

AFRICAN UNION
الاتحاد الأفريقي



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Country Profile: The Republic of Angola

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I. Introduction

The Republic of Angola is located in Southern region Africa, bordering the South Atlantic Ocean, between Republic of Congo, Democratic Republic of Congo, Zambia and Namibia. Angola is the 23rd largest country after Niger and is comparable in size to Mali with landmass of about 1,246,700 Sq Km. Angola has 18 provinces; Bengo, Benguela, Bie, Cabinda, Kwando, Kubango, Kwanza Norte, Kwanza Sul, Cunene, Huambo, Huila, Luanda, Lunda Norte, Lunda Sul, Malanje, Moxico, Namibe, Uige and Zaire. Angola has an estimated population of about 18,056,072 comprising people from more than five ethnic origins including the Ovimbundu (37%), Kimbundu (25%), Bakongo (13%), mastico (mixed European and native African (2%), Europeans (1%) and others (22%). The official language of Angola is Portuguese in addition to other local dialects some of which are Kikongo, Kimbundu, Tchokwe, Umbundo, Mbunda, Kwanyama, Nhaneca, Fiole and Nganguela. Angola has two climate seasons; rainy warm season, which is between the months of September to May and Cacimbo, which is the drought season and less hot begins in May through the month of September.

II. Political History

Angola's colonial history is linked mainly to the Portuguese and slightly to the Dutch as a result of their short occupation of Luanda in 1641 when Portugal faced dual challenge of maintaining Angola as a colony and resisting Spanish invasion of Portugal. After centuries of occupation by the Portuguese, the turning point in Angola independence began in the 1950s when some nationalists began organising and demanding rights, initiating diplomatic campaigns around the world and seeking route to independence. However the refusal of the colonial power to accept the demands made by the nationalists culminated in an organised armed struggle in the mid-1950s during which the principal protagonist the Popular Movement for the Liberation of Angola (MPLA) was formed in 1956 and soon followed by the National Front for The Liberation of Angola (FNLA) in 1961 and National Union for the Total Independence of Angola (UNITA) in 1966.

After almost two decades of struggle, the period of 1974 signaled an important milestone in Angola's political history. As revolution took place in Portugal, the colonial empire collapsed, thereby giving the nationalists opportunity to capitalize and intensify their struggle for independence, which eventually came on 11 November 1975. Angola's independence was soon followed by decades of civil war despite pre-independence peace negotiations amongst armed groups; particularly between MPLA and UNITA who were locked into battle for the control of the country. The civil war drew international support, from the major super powers, the United States of America and the Soviet Union, , as well as other African countries like South Africa. However, much control rested in the hands of the MPLA, led by Agostinho Neto who controlled the government. Following the

death of MPLA leader, Agostinho Neto, in 1979, Jose Eduardo dos Santos took over as President amidst continued civil war.

A brief reprieve of peace came to Angola between 1991 and 1992, as a result of two important actions. First was the Lisbon peace deal between MPLA-led Jose Eduardo DOS SANTOS and UNITA-led Jonas SAVIMBI in 1991, which led to constitutional reform based on multi-party system of government. The second was the 1992 national election, which was won by Dos Santos' MPLA and certified free and fair by a UN observer's mission. In spite of international certification of the election as free and fair, Savimbi rejected the results, and returned to armed struggle against the government. A year later, the UN imposed sanctions on UNITA, as a result of their continued armed struggle. This was followed by the Lusaka Protocol Peace Accord for a unity government in 1994, which was aimed at forming a Unity Government. Despite the various peace deals and negotiations, tensions were still very high and in late 1996, it was becoming clear that Angola would be back into civil war again following integration of UNITA soldiers into the army and also due to Savimbi's decline from participating in the Unity Government. Consequently, full-scale violence resumed and Angola remained in civil war until February 2002 when Jonas Savimbi died.

