



**EUROPEAN UNION
ELECTION OBSERVATION MISSION
REPUBLIC OF ANGOLA. LEGISLATIVE ELECTION, 5 SEPTEMBER 2008**

PRELIMINARY STATEMENT

Angola consolidates its commitment to peace and takes a positive step towards strengthening democracy with a high voter turnout and a calm electoral process that revealed, however, organizational weaknesses, procedural inconsistencies on Election Day and an uneven playing field for contestants.

Luanda, 8 September 2008

The European Union Election Observation Mission (EU EOM) has been present in Angola since 29 July 2008 following an invitation from the National Electoral Commission (CNE). The EU EOM led by Ms. Luisa Morgantini, Vice-President of the European Parliament, deployed 108 observers from 21 EU Member States, as well as Norway and Switzerland. Observers were deployed throughout Angola to observe and assess the electoral process in accordance with international standards for elections. The EU EOM was joined by a 7 member delegation from the European Parliament, headed by Ms. Fiona Hall, MEP, which endorses this preliminary statement. On Election Day, observers visited 405 polling stations in all 18 provinces to observe voting and counting. The EU EOM is currently observing the conclusion of counting and vote tabulation and will remain in country to observe post-election developments. This statement is preliminary; a final report, which will include recommendations, will be published two months after the end of the electoral process. The EU EOM adheres to the Declaration of Principles for International Election Observation, as signed at the United Nations in New York in October 2005. The EU EOM is independent in its findings and conclusions.

Preliminary Conclusions

- The 5 September legislative elections, the first elections to take place in Angola for the past sixteen years, have been peaceful so far, partly due to the continuous calls to display mutual respect by all political parties during the campaign. The Angolan people turned out to vote in large numbers, demonstrating their clear commitment to the country's democratic process and desire to leave behind a past marked by decades of war and civil conflict. Nonetheless, an un-levelling of the playing field was observed, especially with regard to the State-controlled media coverage of the different parties, which falls short of basic international standards.

This preliminary statement is available in English and Portuguese but only the English version is official.

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- Voting was conducted in a peaceful atmosphere around the country, although procedures were inconsistently applied, especially with regard to the voters' lists, thus voiding some of the most important controls provided for in the law, and contravening international standards on election procedures. However, checking voter identity against the voter registration card, and marking voters' fingers with indelible ink helped to protect against duplicate voting. The lack of control over the number of issued ballots as compared to the number of cast ballots caused difficulties during counting.
- Organizational problems affected the distribution of essential materials, especially in Luanda, causing a significant number of polling stations to open late, or not at all. To allow citizens the opportunity to vote, some affected polling stations in the capital were opened the following day, in accordance with the Election Law.
- Counting was conducted in a peaceful and transparent manner. Procedures were hampered in areas where the voters list had not been marked as polling station staff were unable to reconcile the number of ballots issued against the number of voters who had cast their ballot. However, there were only a few recorded complaints by political parties. The computerised tabulation of results at the central level is not open for monitoring by observers or party agents, although at the lower levels access has been mostly granted.
- The election campaign has been carried out in a calm and orderly manner, with only a few incidents which were addressed by the National Police in a timely and impartial manner. Freedoms of assembly and expression have been widely respected. However, the EU EOM observed imbalances which have served to benefit the ruling party, mainly with regard to access to state resources or active involvement of the provincial administration and traditional authorities in campaign activities.
- The National Election Commission (CNE) has endeavoured to ensure the fairness of the election process and to overcome difficulties in an impartial and practical fashion. However, this has led to flexible interpretations of the law and late decision-making, adding to confusion on Election Day. In addition, late and partial accreditation of observers has affected the transparency of the process.
- The legal framework in place for these elections provides a solid foundation for the conduct of genuine democratic elections in accordance with the Election Law and international standards on elections.
- Over 8.3 million citizens were registered on a highly inclusive voters list. However, many were not registered where they currently reside, and the voters list was distributed too late to be posted in most areas. Although various electronic means were used to inform people where to vote, these were insufficient and contributed to the problems experienced on Election Day. In addition, and contrary to the Election Law, Angolans living abroad were not registered to vote.
- The Constitutional Court led the candidate registration process in a competent and impartial manner and in accordance with the Election Law.

