

AFRICA RISK CONSULTING

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Angola Summary 25 August 2021

President João Lourenço (2017-present) promulgates a law revising Angola's constitution and aiming to reduce some of the executive's considerable powers, improve oversight of the presidency, and strengthen voters' rights. Specialised parliamentary commissions continue to debate details of changes to laws article by article. Lourenço rules out postponement of the general elections scheduled for 2022 and says that delayed local government elections will also take place for the first time, after the approval of the legislative package under discussion in the Assembleia Nacional (AN) (parliament). A breakdown in the drainage system in the tailings basin of Sociedade Mineira de Catoca (Catoca mining company) has caused major pollution in Lunda Sul province and part of the Kasai River system that feeds into the Congo River in the Democratic Republic of the Congo (DRC), affecting some 2 million people Congolese. Angola and Turkey strengthen bilateral relations concluding 11 agreements in the fields of defence, trade, economy, mineral resources and transport, in addition to consular and diplomatic questions, and sign a framework defence agreement including development of a naval base. There has been an increase in the rate of Covid-19 infections in Angola in the last four weeks, and the vaccination rate has slowed. Luanda's cordon sanitaire remains in place but markets are now open every day of the week.

President Lourenço promulgates constitutional revision law ...

President **João Lourenço** (2017-present) promulgated the **Lei de Revisão Constitucional** (constitutional revision law) on 16 August, the day the **Assembleia Nacional** approved the second revision.¹ The revisions to the constitution move towards reducing some of the executive's considerable powers and improving oversight of the presidency, as well as strengthening voters' rights. The legislation provisions include:

- Clarification of the institutional relationship between parliament and the executive branch with respect to political oversight;²
- Institutionalisation of the independence of the **Banco Nacional de Angola (BNA)** (central bank). The amendments would turn the bank into an administratively independent entity with regulatory powers separated from the president and the administration. It also includes involving parliament in the process of appointing the governor, who is at present appointed by the president;³
- Extending voting rights to Angolans abroad⁴ and updating the electoral register abroad;⁵
- Defining the methodology for selecting local government officials;⁶
- Removing norms considered unconstitutional by the Court, that include the obligation on the High Courts (**Tribunal Supremo** (Supreme Court), **Tribunal Constitucional** (Constitutional Court), **Tribunal das Contas** (audit court), **Supremo Tribunal Militar** (military supreme

¹ Verangola, 16 Aug 2021

² The Conversation - Angola's Constitution, 11 Aug 2021

³ The Conversation - Angola's Constitution, 11 Aug 2021

⁴ The Conversation - Angola's Constitution. 11 Aug 2021

⁵ Lusa, 12 Aug 2021

⁶ The Conversation - Angola's Constitution. 11 Aug 2021

court) and **Conselho Superior da Magistratura** (superior council of judiciary) to send reports to the president and parliament;⁷

- Identifying the highest courts of the Republic of Angola as the Tribunal Supremo, Tribunal Constitucional and the Supremo Tribunal Militar, "*altering the original provision of the higher courts, but maintaining their respective functions*";⁸
- Clarification of unofficial, mandatory and permanent electoral registers;⁹
- Date of the general elections, which should be held "*preferably during the second half of August*";¹⁰
- Increasing to 15 the number of members of the **Conselho da Republica** (Council of the Republic).¹¹

Specialised commissions of the national assembly are still debating the details of changes to laws, apart from the constitution, article by article. The ruling **MPLA** party and opposition **UNITA** party are currently debating amendments to the **Lei de Registo Eleitoral Oficial** (official electoral registration law) and the security of biometric registration.¹²

After the national assembly initially approved the revision on 22 June, the draft law was passed to the constitutional court for review. Constitutional court president **Manuel Aragão**, appointed by President Lourenço in November 2017, resigned in protest on 13 August at some of the changes and has stepped down.¹³ Aragão voted against the partial revision of the Constitution, which he considers a danger to democracy.¹⁴ Aragão commented that the existing judicial system in Angola is diffuse:

