immigration by Portuguese settlers to its colonies, including Angola, and when the wave of decolonisation swept through the African continent after the 1950s, Portugal sought to maintain and strengthen colonial occupation, making its colonies “overseas provinces”. As a result of this process of settlement consolidation, several nationalist movements emerged in Angola to demand independence.

In 1956 the MPLA and UPA were created under the leadership of Agostinho Neto and Holden Roberto, respectively. The UPA later became the FNLA in 1962. The MPLA was primarily based in Luanda, whereas the UPA and later the FNLA aimed primarily at liberating the Kikongo speaking areas of northern Angola. In 1966, Jonas Savimbi, a senior FNLA leader, created UNITA, in disagreement with FNLA’s regional focus. In 1963, three nationalist anti-colonial based on the Cabinda enclave created FLEC to demand independence for their territory. The MPLA was the first movement to launch an armed struggle against Portuguese occupation on 4 February 1961, followed by UPA a couple of months later. The FLEC also undertook armed attacks against Portuguese forces in Cabinda.

On 25 April 1974, a military coup d’état overthrew the Portuguese government, and the new Portuguese authorities initiated a process of decolonisation. Fighting among the three liberation movements for control of the territory began in November 1974, spreading across all of Angola, which was soon divided: the FNLA occupied northern Angola and UNITA the central south, while the MPLA mostly occupied the coastline, the far south-east and Cabinda. After months of negotiations in Portugal, the three movements signed the Alvor Agreement on 15 January 1975. The Agreement established a cease-fire and a transitional government, and decided that 11 November 1975 would be the date for the independence of Angola.

By March 1975, the FNLA was moving on Luanda from the north, supported by Zaire (now the Democratic Republic of the Congo – DRC). Meanwhile, the MPLA had gained the upper hand against UNITA in southern Angola and by mid-October was in control of most of Angola’s provinces and most cities with support of a small group of Cuban military instructors. On 14 October, South Africa invaded with the aim of eliminating the MPLA from south-western Angola and its central region, and finally capturing Luanda.

With South Africa moving quickly toward Luanda, the MPLA and Cuban forces concentrated on the defense of Luanda. Faced with the South African onslaught, on
4 November Fidel Castro decided to send to Angola hundreds of elite Special Forces, who began arriving in Luanda on 7 November. With the help of Cuba, the MPLA forces were able to repel the FNLA/Zairian assault on Luanda on 8 November, and the South African advance from the South. In possession of the capital, the MPLA leader, Agostinho Neto, proclaimed independence and the creation of the People’s Republic of Angola on 11 November 1975, becoming its first President.

Aware of the strength of the Cuban presence, and without US support, South African forces withdrew from Angola in early 1976, but continued to launch attacks against the Angolan territory from Namibia, in support of UNITA and against SWAPO. Cuban troops remained in Angola to defend against future South African invasions. The conflict between the new Angolan Government and UNITA and the FNLA persisted as a low-intensity confrontation for the rest of the 1970s.

On 10 September 1979, President Neto died, and José Eduardo dos Santos became President. Some of his first actions were to sign a non-aggression pact with Zaire to ensure peace in the North, and to increase support to SWAPO and for the liberation of Namibia in the South. In response, South Africa invaded Angola again in 1981, at the same time that the United States developed the so-called “Linkage Policy”, tying the independence of Namibia to the withdrawal of Cuban troops from Angola. The period between 1981 and 1987 saw the escalation of the Angolan conflict, with increased Soviet aid and Cuban troops sent to Angola to help the Angolan Government, and open US support for UNITA.

The Governments of Angola and the US initiated talks to solve the conflict in June 1987. In January 1988, the Cuban Government joined the process. On the ground the war intensified, and in March 1988, South African and UNITA forces launched an attack against the governmental base of Cuito Cuanavale, in Cuando Cubango Province, but were defeated, with heavy losses on the South African side. With the domestic pressure increasing for an end to the SA intervention in Angola, the South African Government joined the talks in May 1988.

After meetings in New York and Geneva, the parties to the talks agreed on a cease-fire in August 1988, and on 22 December signed the New York Accords, granting independence to Namibia and ending the involvement of foreign troops on Angolan soil. On the same day, the United Nations approved the creation of the United Nations Angola Verification Mission (UNAVEM), a peace-keeping force that began arriving in Angola in January 1989.

The end of foreign intervention did not put an end to the Angolan domestic conflict, but created an opportunity for the Angolan parties to seek a negotiated settlement. The first attempt was mediated by Zaire, and led to the Gbadolite Declaration of 22 June 1989, an agreement to a cease-fire, but in August Jonas Savimbi renounced the cease-fire. In the same year, after the independence of Namibia on 21 March which cut the backdoor of support to UNITA, the MPLA undertook a number of reforms, abandoning Marxism-Leninism and renouncing the one-party state, leading to a new Constitution in May 1991 that defined Angola as a democratic state based on the rule of law and a multi-party system.
These reforms were implemented as new negotiations took place between the Angolan Government and UNITA which culminated in the signing of the Bicesse Accords in Portugal on 31 May 1991. The Accords laid out a transition to multi-party democracy under the supervision of the United Nations, with the first multi-party elections to be held within a year. The agreement also prescribed the demobilization of soldiers from both sides and the integration of the remaining Government and UNITA forces into the Angolan Armed Forces (FAA).

