



**SADC ELECTORAL OBSERVER MISSION
TO THE REPUBLIC OF ANGOLA**

PRELIMINARY STATEMENT

BY

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AND

HEAD OF SADC ELECTORAL OBSERVATION MISSION

TO THE

**GENERAL ELECTIONS TO THE REPUBLIC OF ANGOLA,
HELD ON 31ST AUGUST 2012**

- The National Electoral Commission of Angola (CNE);
- Esteemed Leaders of the Political Parties;
- Your Excellencies, Heads of Diplomatic Missions;
- Members of the Diplomatic Corps;
- Religious Leaders;
- Members of Civil Society;
- Esteemed Members of the various Observer Missions;
- Esteemed Members of the Media;
- Distinguished Guests;
- Ladies and Gentlemen.

It is indeed an honour and pleasure to welcome you all to this important event, the presentation of the Southern African Development Community Electoral Observation Mission (SEOM) Preliminary Statement on the election process in the Republic of Angola.

1. INTRODUCTION

The 31st August 2012 General Elections in the Republic of Angola follows the enactment of numerous election related legislations and notably the Constitution of 5th February 2010. Consequently and in line with the Southern African Development Community (SADC) *Principles and Guidelines Governing Democratic Elections*, the National Electoral Commission of the Republic of Angola invited SADC to observe its General Elections.

To this end, the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, His Excellency Jakaya Mrisho Kikwete, President of the United Republic of Tanzania, constituted the SEOM to the Republic of Angola and mandated the SADC Executive Secretary, Dr Tomáz Salomão to facilitate the administrative and logistical support for the Mission.

In His capacity as the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, His Excellency President Kikwete appointed me, Bernard Kamillius Membe, Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania to head the Mission which was officially launched on 20th August 2012.

In terms of coordination of its activities, the SEOM's Operations Centre was based here, at the Talatona Convention Hotel in Luanda, Angola. The

Operations Centre was staffed with officials from the Troika of the Organ and the SADC Secretariat.

Your Excellencies, Ladies and Gentlemen, this Statement is therefore a preliminary view on the outcome of the SEOM's observation of the electoral process in Angola. A final report in line with the *Principles and Guidelines Governing Democratic Elections* shall be released within thirty (30) days after the announcement of the election results.

THE ROLE OF THE SADC ELECTION OBSERVATION MISSION (SEOM)

In line with the mandate of the *SADC Principles and Guidelines Governing Democratic Elections*, the Mission was guided by the various electoral legal instruments of the Republic of Angola.

As I stated during the launch of the SEOM on 20 August 2012, the scope of observation would include among others, providing an analysis on the pre-electoral phase, polling day and post electoral period.

The SEOM most importantly sought to determine the existence of the following benchmarks as guided by Article 4 of the *SADC Principles and Guidelines Governing Democratic Elections*:

- (i) Constitutional and legal guarantees of freedoms and rights of citizens;
- (ii) Conducive environment for free, fair and peaceful elections;
- (iii) Non-discrimination in voters' registration;
- (iv) Existence of an updated and accessible voters' roll;
- (v) Timely announcement of the election date;
- (vi) Where applicable, transparent funding of political parties based on the agreed threshold in accordance with the laws of the land;
- (vii) Neutral location of polling stations;
- (viii) Establishment of the mechanism for assisting the planning and deployment of electoral observation missions; and
- (ix) Counting of the votes at polling stations.

The SEOM in Angola as part of its electoral observation preparation undertook two (2) days refresher training that included briefings on country specific electoral process, held from 17 to 18 August 2012. The training covered the following areas:

- (i) SADC's Role in Election Observations;
- (ii) Election Observation Methodology;
- (iii) Code of Conduct for Election Observers;
- (iv) International and Regional Election Observation Benchmarks; and

- (v) Understanding the electoral- political landscape of Angola.

During the launch of the SEOM on 20 August 2012, Observers were urged to adhere to the *SADC Principles and Guidelines Governing Democratic Elections* in the performance of their duties. Emphasis was placed on the following:

- that the observers must comply with the laws and regulations of the Republic of Angola;
- that they should maintain strict impartiality in the conduct of their duties;
- that they will base all reports and conclusions on well documented, factual and verifiable evidence from a multiple number of credible sources as well as their own eye-witness accounts; and
- that they should work harmoniously with each other and other observer missions/organisations in their areas of deployment.

DEPLOYMENT OF SEOM OBSERVERS

The SEOM constituted twenty (20) teams comprised of one hundred (100) observers drawn from the SADC Member States. The SEOM included Members of Parliament, political and electoral experts, senior government officials and members of civil society in compliance with *SADC Principles and Guidelines Governing Democratic Elections* relating to representation and gender balance.