Following his death, the UNITA insurgence ended and signed a ceasefire agreement with the government, which was followed by formal declaration marking the end of the war in 2003. The peace accord also granted UNITA the right to remain a political party in Angola under the leadership of Isais Samakuva. Angola has since then remained relatively stable and held parliamentary Elections in September 2008, which MPLA won 81,64% of the votes as against 10.39% for UNITA thereby securing 191 out of 220 Seats in the parliament. Earlier plans to hold a Presidential election in 2009 could materialize due to constitutional reforms regarding the office of the President and plans are currently at the advanced stage for a Presidential and Parliamentary General Election on 31 August 2012. Moreover, the parliament in 2010 approved new constitutional changes that strengthened the powers of the President and abolished direct election for the presidential position. The anti-election fraud law was also passed in December 2011 with purpose to strengthen the electoral process for the 31 August 2012 General Elections. Opposition parties were also concerned about appointment of Suzana Antonio da Conceicao Nicolou Ingles as the Head of the National Electoral Commission whom the opposition accused of being a member of the MPLA women league. However, the leadership of the Angola National Electoral Commission later changed with the appointment of Dr. André Silva Neto as the new President.

III. Structure of Government

Angola is a multi-party Presidential structure comprising the Executive, Legislative and the Judiciary.

a. The Executive

The Chief Executive Head of State and Commander-in-Chief of the Armed Forces is the President. The President exercises full executive power and is assisted by a Vice-President and appointed Ministers.

b. The Legislature

Angola operates a unicameral legislative parliament with each member elected for a four-year term. The legislative arm of Angolan Government is called the National Assembly, consisting of 223 Constituency Seats, elected by proportional representation. Election into Angolan National Assembly comes in tripartite level from national, provincial and the diaspora. Out of 223 Seats, 130 members are elected from the national list, 90 from the provincial level on equal basis of 5 members from each of the 18 provinces and 3 elected from Angolans in diaspora. The September 2008 National Assembly election saw MPLA securing majority seat in the parliament with 81.6% of the Seats compared to UNITA's 10.4%, which translates to 191 Seats for MPLA and 16 Seats UNITA and total of 207 for both parties.

c. The Judiciary

The Judiciary arm of Angola government is made up of the Courts; the Constitutional Court, Court of Auditors, Supreme Military Court and the Supreme Court.

- i. The Constitutional Court is responsible for the administration of justice in legal and constitutional matters, under the terms of the Constitution and the law. It derives its power from the Organic Law of the Constitutional Court. It assess the constitutionality of any rules, law and ratified international treaties and considers appeals emanating from decisions of other Courts where the interpretation of constitutional issues and clauses are in question. The Constitutional Court is composed of Bench of 11 members appointed from amongst Jurists and Judges. Four (4) Judges are nominated by the President including the President of the Court while 4 others are elected by the National Assembly by a two-thirds majority. Two (2) out of the remaining 3 comes from the Supreme Judicial Council and 1 is elected by competition through experience and credibility.
- ii. The Supreme Court is the senior body in common jurisdiction. Its Bench is appointed by the President on the recommendation of the High Council of the Judicial Powers and includes a President and the Vice-President with a seven-year non-renewable tenure of office.
- iii. Supreme Military Court is the highest body in the hierarchy of the military courts. Its' Bench is appointed by the President and it derives its powers from the constitution.

- iv. The Court of Auditors oversees the legality of public finances and such other accounts as the law may require to be submitted to it. Its' Bench is appointed by the President for a seven-year tenure of office. Each year, it has to produce a report to be submitted to the national Assembly.

