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Comments	This is an unofficial translation. The Law, dated 15 January 1997, was published in the Official Gazette, <i>Diário da República</i> , I Série, No. 10, dated 7 March 1997. It repeals Law No. 15/91 of 11 May 1991 and Law No. 4/92 of 27 March 1992, and all legislation repugnant to this Law.
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Law No. 2/1997 of 7 March 1997, Law to Govern Political Parties

[Summary: This Law repeal Law No. 15/91 of 11 May 1991 and Law No. 4/92 of 27 March 1992, and all legislation repugnant to this Law.]

As part of the on-going political and constitutional reforms in the country, upon the initiative and guidance of the sovereign authorities representing the Powers of State, the objective was set of building Angola into a Democratic State governed by the Rule of Law, and therefore conducive to a multi-party political system.

This Law seeks to lay down the legal provisions governing the creation of Political Parties, their organization and activities, elaborating on the principles enshrined in the Organic Law of the State pertaining to multi- party politics and organization thereof.

As organizations made up of Angolan citizens, Political Parties are called upon to participate, in an orderly, responsible, constructive and democratic manner in the political life of the country, contributing freely in the organization of political power, training and the expression of popular will, the exercise of political rights as citizens and determination of national policy.

Considering the historical, socio-cultural and political realities in our country, in particular, and in Africa, in general, this Law confirms, *inter alia*, the principle according to which Political Parties must be national in character and scope, pursue patriotic goals and work towards the attainment of said objectives without recourse whatsoever to subversion or violence, especially, armed struggle.

By virtue of Law no. 15/91 of 11 May 1991, the clauses of the Constitution enshrining multi-party politics hereby take effect.

Therefore, numerous Political Parties and Constituent committees were created.

Mindful of the urgent need to establish a framework for political activity commensurate with seriousness and dignity with which the constitution requires Political Parties to act in order to play a suitable role in the Angolan Society;

In accordance with the combined provisions of Sections 88(b) and 89(i) of the Organic Law, the National Assembly hereby resolves as follows:

LAW TO GOVERN POLITICAL PARTIES

CHAPTER I - Basic Provisions

Article 1 (Definition)

Political Parties shall be organizations comprising citizens, permanent in nature, autonomous, designed primarily for such groupings to participate in the political life of the nation, to contribute freely in the formation and expression of popular will and in organizing political power, in accordance with the Organic Law and its Statutes and programmes, especially, in the electoral process through the presentation or sponsorship of candidates.

Article 2 (Objectives)

In order to attain its objectives, Political Parties may set the following goals for themselves:

- a. to participate in the State organs;
- b. contribute towards the formulation of national policy, especially through participation in elections and other democratic means;
- c. contribute in getting citizens to exercise their political rights;
- d. contribute in the shaping of public opinion, foster a national conscience and political awareness;
- e. stimulate the participation of citizens in public life;
- f. educate the people to assume political responsibility;
- g. contribute in civic and patriotic education of the citizen and enlist his co-operation in maintaining public law and order;
- h. define governmental and administrative programmes;
- i. influence national policy in Parliament and in the Government;
- j. contribute in general in the development of the political institutions of the country.

Article 3 (Political Associations)

1. Associations pursuing political ends shall not enjoy the status of political parties within the purview of this Law.
2. The associations alluded to in the previous paragraph shall be prohibited from pursuing the ends provided for in sub-paragraphs (a), (b), (c), (h) and (i) of the previous paragraph.

Article 4 (Freedom of Association)

The formation of a Political Party shall be free, not requiring any authorization, without prejudice to the provisions of Sections 5 and 6 of this Law.

Article 5 (National scope and limitations)

1. Political Parties shall be national in character and scope and shall operate within the terms of the Organic Law, this Law and any other Angolan Legislation.
2. The formation of and operation of Political Parties with the following characteristics shall be prohibited:
 - a. local or regional in scope;
 - b. fomenting tribalism, racism, regionalism and other forms of discrimination against the citizen and jeopardizing national unity and territorial integrity;
 - c. seeking, by unconstitutional means, to subvert the democratic regime and the multi-party system;
 - d. resort to or intend to resort to violence to achieve such ends, particularly, armed struggle as an avenue to power, military or para-military training and possession of arms depots within the country or abroad;
 - e. allowing the wearing of military- or para-military-type uniforms by its members;
 - f. possess clandestine parallel structures;
 - g. utilizing military, para-military or militarized organizations;
 - h. subjecting to the influence of Foreign Governments or Political Parties.