- The state electronic media, including *Televisão Pública de Angola* (TPA) and *Rádio Nacional de Angola* (RNA) abided by the Election Law, allocating equal free airtime (*Tempo de Antena*) on a daily basis to all electoral contestants, and contributed to encourage civic participation. However, TPA, RNA and state-owned *Jornal de Angola* provided coverage of the electoral campaign that was generally biased in favour of the ruling party. Unequal distribution of airtime and space to cover campaign activities, and the broadcasting of programs and news about Government inaugurations and development projects left opposition parties at a clear disadvantage *vis-à-vis* access to public media.
- In a positive step, six of the fourteen contesting parties included over 30% women candidates in their lists. Gender representation was notably balanced amongst polling station staff.
- The 2008 legislative elections have been the first in Angola with the presence of domestic observers. This represents an important step for Angolan civil society participation in the consolidation of the democratic process. However, problems in accrediting some domestic observers in Luanda left a gap in observation in the most densely populated area of the country.
- The election process is still ongoing and the EU EOM will continue to follow the tabulation of results and the election complaints and appeals process, including UNITA's request for the annulment of the elections in Luanda. The EU EOM calls on all political stakeholders to adhere to the existing legal framework and to maintain the peaceful and democratic attitude displayed thus far during the electoral process.

Preliminary Findings

BACKGROUND

The 5 September legislative elections were the second elections to be held in Angola since Independence from Portugal in 1975. They are considered to represent an opportunity for Angola to enter a phase of democratic normalization. The first multiparty elections were held in 1992 and resulted in a new civil war which lasted until 2002. Given that memories of the war are still connected to the 1992 elections for a substantial part of the population, the 5 September elections have contributed decisively to dissociating the idea of elections from such memories.

The September elections have also been widely considered a crucial test for the Presidential election foreseen for next year. Furthermore, since President Dos Santos has announced his intention of promoting constitutional reforms, which require a two-thirds majority in the National Assembly, the results of these legislative elections will have a substantial impact on the feasibility of such reforms.

In the absence of reliable polls, these elections offered the opportunity, for the first time in sixteen years, to have a picture of the Angolan political landscape, which has been dominated by

the ruling MPLA since its victory in the 1992 elections over the main opposition party, the *União para a Independência Total de Angola* (UNITA).

LEGAL FRAMEWORK

The legislative elections were conducted under the 1991 Constitutional Law (amended in 1992) which protects fundamental freedoms and political rights in accordance with international standards, as enshrined in the International Covenant on Civil and Political Rights (ICCPR). In addition, a new set of laws was produced in 2005 that will be tested for the first time in the 2008 elections. These laws include the Law on Electoral Registration, the Law on Political Parties, the Election Law, the Law on the Press, the Law on Election Observation, the Electoral Code of Conduct as well as a number of specific regulations.¹

The legal framework in place for these elections provides a good foundation for the conduct of genuine democratic elections according to international, and regional, standards and principles. Moreover, various amendments to the Election Law were introduced four months before the elections. The amendment that extended the deadline for the official announcement of results improved the timeframe for the handling of complaints. On the other hand, the removal of judges from electoral management bodies brought about changes in high ranking positions in half of the provinces within a timeframe that was very close to Election Day.

Angolan legislative elections are based on a system of proportional representation, with candidates elected from closed lists. The parliament is unicameral and consists of a total of 220 members. 130 candidates are elected from one national constituency and 5 candidates from each of the 18 provincial constituencies, totalling a further 90 members. Despite the existence of legal provisions, no out-of-country voting took place, as was also the case in the 1992 elections; once again there will be 3 vacant seats in the National Assembly.

The setting up of the Constitutional Court (TC) before elections represented a positive effort and its handling of the process of verification of candidacies is considered to have been conducted in a timely and professional manner. As a consequence to the late approval of candidacies, the disbursement of public campaign funds, which could have started as early as 90 days before the elections, was considerably delayed.

The Constitutional Court is the ultimate court of appeals for electoral complaints concerning voting and counting. It is also the last recourse for CNE decisions regarding the tabulation of national results.