The first multi-party presidential and legislative elections in Angola took place on 29 and 30 September 1992. Several presidential candidates and political parties took part in the contest, and President dos Santos obtained 49.5% and Savimbi 40.6%, both short of an absolute majority, therefore requiring a presidential run-off. In the legislative election, the MPLA took 53.7% against 34.1% for UNITA. President dos Santos's electoral performance, 175,000 votes below his MPLA party, cast a shadow over the President’s confidence, and would influence several political decisions in relation to electoral processes when the situation eventually returned to normalcy in Angola, more than 15 years later.

Savimbi claimed the elections were fraudulent and rejected the results. While the Government and UNITA were discussing terms for the run-off, violence broke out in Luanda against UNITA supporters, and UNITA, with its forces largely untouched, went on a military offensive throughout Angola.

In 1994, the Government military operations forced UNITA into negotiations that led to the Lusaka Protocol signed on 31 October 1994. Under the Protocol, a cease-fire would take place, and UNITA’s forces would be demobilised and reintegrated in the Armed Forces and the Police. The Government agreed to give UNITA several ministries, in addition to ambassadorships and provincial governorships, as well as local government positions.

In August 1996, the Angolan Government and UNITA finally agreed to form a coalition government (the Government of National Unity and Reconciliation), but it took oath of office only on 11 April 1997, as UNITA delayed appointing its members. No sooner had the GURN been sworn in than it started falling apart as UNITA refused to allow regional Government officials to take up residence in many towns until then under UNITA control. The UN Security Council reacted by imposing sanctions on UNITA in mid-1997 and mid-1998.

With renewed fighting in 1998, the MPLA put the GURN on hold and also suspended all UNITA Members of Parliament, declaring that it would no longer deal with Savimbi, instead recognising a UNITA splinter group, UNITA Renovada, which had been created in late 1998 by several UNITA commanders dissatisfied with Savimbi’s leadership. In late 1998, the MPLA declared that war was the only way of ultimately achieving peace and asked the UN to withdraw its Mission.

For years, UNITA had been able to finance its activities with revenues from diamond mines it controlled in the northeast of the country. However, with Angola’s army inflicting several defeats on UNITA beginning in late 1999, international restrictions on sales of diamonds not certified as coming from legitimate sources, and defections of thousands of its troops, UNITA was weakened considerably. On 22 February
2002, Government troops killed Jonas Savimbi in Moxico province. After Savimbi's death, military commanders from both sides signed a cease-fire on 4 April 2002, putting an end to the conflict, and opening the way for the restoration of a functioning multi-party democracy.

Weary of the failed “too much too fast” transitions in the past, the MPLA Government decided to take a slower pace towards the return to normal democratic and stable politics. It made sure that demobilisation and disarmament of UNITA forces was effectively completed, and Government political and administrative control was extended to all corners of Angola. UNITA was reintegrated into the GURN and the Parliament. In 2003, UNITA elected Isaías Samakuva as its new leader, and began a process of rebuilding and rebranding itself as a legitimate political party.

In 2006, the Angolan Government also signed a peace deal with the separatist movements in the exclave of Cabinda, in order to put an end to the last focus of instability and threat within the Angolan territory. Although some armed activity still continues in Cabinda by separatist elements, this peace deal stabilised that economically vital region.

President dos Santos announced in 2007 that legislative elections would take place the following year, and presidential elections in 2009. The decision to have staggered elections was informed by past experiences. The MPLA wanted to ensure some continuity of power and avoid sudden and radical change should the opposition win the legislative elections, and also prepare better for the presidential election should the legislative results be disadvantageous to the MPLA.

In the meantime, the MPLA also launched an intense campaign of political rebranding, portraying itself as the party that brought peace and that was leading the rebuilding effort, as opposed to UNITA as the party of war and destruction. This political marketing campaign was accompanied by massive investments by the Angolan Government in infrastructure reconstruction throughout the country, ahead of the upcoming elections.

The second multiparty legislative elections took place on 5 and 6 September 2008. Initially the election had been scheduled for 5 September only, but serious logistical problems on Election Day in Luanda forced the National Electoral Commission to extend voting for an additional day in the capital city.

Fourteen parties and coalitions competed in the elections for 220 parliamentary seats. With 8,256,584 registered voters, turnout was 87.36%. The MPLA had a resounding victory with 81.6% of the vote, which translated into 191 parliamentary seats. UNITA managed to obtain only 10.4% and 16 seats. Three other parties also were elected to parliament, including the FNLA, which went from 2.4% in 1992 to 1.1% in 2008.