Article 6 (Legal status and Capacity)

1. Political Parties shall acquire a legal status after registration.
2. The legal capacity of Political Parties shall cover all rights and obligations needed or expedient for the prosecution of their goal.

Article 7 (Equal treatment)

Political Parties shall enjoy equality in the eyes of public authorities, mainly, within the purview of the law, the possibility of using public installations, support and subsidies, access to and utilization of public Television and Radio and State funding, without prejudice to the provisions of this Law.

Article 8 (Democratic Principle)

The organization of Political Parties shall obey the following rules:

- a. no discrimination on account of race, sex, birth or religious affiliation;
- b. approval of the Party Statute and Manifesto by all the members or by an assembly representing them;
- c. periodic election of the Party Executive in the central and local organs of the Party by all the members or by an assembly representing them;

Article 9 (Public prosecution of objectives)

1. Political Parties shall prosecute their objectives openly.

2. Public prosecution of Party objectives shall include:
 - a. publication of their Statutes and Manifestos in the Official Gazette;
 - b. knowledge, by the public, of the identity of the members and Executive;
 - c. knowledge, by the public, of the general activities of the Party at local, national and international level.
3. Parties may release publications.
4. A special Law shall regulate the access by Political Parties to the Radio and Television.

Article 10 (Freedom of Affiliation)

1. Affiliation to a Political Party shall be free, it being prohibited to force any citizen to join a Political Party nor remain in it.
2. No one may be prevented from enjoying any civic rights whatsoever, political or professional, for joining or not joining a legally constituted party.

Article 11 (Headquarters and Offices)

1. The Headquarters of Political Parties shall be located in the Capital of the republic of Angola.
2. It is prohibited for parties to open Offices or any sort of representation whatsoever abroad.
3. The provisions of the previous paragraph shall not prejudice the organization of Angolan communities resident abroad into statutorily defined basic organs of parties.

CHAPTER II - Founding of Political Parties

Article 12 (Registration)

Political Parties formed within the purview of Section 4 of this Law, shall be deemed Corporate Bodies, upon registration with the Supreme Court.

Article 13 (Formalities for founding a Political Party)

1. Persons wishing to register a Political Party may, prior to registration under the terms of Section 14 hereunder, indicate an Constituent Committee comprising 7 to 21 members charged with the general arrangements towards the registration of the Party.
2. The Constituent Committee may, in a bid to facilitate preparations for registration of the Party with the entities, request the President of the Supreme Court for accreditation, and would require, for the purpose:
 - a. to set forth the objectives pursued by the party;
 - b. to present the general outline or a summary of its Manifesto, Statutes and the proposed name of the Party;
 - c. to submit a nominal list of and copies of identity cards as well as a certificate of non-conviction in respect of each member of the mentioned constituent Committee mentioned in paragraph 1 above. ;

- d. to indicate the address to which notification can be sent;
 - e. to produce documentary evidence of the assets and financial resources available for beginning Party activities.
3. Once the formalities prescribed in paragraph 2 above have been fulfilled, the President of the Supreme Court shall decide within 30 days on the application for recognition filed by the Constituent Committee and grant a lapse of 6 (six) months within which to apply for registration.
 4. In case of rejection of the accreditation as mentioned in the previous paragraph, recourse shall be made to the full Court by the interested parties, within a fortnight, from the date of notification of such decision.
 5. The Constituent Committee may broadcast and disseminate the decision of the Supreme Court through the organs of information, together with the Party objectives and the draft Manifesto and Statutes.
 6. Upon expiry of the deadline stipulated in paragraph 3 without a demand for the registration of the Party as specifies in the following Sections, the President of the Supreme Court shall cancel the accreditation of the Constituent Committee and the authorization that was granted to enable preparations towards the creation and organization of the political party in question.

Article 14 (Application for Registration)

1. Registration of a Political Party shall be effected at the request of a minimum of 5000 (five thousand) citizens aged at least 18 (eighteen) years and enjoying full civic and political rights; the list shall contain the names of at least 150 members resident in each of the provinces of the country.
2. The application for registration shall be addressed to the President of the Supreme Court together with:
 - a. Party Manifesto and Statute, with evidence of their approval by the by the representative Assembly;
 - b. Photostat copy of the publication of the notice of the meeting in a newspaper with wide circulation and an extract of the minutes of the general assembly that elected the Party Executive;
 - c. Photostat copies of the identity cards, passports or voter's card of the 5 000 (five thousand) citizens applying for registration of the Party;
 - d. Attestation of residence within each of the provinces of the country, in accordance with the provisions of paragraph 1 of this Section, provided the up-dated residence is not among the documents alluded to in the previous paragraph.
3. The attestation of residence mentioned in sub-paragraph 2(d) of this Section may be obtained through one of the following ways:
 - a. Declaration issued by the competent administrative authorities of the State local organs certifying that the citizens whose identity has been established in the said declaration reside in the respective Municipality or Province;
 - b. Minute over-leaf the said individual registration form, by the entities referred to in the previous sub-paragraph that the citizen in question declaration resides in the respective Municipality or Province;