¹ In addition, Angola has signed several international Covenants such as the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Political Rights of Women (CPRW).

ELECTION ADMINISTRATION

Two key institutions handle the electoral process and voter registration, the *National Electoral Commission (CNE)* and the *Inter-Ministerial Commission for Election Process (CIPE)*². The CIPE is the Governmental institution in charge of conducting voter registration and is responsible for supporting the preparation and organisation of elections. The CNE is an independent body that governs the conduct of all election-related activities and operations, as well as supervising the voter registration process.

The CNE is a body that comprises ten members, it has its own budget and secretariat, and has established provincial and municipal offices throughout the country. CNE commissioners at all levels are appointed for four year mandates through a specific nomination process³. Seven of the 10 commissioners are nominated by government structures or the ruling party; the remaining three are nominated by the opposition represented in parliament. This has given the governing party a deciding vote in all issues. Nonetheless, the EU EOM understands that the CNE has endeavoured to reach consensus whenever possible. In addition, its formal sessions have been open to representatives of all competing parties and coalitions.

The CNE tried to find practical solutions to many of the challenges presented by these elections and to ensure maximum access for voters. To avoid long queues and ensure that voting could be completed in one day, 12,400 polling centres subdivided into 50,000 polling stations were established throughout the country. External companies were employed to provide the materials and logistics. Over 270,000 polling staff were trained over five days; equalling 3% of the entire voter population.

However, the absence of a detailed calendar for election preparations meant that the correct quantities of materials were not sent out on time to polling stations and polling staff were accredited late. Moreover, late changes to procedures confused polling staff thus contributing to some of the problems experienced on Election Day. The CNE changed the instructions for the use of the tendered ballot as late as 2 September. Although this was done in the interests of allowing people to vote more easily, the decision was taken too late to be properly communicated to polling station staff, most of whom only received the instruction on the morning of Election Day.

The CNE made efforts to be transparent and allow political party agents and observers access to all Election Day procedures. However, lateness of accreditation of polling station staff, party agents and national observers impacted on the efficiency and transparency of the process. In

² The CIPE was established in 2004 and is composed of the Ministry of Territorial Administration, the Ministry of the Interior and the Ministry of Postal Services and Telecommunications; it has its own provincial and municipal structures.

³ The CNE is represented in all 18 provinces through the Provincial Electoral Commissions (CPEs) and in the 164 municipalities through the Municipal Electoral Offices (GMEs). The law provides for offices at the *Comuna* level (GCEs). Two members, including the President of the Commission, are designated by the President of the Republic, one by the Ministry of Social Communication and one by the Ministry of Territorial Administration. Six members are designated by parliament, three from the ruling party (MPLA) and another, three from the opposition (2 from UNITA and 1 from PRS).

Luanda, the accreditation of observers only started two days prior to the election with preference being given to government funded associations.

Civic education efforts were rated positively by EU EOM observers. Broadcast and print media were flooded with CNE advertisements all through the campaign period exhorting people to vote and informing them of procedures. In addition, 1,752 civic education agents were trained to go out into the communities to inform citizens with the aid of pamphlets and videos.

VOTER REGISTRATION

Voter registration was conducted by the CIPE between November 2006 and September 2007 with an update in April and May this year for people who had reached the age of majority. A completely digitalised system was used where people were registered into a centralised database and were given a voter registration card with a magnetic strip bearing their details as well as their photograph and fingerprint to enable the de- duplication of the list. Until now the EU EOM has been unable to verify the efficiency of the system. Overall 8,397,173 people in total were registered, with 30% of these in the capital, Luanda.

The CNE had a purely supervisory role in the voter registration process and was unable to check the computerised database prior to having formally accepted the voter register⁴. There were concerns that many people had been registered according to the address on their documents and not according to where they currently live. In addition, many people had reportedly lost their voter cards. The law provides for a tendered ballot system to address these issues and for these votes to be counted at the provincial level.

The CNE did not receive the voter register in the required format for the dissemination to polling station locations until August 17⁵ which meant that the posting of voters' lists was conducted late, or not at all, in some areas. For the same reason the CNE was unable to distribute copies to political parties/coalitions, thereby contravening their rights according to the current regulatory framework⁶.