Several issues were identified by different Election Observer Missions in the run up for the 2008 elections and during Election Day:
• **Voters’ roll:** Opposition parties complained that the late display of the voters’ roll did not provide enough time to voters to check the voter registry, and correct potential errors.

• **Media:** Coverage of campaign events and public engagements of government officials, including President dos Santos by the public media, especially public TV, TPA, favoured the MPLA disproportionately.

• **Public campaign finance:** The national budget made available about US$1 million in public campaign finance for each party and coalition competing in the elections. However, opposition parties complained that public funding was released late, after the start of the campaign.

• **Observer accreditation:** Observers were required to submit CVs and motivation letters, and the national Electoral Commission (CNE) attempted to interfere with observers’ deployment, suggesting shifts in deployment plans, allegedly to have a balanced geographical distribution of observers. Observer credentials were location-specific, contradicting both the Law on Observation and its regulation, and internationally-accepted principles on election observation.

• **Election Day:** In order to accommodate voters unable to identify their polling stations before Election Day, CNE introduced a “special ballot” to allow registered voters to vote at polling stations where their name was not on the roll. These cases were not expected to be more than 10% of the total number of voters at any given polling station. In Luanda, many polling stations opened late due to the lack of copies of the voters’ rolls, and therefore many voters voted at random stations, causing many polling stations to run out of ballots, in some cases as early as mid-morning, forcing later voters to seek polling stations in nearby constituencies outside Luanda. This in turn had a ripple effect and provoked the same phenomenon in some of those polling stations outside the capital. As a result, many voters in Luanda were not able to vote on September 5, forcing CNE to extend the voting to September 6 in Luanda.

The presidential elections initially scheduled for 2009 were postponed initially to 2010, and owing to its large majority in Parliament, the MPLA decided to move ahead with Constitutional reform to change the electoral system and harmonise the legislative with presidential election. Therefore, the presidential election was again postponed until the new Constitution was approved.

The Constitutional reform process was largely driven by the MPLA, although the opposition parties had the opportunity to submit their proposals. The opposition wanted to retain a semi-presidential system, or move to a parliamentary system, thus reducing presidential powers. The MPLA, on the other hand, favoured the reintroduction of presidentialism. In the end, the MPLA majority approved the final draft over opposition protests on 21 January 2010, and the new Constitution came into force on 5 February 2010.

In 2010, a new Political Party Law was approved, and in 2012 a number of election-related laws were also passed. The approval of the new Constitution and the new electoral legislation opened the way for presidential and legislative elections. On 23
May 2012, President dos Santos announced 31 August 2012 as the date for the Angolan general elections.

THE CONSTITUTIONAL AND ELECTORAL SYSTEM OF ANGOLA

The Constitution of the Republic of Angola of 2010 has an extensive bill of rights protecting the fundamental rights and freedoms of Angolan citizens including, amongst others, political rights such as freedom of expression and information, freedom of conscience and religious belief and practice, freedom of press and broadcast, freedom of movement, assembly, demonstration and association, as well as freedom to participate in public life and to form political organisations.

The Constitution stipulates that every citizen over 18 years old has the rights to vote and to stand for elective office, subject only to disqualifications and limitations determined by the Constitution itself. Insofar as the management of elections is concerned, the Constitution determines only that the elections be administered by an independent body and left the details to be determined by law.

The new Constitution strengthened presidential powers, and a pure presidential political system was established, with the President being both Head of State and Government. The position of Prime Minister was eliminated, and the position of Vice-President was introduced. Mandates for the office of President and Vice-President and Member of Parliament were extended from 4 to 5 years. According to the Constitution, presidential candidates must be at least 35 years-old, and hold original Angolan citizenship.

The judiciary consists of the Constitutional Court, the Supreme Court, the Court of Audit, provincial courts, municipal courts and military courts. Judges of the Constitutional Court, the Supreme Court and the Court of Audit are nominated by the President as are the members of High Council of Judiciary. The Constitutional Court is composed of seven members who serve a non-renewable seven-year term.

A new electoral system was also introduced that makes the number 1 and 2 on the parties’ national lists of candidates to parliament automatically the parties’ presidential and vice-presidential candidates. Under this system, the number 1 and 2 of the national list of the party with the most votes are automatically elected as President and Vice-President, and do not become Members of Parliament. Therefore, both the President and Members of Parliament are elected through direct, universal, equal and secret suffrage using a single ballot. In order to ensure that the presidential election is a direct election, the Angolan Constitutional Court ruled (Ruling 111/2010 of 30 January 2010) that the name and picture of each party’s presidential candidate be included in the ballot paper next to the party name and symbol.

Thus the electoral system uses a simple majority for presidential elections, and Closed Party-List Proportional Representation for legislative elections. The parliament is unicameral and has between 220 and 223 seats (depending on whether diaspora voting is included or not), of which 220 are for domestic constituencies and 3 for diaspora voters. Of the domestic constituencies, 130 seats are allocated to a
single national constituency, and 90 to 18 provincial constituencies, with 5 seats each. For the allocation of provincial constituency mandates, the d’Hondt method is used. For the national constituency mandates, the Hare quota is used.