- c. Individual attestation of residence issued by the competent administrative authorities of the Municipal government.
- 4. The declaration, Minute and the individual attestation of residence mentioned in the previous paragraph shall be dated and authenticated by the issuing authorities.
- 5. Authenticated copies of the names of signatories whose signatures are deemed valid must be posted up in all the Provincial capitals in the country.

Article 15 (Powers of the President of the Supreme Court)

- 1. The ruling on the application shall fall within the jurisdiction of the President of the Supreme Court who shall appraise the identity, similarity or evocations in the Party name, acronym and symbol, compliance with the requirements of the previous Section, as well as conformity of the Statutes and Manifestos with the provisions of this Law.
- 2. The ruling shall be made within 60 days.
- 3. Provided that the President of the Supreme Court concludes, within the terms of the law, that there is need to change the proposed Party name, acronym and symbol, or rather, of the need for further information pertaining to the issues referred to in Section 14(2), he shall, within a fortnight, notify such Party of any need for alterations or making available missing information, with no account taken of the deadline stipulated in the previous paragraph and without prejudice to the provisions of Section 16(b).

Article 16 (Rejection of Registration)

Application for registration may be rejected on the following grounds:

- a. breach of the basic principles set forth in Chapter I of this Law;
- b. lack of the essential elements required under Section 14, as well as failure to fulfill the requirements of Section 15(3);
- c. lack of essential elements in the Statutes and Manifestos of already registered Parties.

Article 17 (Publication)

- 1. The decision of the President of the Supreme Court ordering or rejecting registration shall be published in the 3rd series of the Official Gazette.
- 2. The decision ordering registration shall be published together with the Party Statute, Manifesto, Acronym and Symbol.

Article 18 (Recourse)

- 1. The ruling of the President of the Supreme Court ordering or rejecting registration of a Political Party shall be open to appeal, by the Party(s) affected or the Chief Public Prosecutor, to the full Supreme Court within a fortnight with effect of the date of publication of the such decision.
- 2. The appeal shall be decided within 60 days, such decision being published in the 3rd series of the Official Gazette.

Article 19 (Name, Acronym and Symbol)

1. The Party Name, Acronym and Symbol, shall not be such as to be confused with or have any graphic or phonetic resemblance with national symbols and emblems or with religious images and symbols.
2. The Name, Acronym and Symbol of a Party must be clearly distinguishable from the name, acronym and symbol of already existing parties.
3. The name of a party shall not adopt or use the name of a person, church, religion, tribe, race, region, religious denomination or doctrine, and the use of expressions or arrangements that may induce be likely to induce the elector into error or deception.

Article 20 (Statute and Manifesto)

1. The Statute and Manifesto are essential documents to Political Parties.
2. The Statutes shall show the following:
 - a. The name, acronym, symbol, headquarters and scope of activities;
 - b. The rules for membership and expulsion of members;
 - c. Rights and obligation of members;
 - d. Discipline, mainly disciplinary measures, loss of membership, grounds for disciplinary action, disciplinary board, means of guaranteeing members;
 - e. Party national and local structures and organs;
 - f. composition and powers of said organs;
 - g. Exclusive competence of the General Assembly or representative meetings of members;
 - h. Competent organs for proposing candidates to the representative organs of State;
 - i. Sources of Party funding;
 - j. Mode of representation before third parties.
3. The Manifesto shall briefly outline the goals and objectives as well as the political and administrative action the Party proposes to pursue, in order that its candidates may be elected into the State organs.
4. The Party shall communicate to the Supreme Court, for mere purposes of record, the names, certificates of non-conviction of substantive officials of the central organs, together with the deed of election and shall deposit in the same Court the party Statute and Manifesto, once established or modified by the competent party authorities.
5. Political Parties may lay down specific requirements for membership, the structure and form of organization and functioning, within the purview of this Law.