"... where there is a common jurisdiction headed by the Supreme Court (TS) and a specialised jurisdiction (Constitutional Court) and each of these bodies is called, according to its nature, to answer the questions submitted to them".¹⁵

Aragão further noted:

"In the rule of law, this structure and organisation is determined in order to ensure the implementation and effectiveness of the other principles, such as the principle of the right to effective judicial protection."¹⁶

Aragão argued that identifying the highest courts of Angola as the Supreme Court, the Constitutional Court and the Supreme Military Court, posed a risk to the structure of the legal system. Aragão also claims that the "*right and limits of private property*" provided for in the new law do not enshrine

"the principle of compensation, for just cause or as much due, [and] violates the principle of private property enshrined in Article 14 of the CRA [Constitution]".¹⁷

However, the majority of constitutional court judges approved the revisions.¹⁸ Details of changes and revision of existing laws remain to be finalised in the next session of parliament and in the specialised commissions.

⁷ Angop, 13 Aug 2021

⁸ Lusa, 12 Aug 2021

⁹ Lusa, 12 Aug 2021

¹⁰ Lusa, 12 Aug 2021

¹¹ Lusa, 12 Aug 2021

¹² Verangola, 20 Aug 2021

¹³ Verangola, 13 Aug 2021

¹⁴ Deutsche Welle, 12 Aug 2021

¹⁵ Lusa, 12 Aug 2021

¹⁶ Lusa, 12 Aug 2021

¹⁷ Lusa, 12 Aug 2021

¹⁸ Lusa, 12 Aug 2021

... and gives 2022 elections green light

President Lourenço has ruled out the postponement of the general elections scheduled for 2022, stressing that the process for the new political and administrative division will not affect the polls.¹⁹ Lourenço's statement came during an official tour of the future premises of the **Comissão Nacional Eleitoral (CNE)** (national electoral commission). Lourenço said the first delayed local government elections will also take place in 2022, after the approval of the legislative package for local government under discussion in the Assembleia Nacional. The 2022 elections will be the first in which the CNE and **Centro de Nacional de Escrutínio** (national scrutiny centre) will have their own premises:

"Nobody makes such a huge investment [the construction of the new CNE headquarters] ... not to give it its due use. If we don't hold elections, what can we do with the infrastructure that cost the State a lot of money?"²⁰

President Lourenço noted that provinces such as **Moxico** and **Cuando Cubango** are larger than many countries and that it is difficult to govern provinces with more than 14 municipalities.

Toxic chemicals from Catoca mine threaten Angolan and Congolese rivers

A breakdown in the drainage system in the tailings basin of the **Sociedade Mineira de Catoca** (**Catoca** mining company) on about 27 July has caused major environmental damage to the **Lova River**, in **Lunda Sul** province, part of the **Kasai River** system that feeds into the **Congo River**.²¹ The Catoca mine is Angola's largest diamond mine, producing 75% of the country's diamonds, 7.8 million carats in 2019, worth approximately \$700m.²² Catoca is a joint venture with major shareholders being Angola's state-owned diamond company **Endiama** and **Russia**-headquartered diamond miner **Alrosa**, each with 41%.

The pollution initially covered approximately 100 kilometres of the **Lova River**.²³ By 20 August, researchers at **Kinshasa University (Democratic Republic of the Congo) (DRC)** said a leak of heavy metals from a mine in northern Angola was causing an *"unprecedented environmental catastrophe"*, affecting some 2 million people in DRC.²⁴ Rivers have turned red, and fish and aquatic animals are reportedly dying. **European Union**-funded satellite monitoring service **Sentinel Vision** identified the progress of the leak, tracing the course of the pollution through Angola's river systems to the Congo River.²⁵