IV. Legal Framework for Elections

a. The Electoral System

Under the amended 2010 Constitution, the President is elected indirectly by the National Assembly for five-year tenure and is eligible for a second and last consecutive mandate. Prior to the 2010 amendment, the President was elected directly by universal adult franchise on absolute majority provided that one of the candidates for the position secure 50% or above of the total vote. In the absence of 50% or above, a runoff was held between the first two candidates. The current, President Dos Santos came into power following the death of former MPLA leader and President Augustino NETO in 1979 under one-party system and was re-elected in the September 29-30 1992 first multi-party General Election in which he won 49.6% against his main opposition rival Jonas Savimbi's 40.1%. He became the President without a run-off following Savimbi's rejection of the election result and boycott of the run-off. The 31 August 2012 General Election was the next Presidential election after 1992. The National Assembly is unicameral legislature composed of 223 seats elected at tripartite level at the national, provincial and Diaspora level based on "*allocative*" quotas to each of the level as provided in the Constitution.

b. The Legal Framework

Elections in Angola are governed by several laws, including the latest 2010 amended Constitution, Law 7/04 of 17 June which establishes the principles and the organizational rules of the elections of the President and Deputies of the National Assembly, Law No 3/05 of 1 July establishing the fundamental principles and rules regarding the electoral registration of citizens for General Elections and referendum. Law No 4/05 of 4 July that establishes principles and rules regulating national and international observation of the electoral process, Law No 22/10 of 3 December on rule guiding political parties, Law No 7/02 of 28 June establishing rules on political party financing, Organic Law Constitutional Review No 3/08 of 17 June and Organic Law on Elections No 33/11 of 21 December establishing the general constitutional rules guiding the conduct of Elections in Angola. Others include Resolution No 10/05 and amended Resolution 7-23/03/12 on electoral code of conduct establishing the principles and the disciplinary rules for the conduct of the elections, Nationality Act Law No 13/91 of 11 May that defines nationality clause and eligibility and the Press Law No 22/91 of June that defines press engagement and role during elections.

V. Election Management

The main institution in charge with election management in Angola is the National Electoral Commission; “Comissao Nacional Eleitoral” (CNE). The CNE is established as an independent body by electoral LAW 2004 A154, governing the conduct of elections and voter registration. The CNE is charged with the responsibility of organizing Presidential, Parliamentary Elections and other electoral activities. It ensures free, fair and transparent electoral processes and the compilation of voters’ registers as well as the conduct of voters and civic education. As an impartial arbiter, it ensures equality for all candidates during elections and is responsible for issuing procedures for the conduct of elections and publishing of election results. It also oversees and provides guidelines for accreditation of election observers and manages electoral revenue and expenditure. In collaboration with security institutions, it arranges for and ensures adequate security conditions for elections and determines the location, the set up and the operations of polling stations.

It is composed of 17 members chaired by the President of the Commission who is nominated on consensus by the National Assembly and in turn selects the technical and administrative staff of the commission. The President appoints his deputies from the commissioners. Dr. André Silva Neto is currently the President of the CNE. The remaining members of the commission were provided in accordance with the constitution, by the President, the ruling party, opposition parties, including a Justice of the Supreme Court, representative of the Ministry of Territorial Administration and an elected member from the National Council of Social Communication. Commission members cannot be candidates for the Presidency or National Assembly as contained in Electoral Law 2004 A156.

The members of the Commission are selected for five years, renewable and cannot be removed on the basis of accusation of incompetence or misconduct. At the national level, commission members are sworn in before the National Assembly, and take an oath to be accountable and transparent in the conduct of the elections. Commission members at the Provincial and Municipal level are sworn in before the President of the National Electoral Commission and the Presidents of the Provincial Electoral Commissions, respectively.