Under the new electoral system, no independent candidates for President, Vice-President, or Parliament are allowed, given that all candidates must be attached to party lists. It also means that voters do not have the option to split their vote between a presidential candidate from a party and a list from a different party for parliament. The system is also designed to ensure that the President always comes from the largest party in Parliament. Looking back to the 1992 election, this new system avoids situations where the presidential candidate gets fewer votes than his/her party.

Since the President and Vice-President come from the party list with the most votes, no run-off elections are necessary, and no presidential by-elections are required, given that the Vice-President automatically replaces the President in case of resignation, incapacity or death, and the Vice-President in turn is replaced by the nr. 3 on the party list.

**LEGAL FRAMEWORK FOR THE 2012 ELECTIONS**

The 2012 electoral process in Angola was regulated by the following legislation:
- Constitution (5 February 2010)
- Electoral Law (21 December 2011/23 May 2012)
- National Electoral Commission (CNE) Law (13 April 2012)
- Voter Registration Law (1 July 2005)
- Political Parties Law (3 December 2010)
- Political Party Funding Law (22 March 2012)
- Election Observation Law (22 March 2012)
- CNE Regulations on the Code of Conduct, Observer Accreditation, Tally Centres, Free access to public TV and Radio, among others.

**Election Management**: The management of the electoral process was entrusted to the National Electoral Commission (CNE), which is assisted by subordinated provincial and municipal electoral commissions. All these bodies have 17 members each. The CNE has organic and functional independence, and is chaired by a Magistrate, indicated by the Supreme Judicial Council. The remaining 16 members are chosen by Parliament, based on the size of the different parliamentary benches. The current CNE has 9 MPLA appointees, 3 from UNITA, 2 from PRS, 1 from FNLA, and 1 from ND. The CNE mandate is 5 years, renewable once. Political parties/coalitions competing in the elections and not represented in the CNE and the Executive have observer status.

The CNE’s powers are laid out in detail in the Electoral Law:
- to organize, execute, coordinate and conduct elections and publish the results
- to raise awareness of citizens about purpose of the electoral operations and to promote through the media, civic education of citizens on the voting process
- to maintain and manage the data of voters obtained from the civil identification database (from the Ministry of Territorial Administration) and from information provided by voters and prepare voters’ rolls based on that information
- to adjudicate the complaints of citizens and political parties
- to develop and approve the constitution and operation of polling stations and recruit, select, train and deploy members of polling stations
- to allocate broadcasting time on radio and television for parties and coalitions
- to accredit election observers and allocate their areas of operation, as well as accredited agents of political parties and coalitions

**Voter registration:** According to articles 2-5 of the Law on Voter Registration of 1 July 2005, voter registration is compulsory for all who are citizens, are 18 years or older and are eligible in terms of article 23. According to articles 13-22, the conduct of voter registration is undertaken by state officials at local level under the supervision of the CNE and is monitored by representatives of political parties. In terms of article 211 of the Electoral Law, the Ministry for Territorial Administration is required to hand all voter registration management and documentation, including software and its computerised database, to the CNE and this was to be preceded by an audit conducted by an independent entity employed by the CNE and chosen through a public tender. The full Voters’ Roll has to be published 10 days before Election Day. There is no provision to share copies of the voters’ roll with party agents.

**Party registration:** The Political Party Law (article 12) governs the registration of political parties with the President of the Constitutional Court in order to participate in an election, while parties refused registration have 15 days from notification to appeal the decision to the full bench of the Constitutional Court. The above-mentioned law also stipulates that parties that get less than 0.5% of the votes in an election are automatically de-registered as organisations.

**Candidate nomination:** In terms of the Constitution (articles 111 and 146) and the Electoral Law (article 34) only political parties registered for the elections may nominate candidates for the National Assembly (with the nomination for the presidency being the first candidate on each of the national lists), which must be done within 20 days after the calling of the election.

**Party funding:** The Law on Political Party Financing governs both private and public financing of political parties. Parties may receive funding from Angolan private individuals and institutions, but not from Angolan public entities, or foreign governments and NGOs. All political parties and coalitions with seats in Parliament receive an annual allocation from the National Budget equivalent to K1,000 (US$) per vote obtained in the general elections. All political parties and coalition contesting the elections are entitled to public campaign funding from the National Budget. The amount to be provided to each party and coalition in an election year is announced by presidential decree.

**Election campaigning:** The Electoral Law, article 62, lays down that campaigning begins 30 days before the election and ends at midnight the day before Election Day. The Electoral Law, article 73, states that parties taking part in elections are entitled to free access to public broadcasting during the campaign period as follows: 10 minutes public radio broadcast time daily between 15 and 22 hours; and 5 minutes public TV
broadcast time daily between 18 and 22 hours. The allocation of broadcast time is made by the CNE.