However, the CIPE and CNE adopted a number of electronic means to assist voters, especially in heavily populated areas where there were numerous polling stations, in identifying the correct location where they should cast their vote. Voters could check their PS using their unique voter number through SMS, internet, call in lines, by swiping their voter card in machines located in airports and banks as well as through agents equipped with special PDAs⁷. Concerns that this would be insufficient in urban areas and that the tendered ballot system would be overwhelmed

⁴ According to the Election Law, the CNE has to implement necessary measures to guarantee that the electoral process is carried out in a secure and transparent environment. Furthermore, the CNE can decide to establish auditing commissions when it deems necessary. Thus, the CNE had legal instruments at its disposal that would have allowed it to reinforce its supervisory capacity over the voter registration process.

⁵ By law they should have received the list by 26 July and have finalized the breakdown by polling stations by 9 August for posting on 11 August.

⁶ Art, 74/1 Regulation on the Election Law states that, the CNE has to send the voters list and polling location for each polling station to the different levels of local government as well as to the contesting political parties and coalitions by 21 August.

⁷ Personal Data Assistant or palm top computer which is connected to the central voter register database.

led to the release of an instruction on 2 September that voters could vote normally anywhere within their municipality and that the tendered ballot should only be used for people voting from outside of this area.

REGISTRATION OF CANDIDATES

The newly constituted Constitutional Court aimed at setting high judicial standards and devoted substantive human resources to deal with the verification of the candidates' lists. Thirty-four registered political parties and coalitions submitted their candidacies to the Constitutional Court out of which 10 political parties and 4 coalitions, representing a further 24 parties, were accepted as contestants in these elections.

The Constitutional Court's rejection of the 20 remaining political organizations was due to the non-fulfilment of legal criteria, including an insufficient number of registered voters' supporting signatures. Despite criticism from some political parties, the EU EOM considers that the Constitutional Court led the process in a competent manner and that candidates were lawfully disqualified. The most affected parties and coalitions were FpD, *Nova Democracia União Eleitoral*, PAJOCA, FNLA, FOFAC and PADEPA. Both UNITA and MPLA benefited from superior technical preparedness, which proved to be crucial in this process, and managed to get the vast majority, or all, of their candidates accepted.⁸

Overall, the Constitutional Court accepted 2,382 candidates for both national and provincial constituencies.

CAMPAIGN ENVIRONMENT

In general terms, the election campaign has been carried out in a calm and orderly manner. Both the political parties and the citizenry have proven themselves to be politically tolerant. Indeed, this period was generally characterized by the respect for the freedoms of assembly, movement and speech, basic elements that enabled political parties to conduct campaign activities.

The MPLA undoubtedly dominated the election campaign at the national level, a clear indication of its enormous financial and structural capacities as well as of the advantages ensuing from the indistinguishable division between party and government. This was especially visible with the active participation in the campaign of provincial governors and the President of the Republic, José Eduardo Dos Santos, through successive inaugurations of governmental projects that appeared as party achievements.

The playing field for political parties was influenced by MPLAs misuse of state resources⁹ and the observed distribution of gifts by the government to some traditional authorities. This attitude mainly affected the playing field in rural areas.

Amongst opposition parties UNITA enjoyed relative visibility. UNITA focused primarily on door-to-door campaigning, which is also an indication of its relatively inferior resources and organizational capacity. Nevertheless, its campaign efforts increased in the last weeks, this was

⁸ All of MPLAs 355 candidates were approved. All but 16 of UNITAs 302 candidates were approved.

⁹ EU EOM observers frequently witnessed the use of governmental vehicles for propaganda activities.

best exemplified by the presence of UNITA President, Isaiás Samakuva, in several of the country's provinces.

The presence of the remaining political parties was muted, particularly beyond the provincial capitals, where their visibility was appreciably scarce. Financial limitations, weak organizational capacity and delays in the reception of state funds for campaign activities possibly contributed to this situation.