VI. Voter Registration and Registration of Candidates

a. Voter Registration:

The Legal voting age in National Elections in Angola is 18 years and above. Beside age restrictions, voters and candidates standing for any

electives position must satisfy citizenship status as defined by the Nationality Act Law No 13/91 of May 11. The mandate for voters' registration lies within the constitutional jurisdiction of the Angola National Electoral Commission. This is Angola's main Election Management Body (EMB) according to Law No 7/04 17 of June, Article 155 and Law No 3/05 of July 1, Article 5 & 10 on compulsory voters' registration. The first round of the voters' registration started in July 2011 and ended December 2011, while the second round commenced in January 2012 and ended in June 2012. Approximately 7 million of those 8.6 million voters that were registered in 2008 updated their registrations, and around one million new voters registered. The updated voters register was handed over to the President of the Constitutional Court on 24 May 2012 by the then Interim President of National Electoral Commission Edeltrudes Costa. 9,757,671 voters were registered for the election but this number may have been higher than the actual number of voters, since approximately 1.6 million did not update their 2008 registrations.

b. Registration of Candidates and Parties:

The newly amended 2010 Constitution states that candidate for Elections must be 18 years and above in order to contest for elective position. It also requires evidence of citizenship, legally provided for in the Nationality Act. Independent candidates are not eligible to run either for Presidential or Legislative election, as provided for in the Constitution of the Republic of Angola.

The main registration requirement for political parties running for national elections registration is membership signatures. In order for political party to be registered, a minimum of 7500 eligible members within the age limit of 18 years and above is required as long as they enjoy other civic and political rights contained in the Constitution. Moreover, the party must have at least 150 members in each of the 18 Provinces that make up Angola.

c. Candidates for the Presidential and Parliamentary Elections

Candidate running for Presidency must be at least 35 years old and must be Angolan citizens by birth and are voted indirectly. The leader of the party with majority seat in the Parliament becomes the President and the party also selects the Vice President. A picture of each Presidential candidate, as well as the Party symbol and Name must be contained in the voting ballots. Nine (9) political parties participated in the general election of August 31st, 2012. Five (5) Political Parties and four (4) Coalitions of parties composed of a total of 22 parties. The Parties, Coalitions and Candidates are:

- MPLA: President Jose Eduardo dos Santos.

- Coalition HOME-EC, Broad Convergence for Salvation of Angola - Electoral Coalition, formed by four political parties (CASA-CE); PALM, Padda-AP, PPA, and PNSA: Abel Chivukuvuku Epalanga.
- Social Renewal Party (PRS): Eduardo Kuangana.
- UNITA: Isaiah Henry Gola Samakuva.
- New Democracy Electoral Union Coalition (ND), integration of MPDA, PSL, ANIA, PSIA, UND, and UAPDP PTA: Anthony Quinn Moreira.
- National Front for the Liberation of Angola (FNLA): Lucas Benghy Ngonda.
- Party People Development (PAPOD): Artur Quixona Pinda.
- Coalition of Opposition Political Council (CPO) Coalition of PLUN, PADS, ADPA, NCP and FAFO: Anastacio João Finda.
- Coalition for Change United Front of Angola (FUMA) made up of, PNDA, PSCA, BY, PRE, PFDA and PRSD: Muachicungo John Anthony.

VII. Electoral Developments and Outcome

The 2012 elections saw a decrease in voter turnout, from the 2008 elections, from 87% to 63 % (a drop of 24%). The MPLA won the elections by 71.84% of total votes and holds 79.5 % of the seats in parliament. This represents a drop by 10% of total votes since the 2008 elections. The second runners-up were UNITA, who received 18.66% of votes, which represents an 8% increase in vote shares from the 2008 elections. They were followed by the new party CASA-CE who received 6% of votes. Smaller parties like the PRS and the FNLA lost many votes/seats in parliament and ND dropped out of parliament.

There have been complaints about a bias in public service television towards the ruling party and its' Presidential candidate. Another complaint is about the voters' roll not having been publicized enough prior to Election Day. Moreover, the Territorial Administration did not audit the voter registration before handing it over to the CNE. When Suzanna Inglês was still chairperson, she hired Deloitte & Touche without following prescribed tender procedures, for the purpose of auditing the voter register. The registry included approximately 1.6 million people of whom a large share may have been deceased. There have also been complaints that the CNE did not respond sufficiently to complaints from opposition parties but in general the elections can be seen to have been free, peaceful and fair.