Angolan's ministry of culture, tourism and environment said the **Direcção Nacional de Prevenção e Avaliação de Impactos Ambientais (DNPAIA)** (national directorate for prevention and assessment of environmental impacts) and the **Agência Nacional de Resíduos** (national waste agency) notified Catoca of the incident after a public complaint.²⁶ Catoca said the incident followed a rupture in a spillway for the mine waste dam. The company said it immediately sought to repair it, building two dykes to filter sediment out of the water, and by 9 August the breach was sealed.²⁷ Catoca did not identify the pollutants released. Mine waste systems contain sediments and toxic chemicals from dense media separation used to separate diamonds from kimberlitic material (which may also be toxic in some cases), and use large quantities of water. These are contained in a retention basin known as a slimes dam to prevent contamination of soil and waterways.²⁸

¹⁹ Angop, 21 Aug 2021

²⁰ Angop, 21 Aug 2021

²¹ Lusa, 5 Aug 2021

²² Rough Polished, 27 Jul 2020

²³ Lusa, 5 Aug 2021

²⁴ Reuters, 20 Aug 2021

²⁵ Sentinel Vision EVT- 919 12 Aug 2021

²⁶ Lusa, 5 Aug 2021

²⁷ Reuters, 23 Aug 2021

²⁸ Lusa, 5 Aug 2021

The DNPAIA has started inspection works at Catoca and is monitoring the company's recovery plan. Under Angolan law, the polluter pays for the clean up,²⁹ although it is clear that pollution from Angola's smaller diamond mines is quite widespread and unchecked, Catoca is normally an exception to this.³⁰ Angola has provided little information about the impact of the leaks, beyond saying Catoca would provide local residents with baskets of basic goods to mitigate the impact of the leak on waterways.³¹

The effects of the leak are still spreading though the DRC's rivers.³² Two tributaries of the Congo River, the **Tshikapa River** and Kasai River, turned red, reportedly killing fish and causing diarrhoea amongst communities along their banks. There are reports that hippopotamuses have also died. **Kinshasa-based Centre de Recherche sur les Ressources en Eau du Bassin du Congo (Congo Basin** water resources research centre) director **Raphael Tshimanga** calls the leak a catastrophe:³³

*"We have never seen such huge pollution in the Congo River. It is still increasing, the consequences are beyond what we could imagine. This is a catastrophe. It's an unprecedented environmental catastrophe."*³⁴

The DRC and Angolan governments have agreed to set up a joint team to investigate the source of the pollution.³⁵ DRC minister of environment and sustainable development **Ève Bazaiba Masudi** and foreign affairs minister **Christophe Lutundula** are expected in Angola shortly. The DRC government wishes to activate the principle of "polluter pays". Also called the "disruptor principle", this mechanism transfers the costs resulting from pollution prevention, reduction and control measures to the entity that caused them, after responsibility is allocated.³⁶ Since both countries share this legal stance, the cost to Catoca is likely to be very high, if the damage is as widespread as reported.

Angola signs defence, aviation and business agreements with Turkey

Angola and **Turkey** have considerably strengthened bilateral relations in the last four weeks, concluding 11 agreements in the fields of defence, trade, economy, mineral resources and transport, in addition to consular and diplomatic questions.³⁷ Following the state visit of President Lourenço to Turkey in late July to re-launch cooperation and identify new strategic partnerships, Angola and Turkey signed a framework defence agreement in **Istanbul** (Turkey) on 19 August.³⁸ One project identified as an area for co-operation is in **Porto Amboim** region, in **Cuanza Sul** province, where a planned maritime and port infrastructure will focus on developing naval maintenance and construction capacity.

The full extent of the cooperation agreements has not been announced but the accords will bring fresh investment to Angola. For Turkey the new agreements represent a considerable increase in investment in Angola. Turkey's current investments in Angola are based in the provinces of **Luanda** and **Uíge**, with a focus on the areas of industry, trade, education and civil engineering. Construction is a key area for new Turkish investment, in building hospitals, ports, roads and airports in Angola.³⁹ Turkish businessman **Ruya Bayegan** has already announced his **Summa Group** will invest in the construction of a fertilizer plant in Angola, since 50% of the fertilizers used for production of food are currently imported.⁴⁰