CHAPTER III - Membership and Party Discipline**Article 21 (General conditions for Membership)**

1. Any Angolan citizens above 18 years of age, enjoying full political and civic rights may become members of any Political Party.

2. The following persons shall be prohibited from joining a political party:
 - a. Members of the Angolan Armed Forces in active service;
 - b. Members of the Police Force;
 - c. Magistrates and Public Prosecutors;
 - d. Bodies corporate.

Article 22 (Single Membership)

No person may belong to more than one party at the same time, nor may anyone seek to register a party while still a member of another Political Party.

Article 23 (Rights of Members)

1. Membership in a Political Party shall not confer property rights.
2. Members of the party shall have equal rights and obligations.
3. The Making the right to vote contingent upon the payment of statutory party dues shall not vitiate the principle of equal rights, nor shall the statutory minimum duration of membership in the party to qualify as a candidate for the steering organs of the party.

Article 24 (Conditions for Party Leadership)

1. Only an Angolan citizen residing within the country may become the leader of any Political Party.
2. Persons who acquire Angolan citizenship by naturalization Nationalized citizens may become leaders of Political parties only after 15 years of such naturalization.
3. For purposes of the above paragraphs, the prerogative of becoming the leader of any Political Party shall be reserved exclusively to born Angolans.
4. Pursuant to the provisions of the previous paragraphs, a leader of a political party shall be construed as a member of a Political Party who sits in the respective central organs mentioned in Section 20(4) of this Law.

Article 25 (Residence within the national territory)

1. For purposes of this Law, a resident within the national territory shall be construed as any Angolan citizen who has been resident in Angola for at least three (3) years.
2. Shall be deemed residence within the national territory, any residence abroad on the following grounds:
 - a. Residence abroad in the service of Diplomatic or Consular Missions abroad or service in Angolan Trade Representations;
 - b. Service in Offices or Representations abroad of State Corporations;
 - c. Residence abroad for studies;
 - d. Residence abroad for health purposes.

Article 26 (Oath and Allegiance)

It shall be prohibited to for members of any Political Party to swear an oath or allegiance to any of their leaders.

Article 27 (Termination of Membership)

Party membership shall lapse on the following grounds:

- a. Death;
- b. Entry into the magistracy;
- c. Incorporation into the Angolan National Armed or Police Forces;
- d. Resignation;
- e. Expulsion from the party;
- f. Membership in another party;
- g. Candidacy to a State political function, on the slate of another party.

Article 28 (Party Discipline)

The disciplinary measures to which members are liable shall not affect the exercise of the rights and obligations provided for by the Constitution or legislation.

CHAPTER IV - Choice of Candidates for Elections to the various Organs of State Authority**Article 29 (Candidates for Legislative and Local Elections)**

1. Nomination of candidates for election to Parliament and Local Government shall be effected by the competent Party organs in according to the respective Statutes.
2. Breach of the provisions of sub-section 1 above shall incur the disqualification of such candidatures.

Article 30 (Sponsorship of Candidate for Presidential elections)

Political Parties may sponsor any candidate they may choose, for election as President of the Republic, without prejudice to his party obligations.

CHAPTER V - Relationship with other Organizations**Article 31 (Affiliated Organizations)**

Political Parties may constitute or associate their action with other organizations such as, youth, women's and professional organizations, without prejudice to their autonomy.

Article 32 (International affiliation)

1. Without prejudice to the following provisions, Political Parties in Angola may affiliate with international party structures based on democratic principles and not pursuing objectives that are contrary to the constitution and this Law.

2. The decision by any Political Party to affiliate shall be notified to the President of the National Assembly and the President of the Supreme Court.

3. Affiliation of Angolan Political Parties with international organizations may not detract from the full autonomy and capacity of Angolan political parties for self-determination.

4. It shall be forbidden for any Political Party whatsoever to obey orders or directives from abroad that are repugnant to Angolan legislation.

CHAPTER VI - Dissolution, Fusion , Scission, Incorporation and Coalition

Article 33 (Abolition)

1. Political Parties shall dissolve:

- a. voluntarily by deliberation of the competent statutory organ;
- b. by court decision.

2. The Statutes shall set forth the conditions for the dissolution of the party by the volition of all the respective members.

3. The Party General congress deliberating on dissolution shall appoint the liquidators and decide on the fate of party property that may, under no circumstances, be distributed among the members.