Accordingly, the SEOM arrived in the Republic of Angola on 16 August 2012 in line with the provisions of the *SADC Principles and Guidelines Governing Democratic Elections* which stipulates that the SEOM should be deployed at least two weeks before the polling day.

Regrettably, the SEOM was unable to fully engage with the electoral process for at least two weeks before polling day as required by the above stated Article due to late accreditation. The late accreditation of the SEOM had therefore denied the fulfilment of the requirements for the assessment of the pre- election phase.

Notwithstanding the late accreditation, the SEOM deployed teams to the following provinces: Benguela, Bengo, Bie, Cabinda, Cuando Cubango, Cuanza Norte, Cuanza Sul, Huambo, Huila, Luanda, Malanje, Namibe and Uige.

CONSULTATIONS WITH STAKEHOLDERS

In discharging its duties, the SEOM interacted with various stakeholders in order to gather information on various aspects of the electoral process. With the limited period of observation from the time of accreditation, the SEOM could not engage with most of the relevant stakeholders to this election, however, the mission managed to consult with following stakeholders:

- i. The CNE
- ii. Political parties;
- iii. SADC Ambassadors accredited to Angola;
- iv. Secretary of State for External Relations;
- v. Ministry of Territorial Administration;
- vi. Ministry of Interior Affairs;
- vii. National Police;
- viii. Youth Council of Angola;
- ix. Confederation of Trade Unions of Angola (UNTA); and
- x. Observer Missions from the African Union (AU), Electoral Commissions Forum (ECF) of SADC Countries , Economic Community of Central African States (ECCAS), International Conference of the Great Lakes Region (ICGLR), Community for Portuguese Speaking Countries (CPLP), the Council of Russian Federation (Senate),

These interactions though limited were sufficient to assist the SEOM to understand the prevailing electoral environment in Angola.

CONCERNS RAISED BY THE STAKEHOLDERS

While sharing views and consulting with the stakeholders, some expressed concerns on the electoral process which included inter alia:

- i. Accreditation of party agents;
- ii. Late start of the observation exercise;
- iii. Lack of impartiality of the CNE;
- iv. Accessibility and discrepancies in the voters' roll;
- v. Media coverage;
- vi. Lack of consultation with the political parties on the voters roll;
- vii. Incitement of electoral violence; and
- viii. Transportation of ballot papers and transmission of election results.

In conducting its observation, the SEOM strived to pursue these concerns and sought clarity from the relevant stakeholders, however as a result of late accreditation, the SEOM could not engage systematically with CNE to confirm

some of the above raised issues. The SEOM however noted the following responses provided by the CNE in its media briefings:

(i) Accreditation of party agents

According to CNE the Political Parties submitted the Party Agents lists late and coupled with duplication of names in the submissions that required CNE to clear the lists in a limited timeframe.

However, CNE recognises that the timeframe provided in the law for the accreditation of party agents is not adequate to facilitate for the exercise.

(ii) Lack of impartiality of the CNE

The political parties alleged that their concerns regarding the electoral process leading up to the election were not addressed by the CNE.

The SEOM observed that the CNE in its Media briefings addressed most issues of concern including the question of impartiality.

(iii) Access to the voters' roll

According to CNE, the voters roll was availed to the electoral stakeholders even though later than the period prescribed by the Electoral Act.

(iv) Discrepancies in the voters' roll

Some political parties presented to the SEOM that there were discrepancies in the actual number of voters that could not be substantiated due to lack of an updated national population database.

In the meeting with the Ministry of Territorial Administration, the SEOM was informed that the Country did not have an updated population database and the first ever national census since independence for the Republic of Angola will be undertaken in 2013.

(v) Media coverage

The Electoral Law makes provision for equitable broadcasting time of contestants on State Owned Media. The SEOM learnt that during the campaign period, each party/coalition is entitled to ten (10) minutes free of public radio airtime daily and five (5) minutes of free public TV airtime daily.

However, some stakeholders alleged that the allocation of airtime was in favour of the ruling party.

(vi) Lack of consultation with the political parties on the voters roll

The SEOM noted the complaint that the registration of the voters was previously conducted by the Ministry of Territorial Administration. The Ministry of Territorial Administration however handed over the mandate of registration of voters to CNE in line with the Amended Electoral Act of December 2011.

(vii) Inciting electoral violence

The Ruling Party informed the SEOM that opposition parties conduct their campaigns based on hate speech targeting the political leadership, particularly the Presidential candidate of the ruling party.