²⁹ Lusa, 5 Aug 2021

³⁰ Sentinel Vision EVT- 919 12 Aug 2021

³¹ Reuters, 23 Aug 2021

³² Reuters, 20 Aug 2021

³³ Reuters, 20 Aug 2021

³⁴ Reuters, 20 Aug 2021

³⁵ Mining Weekly, 23 Aug 2021

³⁶ Kapital Afrik, 23 Aug 2021

³⁷ Further Africa, 30 Jul 2021

³⁸ Angop, 19 Aug 2021

³⁹ Further Africa, 30 Jul 2021

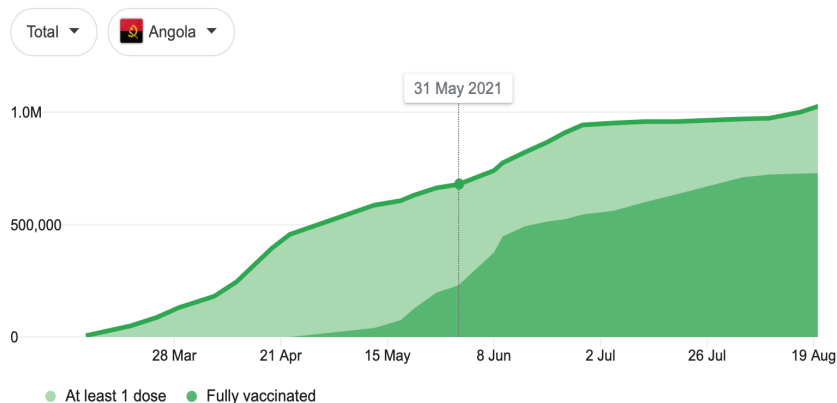
⁴⁰ Angop, 10 Aug 2020

Support for Turkish business in Angola is being made available. Turkey's **Türk Eximbank** has announced a funding line to help Turkish investors in Angola, according to Angola's minister of state for economic coordination, **Manuel Nunes Júnior**, and **Turkish Airlines** is to start direct flights to Luanda.⁴¹ Turkish Airlines' new Istanbul-Luanda route will officially open in October this year, with weekly flights, and a memorandum is to be signed between Turkish Airlines and **Angolan Airline (TAAG)**, on a code-sharing basis.⁴²

COVID-19 vaccination programme slows and cases increase

There has been an increase in the rate of **Covid-19** infections in Angola in the last four weeks, with daily cases almost doubling since July.⁴³ Despite this, the government has not made many changes to the previous state of public calamity for the month of August (see *ARC Briefing Angola July 2021*). Luanda's cordon sanitaire will remain in place during the whole month of August. Markets are now open every day of the week.⁴⁴

From Our World in Data - Last updated: 5 days ago



Angola's Covid-19 vaccination rate has slowed considerably since early July, with 1 million (3.2% of the population) having a first dose of vaccine and 728,000 receiving two doses (2.3%), as of 20 August. This may be due to a shortage of vaccines, since Angola has announced three new consignments in the last fortnight, corresponding with a rise in vaccination rate.⁴⁵

Angola received 586,170 doses of the **United States (US)**-manufactured **Pfizer-BioNtech** vaccine against Covid-19 on 24 August, a donation from the US government.⁴⁶ On 8 August, Angola received a batch of 165,600 doses of the single dose **Johnson & Johnson** vaccine, purchased by the government through the **African Union** platform, **Avax**, which allows the purchase of vaccines by member states, with **Afreximbank** facilitating the purchase. Secretary of state for public health **Franco Mufinda** said each dose cost the state \$7.50.⁴⁷

Portugal is to donate 500,00 doses of vaccine to Angola by the end of 2021. A second batch of 137,000 doses of **Astra-Zeneca** vaccine, with an expiry date of October, has already arrived in Angola. These will principally be used in Luanda, to enable lifting of the cordon sanitaire in the capital.⁴⁸ Angola will also receive vaccine from the **United Kingdom (UK)**, part of the 80 million doses the UK is making available through the **COVAX** scheme.⁴⁹