The tone of campaign messages was generally mild and peaceful, signalling a significant degree of political maturity. Nevertheless, message contents were relatively poor. Furthermore, there was a patent lack of political debate between the various parties, thus limiting the electorate's possibilities to contrast ideas and programs. The absence of debate hindered the citizenry's capacity to understand the possible differences between the various contestants.

Despite the generally calm atmosphere, some incidents were reported. Among these, the most common was the destruction of campaign material, which was identified practically all over the country. There were also some isolated cases of electoral related violence¹⁰, including physical injuries. In most cases, the behaviour and response of the police forces was considered to be positive by political parties, thus contributing to the general atmosphere of tolerance and political coexistence that was evidenced throughout the campaign.

MEDIA ENVIRONMENT

Both public and private media covered the electoral campaign in an environment of freedom of speech and in a generally peaceful tone. Civic and voter education spots/adverts by the CNE were broadcast/published by the media, contributing to a better understanding of the electoral process and voting procedures by the population. In a welcome initiative, *Televisão Pública de Angola* (TPA) and *Rádio Nacional de Angola* (RNA) developed and broadcast their own information spots sensitizing Angolans to participate in the elections.

Abiding by Article 87 of the Election Law, TPA and RNA allocated equal free airtime (*Tempo de Antena*) on a daily basis, to all parties contesting the elections during the entire campaign period. Times and order of interventions established by the CNE through a public lottery on 29 July were fully respected by both state-run media. Although parties generally made a good use of this free airtime to present their electoral propaganda, on 28 August UNITA showed on its *Tempo de Antena* members of the *Forças Armadas Angolanas* and *Polícia Nacional* in a partisan attitude, contravening Article 4 of the Electoral Code of Conduct.

Despite the positive practices mentioned above, the EU EOM has nevertheless observed, that coverage of the electoral campaign by state media was biased in favour of the MPLA, failing to fulfil international electoral standards and the provisions of Article 49 of the Election Law Regulation regarding the equal treatment of all contestants.

¹⁰ Huambo, Ekunha (Quipeo), on the 14.08.08, 1 person injured; Benguela, Balombo, on the 23.08.08, 8 persons injured; Luanda (Cazenga), on the 03.08.08, 2 persons hospitalized.

From 11 August to 3 September the EU EOM monitored a sample of 11 Angolan public and private media¹¹, in order to make a quantitative and qualitative analysis of the electoral coverage by the local press. The results of the media monitoring show that, during the analyzed period, the ruling party obtained 64.9% and 64.2% of the total airtime devoted to political party activities in news programs broadcast by TPA 1 and RNA, respectively. More than 75% of the news that TPA 1 allocated to the MPLA was presented in a positive tone. The public daily newspaper, *Jornal de Angola* allocated 57.1% of the space devoted to electoral campaign news to the MPLA. On the other hand, UNITA obtained 12.1%, 12.4% and 19.7% of airtime and space in TPA 1, RNA and *Jornal de Angola*, respectively. None of the 12 remaining parties got more than 4.8% of airtime or space in the public media.

In addition to the coverage granted to the MPLA on news bulletins, the state media favoured the ruling party through the daily broadcasting of news and programs¹² on inaugurations by President José Eduardo dos Santos and on governmental achievements. This practice, together with the publication/broadcasting of adverts/spots¹³ indirectly calling on the citizenry to vote for the MPLA contributed to an uneven playing field and left opposition parties at a clear disadvantage vis-à-vis their access to the public media.

Although according to the Electoral Code of Conduct the election administration is responsible for observing the principle of equal access to the media, and whereas the *Conselho Nacional da Comunicação Social* (CNCS) has the competence to ensure the objectivity and independence of information and media from political and economic powers, neither institution took action regarding the biased coverage by state-run media¹⁴.

In the case of private media, political parties received very diverse coverage with different levels of partiality, depending on the parties and media outlets analyzed. EU EOM media monitoring reflected biased coverage by media outlets like *Rádio Despertar* or *Folha 8* in favour of UNITA. Although their status as private media and their limited coverage put these media in a clearly different dimension as compared to the public media, their partial coverage of the electoral campaign is also contrary to the Angolan Election Law Regulations and international election standards.