**Media:** The use of public or private media for political party propaganda outside of the allocations of free broadcast time described above is prohibited.

**Electoral code of conduct:** The National Assembly passed Resolution 7 of 23 March 2012, adopting the Electoral Code of Conduct which regulates the actions of political parties and coalitions, candidates, activists and supporters of political bodies, civil society and media actors, security forces, voters, agents as well as national and international election observers.

**Election observation:** National and international election observation is regulated by the Law on Election Observation, which covers the invitation of observers, applications by uninvited missions, identification and accreditation, rights and duties of national and international observers. Observation begins with the campaign period and ends with the formal publication of the final results. Observers are accredited for specific provinces and, though they may request which province they wish to work in, may not observe outside the province accredited for. However, the Regulation on Election Observation that operationalizes the Law on Election Observation states that observer missions may submit to the CNE their preferred areas of deployment, but gives the CNE the authority to choose where individual observers should be deployed in order to ensure balance of territorial coverage. The Regulation also imposes quotas on national observers and on the number of invitations to international observers that national bodies, such as the Parliament, the Constitutional Court, and political parties, may issue.

**Election Day Procedures:** On Election Day, polls open at 7am and close at 7.30pm, but voters are allowed to join the voting queues only until 6pm. Each polling stream is managed by a 5-person team recruited and trained by the CNE. Each party/coalition may have an agent and an alternate per Stream. Polling Station staff and party agents vote first. Priority is given to pregnant women, the elderly, the disabled and soldiers, who may not carry weapons within the Polling Station. Voters need to be on the voters’ roll and have a voter’s card to be able to vote. No political propaganda is allowed within 250m of the polling stations and no armed security is permitted within 100m. The voting steps are as follows: first, the voter’s identity is verified; then, the voter’s name is ticked off on the voters’ roll and the voter receives the ballot paper. Once the voter has marked the ballot paper in the voting booth, s/he casts the vote in the ballot box, has her/his finger inked with indelible ink, and receives her/his voter’s card back.

**Counting and Tally Procedures:** Counting is done at each stream immediately after the closing of the polls. A stream Record of Voting Operations and Count is filled in and signed by all staff members and party agents, sent to the respective Municipal Electoral Commission (MEC), and copies given to party agents. There is no legal provision for a polling stream tally sheet to be exhibited outside the polling stream. The MECs send all the results received to their Provincial Electoral Commission (PEC), which tally provincial results, produce a provincial Records of Tally, and announce them within 7 days of the closing of the polls. The provincial Records of Tally are sent to the CNE for tabulation of the national results. The CNE announces
publicly the provisional provincial results as they are received from the PECs. Once all provincial Records of Count are received and processed, the CNE announces the winner for President and Vice-President, allocates parliamentary seats to parties/coalitions, and determines who was elected from each party/coalition list. The announcement of final results by the CNE has to be made within 15 days of the closing of the polls.

THE 2012 ELECTORAL PROCESS

The Pre-Election Phase

Election Management: The capacity of the CNE to deliver a good election was constrained by the late approval of the electoral legislation, giving the CNE only eight months to prepare for the elections. Still, the CNE managed the logistics of the electoral process generally well. Materials were in sufficient quantities and were distributed in a timely manner, with the exception of the voters’ rolls, which in some cases arrived late at the polling streams. Polling station staff was recruited and trained adequately and deployed in a timely manner. Technology tools were used to provide voters with information about their places of voting. Despite this commendable effort, on Election Day many voters still were in doubt about where to vote. The CNE was also affected by political and legal issues. In January 2012, Ms. Suzana Inglês was appointed as CNE Chairperson, but opposition parties objected, based on the fact that she was not a judicial magistrate in functions at the time of her appointment, as required by law, and that she was a member of a women’s organisation linked to the ruling party. Opposition parties took the case to Court, which in May ruled that the appointment was invalid because Ms. Inglês effectively was not a serving magistrate at the time of her appointment. Judge André Silva Neto was then appointed as the new CNE Chairperson. No decision made by Ms. Inglês while she was illegally CNE Chairperson was annulled.

Stakeholder relations: The relationship between the CNE and opposition parties and coalitions was tense throughout the electoral process, and there was an absence of constructive dialogue. As a result, the levels of mutual trust and confidence between them were very low, leading to accusations of bias and politicking, and threats by the opposition not to accept the electoral results. The opposition went as far as requesting the postponement of the elections for a month in order to correct alleged irregularities primarily related to the voters’ roll and accreditation of party agents.

Voter registration and the voters’ roll: The voters’ roll for the 2012 elections was based on the voters’ roll used in 2008 with updates done through two voter registration drives, one from July to December 2011, and a second from January to June 2012. Between July 2011 and February 2012 about 7 million of the 8.6 million registered voters updated their registration records and some 1 million new voters were added to the register of voters. This means that 1.6 million voters never showed up to update their registration, either because they didn’t know about it, didn’t care, or no longer existed. In May 2012, while the court case over the Chairperson of the CNE was still proceeding, the Ministry for Territorial Administration handed over to the CNE the Electoral Register Central Database of more than 9.7 million voters that it had compiled without an audit having been conducted as required by law. Ms. Suzana Inglês, then still CNE Chairperson, also decided to appoint the international
firm Deloitte&Touche to audit the register of voters, without proper tender procedures. There were 9,757,671 registered voters on the Voters’ Roll for 2012 elections, although this number might be higher than the actual number of existing registered voters, given that 1.6 million voters never updated their registration. The full Voters’ Roll was not published before Election Day as required by law.