4. Dissolution shall take effect with the ruling of the Supreme Court, where:

- a. the Party fails to observe the limits established in Section 5(2) of this Law;
- b. the Party fails to participate 2 (two) consecutive times in legislative or independent elections, with an election manifesto and their own candidates;
- c. the membership falls below what is stipulated in Section 14(1) of this Law;
- d. failure to present for registration, for a period of seven years, the records attesting to periodic elections in the steering organs of the Party;
- e. the Party receives, repeatedly, directly or indirectly, forbidden funding;
- f. the Party files for bankruptcy;
- g. it is proven that its real goal is illegal or contrary to public morals or public law and order;
- h. the Party has no branches or representation in at least two-thirds of the provincial capitals in the country;
- i. the party fails to obtain 0.5% of the total votes cast during nation-wide legislative elections.

5. The President of the National Assembly, the Director of Public Prosecution and legally constituted Parties shall have the right to request dissolution by Court ruling.

6. Upon a decision for dissolution, Political Parties may lodge an appeal in the Supreme Court.

Article 34 (Fusion, Scission and Incorporation)

1. The competent statutory organ to deliberate on party dissolution may, abiding by the same requirements, deliberate on the fusion of the Party with others, incorporation of the Party into another or its decision.
2. Fusion, Scission and Incorporation as stipulated in the Statutes shall apply, in cases omitted, with the necessary adaptations, to the rules governing commercial concerns, without prejudice to the provisions of this Law, in connection with the formation of parties.

Article 35 (Coalition)

1. Political Parties may freely enter into coalition, provided they observe the following conditions:
 - a. approval of the coalition by the competent representative organs of the parties;
 - b. clear definition of the scope, specific objectives and duration of the coalition;
 - c. written notice of the decision to enter a coalition to the Supreme Court, for record purposes.
2. Where the coalition is for electoral ends, especially the presentation of common candidates, the parties in the coalition shall adopt their own acronym and symbols, and submit to the rules governing the registration of party names, acronyms and symbols.
3. A coalition does not constitute an individual entity that is distinct from the integrated parties.

CHAPTER VII - Infringement and Penalties**Article 36 (Disobedience)**

Any person who leads a Political Party after the application for registration has been rejected or which has been declared legally dissolved shall be liable to up to 6 months imprisonment and a corresponding fine.

Article 37 (Incitation to violence)

Shall be liable to the penalties provided for under the laws in force, any leader or activist of a Political Party who, by disseminated publication or public declaration, in the exercise of or on account of his duties:

- a. incites to violence or uses violence against constitutionally established order;
- b. Foments tribalism, racism, secession or any form of discrimination whatsoever against the citizens.

Article 38 (Coercion)

Any person who coerces another to join a political party or not to relinquish membership, shall be punishable with a term of up to 6 months imprisonment and a corresponding fine.

CHAPTER VIII - Final and Transitional Provisions

Article 39 (Party Assets)

The Angolan State shall respect and guarantee the protection of the assets of Political Parties, principally, real estate and chattels, as well as the vested interests of Political Parties in relation with assets linked to and designed for the pursuance of their activities.

Article 40 (Financial Rules)

The system of financing, prohibition of financing, benefits and exemptions as well as infringements and corresponding penalties shall be determined by law.

Article 41 (Protocol facilities)

1. Presidents of Political Parties, members of the party executive organs of the national steering organs of the leadership of Political Parties with seats in the National Assembly shall be conferred the right to a diplomatic passport.
2. The remaining members of the national steering organs of Political Parties with seats in the National Assembly shall be conferred the right to an official passport.
3. The competent State Departments shall work out the facilities inherent in the protocol rank of the entities referred to in this Section.

Article 42 (Pending Procedures)

1. This Law shall apply to cases of accreditation of constitutive Assemblies and party formation still pending in the Supreme Court on the date this law enters into force.
2. For its decisions, the Supreme Court shall take account of elements and documents in its possession that are in accordance with this Law.

Article 43 (Similarities with national symbols and emblems)

The provisions of Section 19(1) of this Law on similarities in graphics or sound with national symbols and emblems shall apply with the approval on the new Constitution within the purview of the ample, profound constitutional review.

Article 44 (Doubts and Omissions)

Doubts and omissions resulting from the interpretation and implementation of this Law shall be resolved by the National Assembly.

Article 45 (Repeal of Legislation)

Laws no. 59/91 of 11 May and 4/92 of 27 March 1992 together with any other legislation that is contrary to the provisions of this Law stand repealed.

Article 46 (Entry into Force)

This Law shall enter into force with immediate effect.