PARTICIPATION OF WOMEN

In a positive step, six of the fourteen contesting parties included over 30% women candidates in their candidate lists. MPLA, with 41% women candidates, had the highest representation, followed by the PLD, AD, PADEPA, FpD and UNITA. This will probably contribute to a significant increase in the number of women in the newly elected National Assembly, compared with the 15% in the outgoing one.

¹¹ The media that were monitored were: TPA 1, TPA 2, RNA Canal A, *Rádio Luanda*, *Rádio Despertar*, *Rádio Ecclésia*, *Jornal de Angola*, *Angolense*, *Semanário Angolense*, *Agora* and *Folha 8*.

¹² “*Reconstrução e Desenvolvimento*” and “*Bom Dia Angola*”, both shown on TPA.

¹³ By Government, by *Movimento Nacional Espontâneo* and also unidentified (“*Angola está a mudar*”)

¹⁴ CNCS alleged that responsibility to take action relies solely on the CNE due to the fact that *Lei sobre o Conselho Nacional de Comunicação Social* 7/92 does not give the CNCS any sanctioning powers.

The participation of women in political rallies observed by EU EOM observers has been significant, averaging around a third of total participants. This percentage was greater in events organized by the MPLA and UNITA.

The representation of women within polling station committees was observed to reach 46%, almost equal to that of men, indicating a positive gender balance in the selection of staff at the lower levels of election management. However, the representation of women at the higher levels of the election administration was weaker, probably due to the complex nomination process¹⁵.

CIVIL SOCIETY

The 2008 legislative elections are the first in Angolan history with the presence of domestic observers. This represents an important step in the inclusion of Angolan civil society in democratic processes. The *Instituto Angolano de Sistemas Eleitorais e Democracia* (IASSED), the *Conselho Nacional de Juventude* (CNJ), the *Angolan Bar Association* (OAA) and the *Plataforma Nacional da Sociedade Civil Angolana para as Eleições* (PNASCAE) all registered to observe the elections. The largest of these groups was PNASCAE; however, due to problems in accrediting observers, its presence on Election Day was significantly reduced in Luanda and Huambo. Similarly, the *Conselho de Coordenação dos Direitos Humanos* (CCDH) were unable to get any observers accredited.

COMPLAINTS AND APPEALS

UNITA presented a complaint before the CNE on 6 of September, challenging the voting process in the province of Luanda. The complaint highlights the lack of voter registers at polling stations for the identification of voters and the impact of this deficiency on the certainty and transparency of the process. In addition, it also mentions the late opening of many polling stations, the shortage of ballot papers and the non-accreditation of many UNITA party agents and domestic observers. The CNE has yet to decide on this complaint.

The EU EOM observed an extremely reduced number of formal complaints at polling stations on Election Day. The lack of experience in presenting complaints by political party agents might have contributed to this very low level of formal complaints.

Two different structures provide satisfactory opportunities for legal remedy for election related irregularities and infractions. Electoral irregularities are filed at polling stations; they may subsequently go through several intermediate stages of appeals within the election administration structure, the last instance of appeal being the Constitutional Court. The second structure deals with electoral infractions which can be of a disciplinary, civil or criminal nature depending on the gravity of the infraction and can be appealed before the Supreme Court, as the last instance.

¹⁵ Only two out of the 10 CNE members are women and within the 13 provincial election commissions (CPE) that EU EOM observers have reported on, 16% of commissioners are women. At the municipal level (GME) the situation is bleaker, with only 12.3% women represented in the municipalities that were reported on.

POLLING

Voting was conducted in a tranquil and peaceful manner across the country with only two incidents reported of a minor nature in over 300 observed polling stations. Overall, observers rated the process as being good or very good in 75.2% of observations. Only 4.9% of polling stations visited were rated as bad or very bad.

However, delays in the delivery of essential materials, particularly ballot papers and voter registration lists caused delays in opening. 16.3% of polling stations that were observed opened over an hour late.¹⁶ Nevertheless 67.5% of polling stations across the country opened on time. In Luanda, 320 polling stations were unable to open at all and voting had to be conducted on the following day, in accordance with the Election Law¹⁷. In a further 12% of polling stations voting was observed to be suspended at some point of the day, mainly due to insufficient ballots papers or envelopes for tendered ballots. These were missing in 22.2% of observed polling stations, rising to 52.3% in Luanda. In many of these cases, additional materials were delivered throughout the day and voting was able to continue.