(viii) Transmission of election results

The political parties claimed lack of access to the process of transmission of results data. The parties submitted that some polling stations lacked INATEL network.

Regarding this concern, the Territorial Administration informed the SEOM that the INATEL network was functional and covered the entire Country.

(ix) Late start of the observation exercise

The political parties were of the view that the election observation Missions should have commenced the activities earlier for an in depth coverage.

PRE – ELECTION PHASE

The SEOM observed that the pre-election phase was characterized by generally high levels of voter enthusiasm, notwithstanding a generally peaceful political atmosphere. Political parties were generally free to do their campaigning without any hindrance.

Moreover, the SEOM observed that law enforcement agencies were ready to respond to any threat or disruption of the peaceful electoral process.

POLLING PROCESS

The SEOM observed that on Election Day, most polling stations opened at the official time of 7am and closed at 7.30pm in the presence of security and party agents.

However the SEOM also noted that some polling stations opened very late and raised unease amongst the electorates. The polling stations that opened later than the official time had their closing time extended.

The SEOM observed that special arrangement was made for voters with special needs such as the elderly, people living with disabilities, expectant mothers among others. The SEOM observed the professionalism of the electoral staff.

In some polling stations, the SEOM observed that some party agents were dressed in their party regalia and colours in contravention of the Electoral law that bars political propaganda within 250 metres of the polling stations.

COUNTING AND TALLYING OF RESULTS

Generally, the SEOM observed that counting of the votes at the polling stations began immediately after the closing of the polls and was conducted procedurally. Equally, the SEOM observed instances where counting did not take place at some voting stations in line with the stipulated electoral regulation. One notable factor that led to this inconsistency was the misinterpretation of the regulation by the electoral staff deployed at the stations.

The SEOM also observed in the polling stations sampled that party agents, electoral officers, international observers witnessed and followed closely the counting of votes together with the electoral officials without any hindrance.

After the counting, the SEOM observed that electoral officers as well as party agents signed for the results in the presence of everybody and the agents for each candidate received a copy of the results.

BEST PRACTICES

In the course of observing the General Elections in the Republic of Angola, the SEOM noted that over and above, there was general adherence to some of the SADC Principles and Guidelines Governing Democratic Elections. The following best democratic practices and lessons were observed:

- i. use of mobile smart technology to confirm voter's registration;

- ii. use of short messaging service (sms) to confirm and remind the voters of their respective voting stations;
- iii. Orderly layout of polling streams facilitated for smooth and speedy voting process;
- iv. An impressive voter turn-out across the population spectrum which signifies civic commitment of the citizens;
- v. Adherence to Electoral regulation for the provision of priority to elderly, physically disabled and pregnant voters in the voting process;
- vi. High political tolerance under which the Angolan people exercised their voting rights;
- vii. Use of indelible ink and translucent ballot boxes; and
- viii. The provision of the equitable party funding by the Government.

SADC ELECTORAL OBSERVATION MISSION (SEOM) RECOMMENDATIONS

Upon completion of the observation exercise, the SEOM has the following recommendations for the people of Angola and the electoral authorities:

(i) Timely accreditation

To enhance the credibility of the electoral process, SEOM wishes to urge the CNE to facilitate accreditation at the earliest arrival of the observation missions in compliance with Article 4.1.10 of the *SADC Principles and Guidelines Governing Democratic Elections*.

(ii) Deployment of observers

The SEOM urges CNE to consider the harmonisation and alignment of the Electoral Laws of the Republic of Angola with the *SADC Principles and Guidelines Governing Democratic Elections* and allow a degree of flexibility on the part of the SEOM to determine its deployment plan.

CONCLUSIONS

The SEOM is of the opinion that although some of the concerns raised are pertinent, they are nevertheless not of such magnitude as to affect the credibility of the overall electoral process.

In line with *SADC principles and Guidelines Governing Democratic Elections* and Electoral Laws of Angola, the SEOM urges all political parties and candidates to respect the will of the people of the Republic of Angola and any grievances that may arise from this election should be pursued in line with the relevant law of the Republic of Angola.

Therefore, on behalf of the Chairperson of the Organ on Politics, Defence and Security Cooperation, His Excellency Jakaya Mrisho Kikwete, President of the United Republic of Tanzania and on behalf of the entire SADC family, I wish to heartily congratulate the people of Angola for holding credible, peaceful and transparent general elections on 31 August 2012. This is a valuable contribution to the consolidation of democracy and political stability, not only in the Republic of Angola but in the SADC region as a whole.

Thank you for your attention.