**Polling Stations:** There were 10,349 polling stations and 25,359 voting streams, with a maximum of 500 voters per stream. Within each polling station, voters are allocated to streams by alphabetical order. Most polling stations were located in public buildings, such as schools.

**Party and Candidate Registration:** A total of 27 parties and coalitions applied to compete in the elections of which 9 were accepted, namely UNITA, MPLA, FNLA, PRS, ND, FUMA, CPO, PAPOD, and CASA-CE. Four of the parties and one coalition that were accepted held seats in the 2008 National Assembly. The presidential candidates in 2012 were, according to the order on the ballot:

- UNITA: Isaías Samakuva
- MPLA: José Eduardo dos Santos
- FNLA: Lucas Ngonda
- PRS: Eduardo Kuangana
- ND: Quintino Moreira
- FUMA: António João Muachicungo
- CPO: Anastácio João Finda
- PAPOD: Artur Quixona Pinda
- CASA-CE: Abel Chivukuvuku

There were no female candidates for President.

**Public Campaign Funding:** In early July 2012, President dos Santos issued a decree providing the 9 parties and coalitions competing in the elections with K9,600,000 ($96,000) each as public campaign funding. Opposition parties complained that the amount was too small to allow for effective campaigning, and that they were released too late. An MPLA spokesperson rejected the complaints saying that the various parties had the same starting line in terms of financial conditions for the elections.

**Election Campaign:** The election campaign took place between 1 and 29 August, in accordance with the law. There were no reported incidents of campaign violence, but there were several visible cases of destruction of campaign materials. All contesting parties and coalitions were able to make use of their allotted public broadcast time, both on the radio and TV. The CNE however felt that some parties were using inflammatory language in their party broadcasts and established a special committee to monitor their content. However, no action was taken against any party or coalition for violation of the Electoral Code of Conduct. All parties and coalitions respected the campaign cooling off day on 30 August.

**Media:** The public media, especially TPA, the public TV broadcaster, devoted a disproportionate amount of broadcast time to the public activities of the Head of
State, who was also the MPLA candidate, often blurring the line between coverage of legitimate Executive activities and MPLA election campaign coverage.

**Accreditation of observers:** The following international observer Missions were present in Angola: AU, SADC, SADC PF, SADC ECF, ECCAS, PALOP, ICGLR, and EU. The process of accreditation of international observers was very slow. In addition to restricting the accreditation of individual observers to one province only, the CNE attempted to impose quotas on the number of observers per international observer Mission, and to decide for the Missions where the observers would be deployed, regardless of the Missions’ deployment plans. The different international observer Missions reiterated their right to have as many observers as they deemed necessary, and to be able to deploy their observers to the areas they deemed most appropriate, and the CNE eventually agreed. However, these delays meant that the overwhelming majority of observers were deployed very close to Election Day and were not able to conduct the bulk of their regular observation activities on the ground, such as contacts with local electoral stakeholders and observing campaign activities. Most international observers were deployed only a couple of days before Election Day, and were effectively denied the opportunity and possibility to observe most of the electoral campaign. For instance, SADC observers were on the ground ready to deploy on 20 August, but only deployed on 28 August due to delays in their accreditation caused by the CNE. The CNE also blocked the issuance of visas to at least two proposed observers of the AU EOM, namely two PAP parliamentarians from opposition parties in Cape Verde and Mozambique.

**Accreditation of party agents:** Opposition parties claimed that many of their party agents were not accredited and therefore were not able to properly and adequately monitor Election Day operations.

**Election Day**

**Opening procedures:** More than 95% of the polling streams observed by international EOMs started operating on time. A few exceptions were due to the late arrival of the voters’ roll. The opening of polling stations took place in a calm and peaceful environment, and dozens of Angolan voters were already queuing up at opening time in an orderly manner. All the ballot boxes were shown to be empty to all present, and properly sealed before voting started. In all polling stations observed by the international observers throughout Angola, the opening operations were monitored by agents from different political parties and coalitions.

**Polling Staff:** Virtually all polling streams visited by international EOMs had the required 5 polling staff members. Polling staff was well-trained and were well versed in their duties. In some cases, however, they did not provide enough instructions to voters, who were not aware of all steps of the voting process, and in a few cases party agents were the ones who explained to voters how they should mark the ballots.