As previously stated, the CNE instruction of 2 September allowed people to vote anywhere in the municipality in which they were registered, as long as they had a valid voter card and their name and details were subsequently incorporated into the Election Day log. There was no time to train polling staff on this new instruction and only 55% of observed polling stations reported to have received the instruction, many of them as late as on the morning of the election.

Consequently, the procedures were applied unevenly. In only 26% of polling stations where people were allowed to vote who were not in the voter register was a separate list made with their details to verify how many people had voted at the polling station. In urban areas, where people were turning up to the nearest polling station that had ballots, the voters list was abandoned completely during the day. Even in rural areas many observers reported that voters' names were not marked off against the voters list as having voted. This removed one of the main safeguards against fraud provided for in the Election Law in that there was no record of how many people cast their ballot at that polling station.

However, other safeguards were in place since the identity of the voter could be checked from their photo on the voter registration card and their finger was marked with indelible ink to prevent duplicate voting. The ink was applied in all but three observed polling stations.

Observers considered that the anomalies arose from a lack of understanding of these key provisions rather than from any deliberate attempt to manipulate the polls. Only minor cases of electoral malpractice were reported. As a result, no formal complaints were filed by any of the political party agents in any of the observed polling stations.

Party agents were present in almost all 405 observed polling stations. MPLA agents were present in 90.8% of polling stations, but had more than one representative present in 36.6% of cases.

¹⁶ EU EOM observers witnessed opening in 43 polling stations.

¹⁷ However, due to the lack of materials and clear instructions, only 22 polling stations managed to open. Observers noted that adherence to procedures did not improve.

UNITA delegates were present in 70.1%, PRS 40% and FNLA 22.3%. None of the other contestants had polling agents in more than 9% of the locations visited.

COUNTING

Counting was observed in 47 polling stations, 61% of which were rated as good or very good. This is considerably lower than for voting, although only 7.7% of polling stations were rated as bad or very bad. However, this was noted as being due to negligence rather than through any attempts at malfeasance. Problems in reconciling the ballots were the main problem (41.9%) that was reported, due to polling staff having no record of how many people had voted at the polling station. However, in only five instances did any of the party agents complain about this.

Counting was extremely transparent in all cases with ballots being exhibited for general scrutiny. The lack of light and the cramped conditions of most polling stations made the process difficult for both polling staff and poll watchers. Around 75% of polling stations in Lunda Sul were reported to have closed early in order to count during daylight hours, which is in accordance with the Election Law. On the other hand, polling stations in Namibe and Cunene provinces that still had tendered ballot envelopes were asked to stay open so that people could be bussed in to vote. In total only 53.3% of all polling stations visited closed between 18.00, the official time, and 19.00.

18% of observations recorded an extremely strict interpretation of what constituted a valid ballot, accepting only ballots marked exactly in the box. This is contrary to the regulations in the Election Law¹⁸ and led nationwide to a high number (4.6%) of invalid ballots being recorded.

The results protocol was properly filed out in 85% of cases and in 80% the party agents signed it. However, it was only posted outside the polling station for public inspection 44% of the time. No party agents were recorded as having witnessed the results being faxed to the national tabulation centre for entry into the database, mostly through lack of transport but sometimes through insufficient space in the municipal offices. In addition, few municipal offices conducted any checks of the protocols or invalid ballots when the materials arrived.

Results are faxed through to the national counting centre where they are entered into the central database by a team of more than 100 database entry staff. Although observers and party agents can be specifically accredited to visit the centre they are only allowed in to view the process, not to monitor the correct entry of results. Observers are continuing to monitor the counting of special ballots at the provincial centres.

The EU EOM wishes to express its appreciation to the Angolan People, Government Authorities and the National Electoral Commission for their cooperation and assistance in the course of its observation. The EU EOM is also grateful to the Delegation of the European Commission in Angola, the diplomatic missions of the EU Member States in Luanda and to GTZ and GEOS for their support throughout.

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