**Voting Materials:** Throughout the day, voting materials, such ballots, voting booths, indelible ink, and ink pads, were available in sufficient quantities, with the noted exception of the few cases, where voters’ rolls arrived late.
**Voters**: Most voters were carrying their voter's card and their names were found on the voters' roll. However, in most polling stations there were several cases of voters whose names were on the general roll, but did not belong to the polling stream, where they showed up, and therefore were told to go to the appropriate polling station, which in some cases were located many kilometres away, or even in another province. Given that most voters were screened at the entrance of the polling stations by the PDA operators, before getting to the polling streams, where observers were placed, it is difficult to ascertain what percentage of voters were effectively turned away for being at the wrong polling station, but it surely was higher than the ones noticed directly by the observers inside the polling streams.

**Voting process**: The voting process in most polling streams observed by international observers was smooth and without problems. However, many voters, particularly in rural areas, seemed to lack knowledge of the steps of the voting process, which indicates the need for better voter education. In a few observed cases, elderly voters were not accorded the assistance and priority granted by law. There were no reports of voter intimidation, coercion, or manipulation. All voters had their fingers inked, although in a few cases there was some reluctance on the part of the voters in getting their fingers “dirty”. There was one reported case of a voter with an inked finger in Cabinda who tried to vote and was correctly turned away.

**Party agents and observers**: In all polling stations visited by international EOMs, there were party agents from several parties and coalitions present, primarily from the MPLA, UNITA and CASA-CE. There were also small numbers of domestic observers, but they were not found in most polling stations visited by international observers.

**Secrecy of the ballot**: Secrecy of the ballot was generally maintained and protected. However, in a few cases observed, the voting booths were placed too close to windows, and voters could be observed voting by anyone standing outside the polling station.

**Voting environment**: In the overwhelming majority of polling stations observed by international EOMs, the environment was calm, peaceful and orderly. With very few exceptions, voters patiently waited for their turn to vote. The PDA operators, who assisted in directing voters to the right voting stream, were particularly helpful in maintain a good and orderly flow within the polling station precincts.

**Campaign materials within 250m**: Campaign materials, especially posters, billboards and flags, left from the electoral campaign period, were still in display within 250 metres of many polling stations, as there is no legal requirement to remove them before Election Day.

**Security forces**: There were no reports of armed security being present within 100 metres of the polling stations. The Angolan security forces maintained a visible, but restrained presence throughout the country and did not interfere in the conduct of the voting process.
Voter turnout: Voter turnout in the polling streams observed by international observers varied considerably from as low as 50% to as high as 80%.

Closing procedures: There was lack of uniformity in deciding what the closing time for the polling stations should be. Whereas many polling stations, in the absence of voters, closed operations at 6pm and started the counting process, or closed the access to the polling station at 6pm and allowed voters already inside to vote, others stayed open until 7.30pm even without any voters. In some of these polling stations, presiding officers stated that they had received instructions from the CNE to remain open until 7.30pm, with or without voters.

Counting: At all polling streams observed by international EOMs, the counting process followed the legal procedures, without significant complaints or protests by party agents, who were present at all streams where counting was observed. With only one type of ballot, the counting process was also swift and simple. All party agents received copies of the Record of Voting and Counting Operations.

The Post-Election Phase

Vote Tallying and Provisional Results Announcement: Tallying of votes at provincial level started immediately as results arrived at the PECs. The CNE started releasing provisional results on 1 September in the evening.

EOM Joint Communiqué: On 2 September 2012, the Observer Missions of the AU, SADC, ECCAS, CPLP, ICGLR, and SADC ECF adopted a Joint Communiqué to affirm publicly a common understanding of and conclusion on the Angolan electoral process. The Joint Communiqué commended the CNE for successfully delivering the elections, for the innovative use of ICTs, and for the professionalism of the polling station staff. It encouraged electoral stakeholders to improve the quality of communication and dialogue. Lastly, it recommended that the accreditation of observers and party agents be improved, and that Angolans abroad be given the opportunity to vote.

EOM Preliminary Statements: All international EOMs issued their Preliminary Statements in the days immediately after the closing of the polls. The EOM statements unanimously described the election as free and fair, and commended the efficient work of the CNE and its polling staff, and the use of technology to assist voters. Most EOMs, either in their findings or in their recommendations, pointed to problems with the accreditation of observers and party agents, the biased behaviour of the public media, and the lack of dialogue between the CNE and opposition parties.

Final Results Announcement: The CNE announced the final results on 8 August 2012, a week before the legally established deadline. The MPLA received 71.84% of the votes, thus winning the presidency and 175 of the 220 parliamentary seats. UNITA received 18.66% and won 32 seats. The newcomer, CASA-CE, received 6% and 8 seats. The PRS got 3 seats and the FNLA 2. There were 3.46% of blank votes and 2.56% of null votes. Turnout was 62.76%.
RECOMMENDATIONS

The Pre-Election Phase

Voter registration and voters’ roll: The process of verification and updating of the voters’ roll by the voters needs to be improved in order to reduce the number of cases where voters are not aware of the location of their polling stations. The Roll needs to be properly audited in order to eliminate deceased voters and deflate the number of registered voters, in order to increase confidence in the Roll and provide a more accurate turnout rate. Furthermore, the national voters’ roll needs to be made public within the deadlines established by law in order to ensure the transparency and credibility of the process.

Stakeholder dialogue: Institutional mechanisms for stakeholder dialogue, especially between the CNE and opposition parties, should be established to reduce levels of electoral conflict, increase stakeholder confidence, and strengthen the credibility and legitimacy of the electoral process. The CNE needs to be more forthcoming and expedited in responding to queries and complaints from stakeholders.

Media: Strong mechanisms must be put in place to ensure that the public media comply with the legal requirements and the electoral code of conduct in relation to objectivity and impartiality in reporting, especially during the electoral campaign period.

Accreditation of international observers: The process of accreditation of international observers needs to comply with international norms and standards subscribed by the Angolan authorities and follow international best practices. It should be conducted in a timely and non-discriminatory manner in order to allow the observer missions to conduct their work without hindrance or delay.

Accreditation of party agents: Given the pivotal role party agents play in the transparency, credibility, and legitimacy of the electoral process, their accreditation should be conducted in a timely and swift manner in order to avoid perceptions of political bias on the part of the election management bodies.

Campaign materials: A regulation should be passed to oblige political parties and coalitions to remove campaign materials within 250m of polling stations on the day before the election.

ELECTION DAY

Materials: The CNE needs to ensure the timely distribution of the voters’ roll to all polling stations in order to avoid delays in their opening and the beginning of voting operations.

Procedures: The CNE must ensure that the closing procedures, especially the time of closing, are strictly adhered to and followed by all polling stations.
CONCLUSION

Based on Election Day observations, the election results generally reflected the will of those Angolans who turned out to vote. However, the lack of publication of the voters’ roll before Election Day, the dubious audit of the voters’ database, and the lack of response by the CNE to complaints by some opposition parties cast a shadow over the transparency of the process. The intensely biased behaviour of the public media, which dominated the media market in Angola, towards the ruling party and its presidential candidate, and the unleveled playing field among the different competing parties in terms of access to resources, dented seriously the fairness of the electoral campaign. The obstacles created by the CNE to the work of international and domestic observers and of party agents by delaying their accreditation further soiled the credibility of the whole process.

Looking at the election results, there are the following conclusions in comparison to 2008:

- The turnout dropped by 24%, from 87% to 63%;
- Most of the drop in turnout was among ruling party voters: the MPLA dropped from 5,820,000 to 4,135,000 votes, compared to an increase from 750,000 to 1,070,000 for UNITA;
- The ruling party’s share of the total vote dropped by 10%, from 81.64% to 71.84%, but it mains an overwhelming majority of 79.5% of the seats in parliament;
- The main opposition party, UNITA, increased its share of the vote by 8% (from 10.39% to 18.66%), and a new party, CASA-CE, obtained 6%, whereas the smaller opposition parties, such as the PRS and the FNLA; lost many voters and consequently many seats in Parliament, or dropped out of Parliament entirely, as is the case of the ND;
- The MPLA is no longer the party of the majority of Angolans, as its share of the total number of registered voters dropped from 71.3% to 45.1%.
**ANNEX**

Table 1: Comparative results 1992-2008-2012

<table>
<thead>
<tr>
<th>Party</th>
<th>1992</th>
<th>Seats</th>
<th>2008</th>
<th>% vote</th>
<th>Seats</th>
<th>2012</th>
<th>%vote</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPLA</td>
<td>53.74</td>
<td>129</td>
<td>81.64</td>
<td>191</td>
<td>71.84</td>
<td>175</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UNITA</td>
<td>34.10</td>
<td>70</td>
<td>10.39</td>
<td>16</td>
<td>18.66</td>
<td>32</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CASA-CE</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FNLA</td>
<td>2.40</td>
<td>5</td>
<td>1.11</td>
<td>3</td>
<td>1.13</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRS</td>
<td>2.27</td>
<td>6</td>
<td>3.17</td>
<td>8</td>
<td>1.7</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ND</td>
<td>-</td>
<td>-</td>
<td>1.20</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other parties</td>
<td>7.49</td>
<td>10</td>
<td>2.49</td>
<td>0</td>
<td>0.63</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>220</td>
<td>100</td>
<td>220</td>
<td>100</td>
<td>220</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: [www.cne.ao](http://www.cne.ao)

Table 2: Comparative turnout rate 1992-2008-2012

<table>
<thead>
<tr>
<th>Year</th>
<th>Registered Voters</th>
<th>Turnout</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
<td>4,828,626</td>
<td>Leg.: 87% Pres.: 90%</td>
</tr>
<tr>
<td>2008</td>
<td>8,256,584</td>
<td>87.36%</td>
</tr>
<tr>
<td>2012</td>
<td>9,757,671</td>
<td>62.76%</td>
</tr>
</tbody>
</table>

Source: [www.cne.ao](http://www.cne.ao)