As of 25 August, Angola had registered a total of 46,340 cases of Covid-19 in its population of roughly 34 million, with 1,166 Covid-19-related deaths and 42,738 recoveries.⁵⁰

⁴¹ Africa.com, 31 Jul 2021

⁴² Angop, 28 Jul 2021

⁴³ Johns Hopkins COVID dashboard, accessed 24 Aug 2021

⁴⁴ Angop, 6 Aug 2021

⁴⁵ Our World in Data, accessed 20 Aug 2021

⁴⁶ Angop, 24 Aug 2021

⁴⁷ Angop, 8 Aug 2021

⁴⁸ Verangola, 20 Aug 2021

⁴⁹ Verangola, 13 Aug 2021

⁵⁰ Worldometers, accessed 25 Aug 2021

Planner

- 2019-2022 **(Angola) Programa de Privatizações (PROPRIV)** (privatisation programme) to manage government divestment of 195 companies;
- 2020-2025 **(Angola) World Bank** to provide funding to increase economic diversification for a five-year period;
- Jan 2020-Dec 2021 **Rome (Italy)** Angola serves on **World Food Program (WFP)** Executive Committee;
- 9 Jul-9 Nov 2021 **(Angola)** Public tender launched in July for investment in the **Lobito** refinery, centre-west **Benguela Province**, with a four-month period to present proposals to **Sonangol**;
- 8 -9 Sep 2021 **Luanda (Angola)** Angola Oil and Gas Conference to be held at Talatona conference Centre;
- 2021 **London (United Kingdom)** Hearing of **Melbourne Investments v SODIAM** takes place at **London Court of Arbitration**, despite death of shareholder and manager **Sindika Dokolo**;
- 2021 **London (United Kingdom)** Hearing of **UNITEL SA v Unitel International Holdings (UIH)** takes place at **London Court of Arbitration**, to resolve issues of UIH alleged debt of \$400m to **UNITEL**;
- 2021 **Luanda (Angola)** **Jose Filomeno dos Santos** and other defendants appeal sentences in the “*case of \$500 million*”, to be heard in the **Supreme Court**;
- 2021 **(Angola)** France’s President **Emmanuel Macron** plans state visit to Angola;
- 2021 **(Angola)** First local and municipal elections are in the planning stages but implementation is delayed by **Covid-19** and an election date will be set, probably for 2022;
- 2021 **(Angola)** Six offshore oil blocks and free areas of oil blocks 31 and 32 will be offered for tenders;
- Q4 2021 **Luanda (Angola)** Angola announces the launch of biometric passports begins in last quarter of 2021;
- Q4 2021 **(Angola)** **Luanda/Soyo/Cabinda** ferry for passengers and cargo begins operations;
- Q4 2021 **Luanda (Angola)** **Angolan Diamond Exchange** to open;
- May 2022 **Talatona, Luanda (Angola)** **Huawei Technology Park** to be completed
- Dec 2022 **Luanda (Angola)** becomes chair of the **Organisation of African, Caribbean and Pacific States (OACPS)** during the Summit of Heads of State and Government, to be held from 6 to 9 December, 2022.
- 2022 **(Angola)** National elections;
- 2022 **(Angola)** Angola to host 10th **African, Caribbean and Pacific Group** summit;
- 2022 **(Angola)** End date for **Banco Poupança e Credito**’s recovery plan;
- 2022 **Luanda (Angola)** **Novo Aeroporto Internacional de Luanda (NAIL)** (new international airport) expected to open;
- 2025 **(Angola)** Three major refineries at **Lobito** with capacity to refine 200,000 barrels/day, **Soyo** (100,000 barrels/day) and **Cabinda** (60,000 barrels/day), are expected to give Angola crude oil refining capacity of 360,000 barrel per day this year, meeting domestic needs and ending fuel imports;
- 2027 **(Angola)** State-owned oil company **Sonangol**’s Strategic Exploration and Production Plan 2020-2027 gives Sonangol 10% of national production by this date, producing 120,000 barrels per day.

Chronology

23 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. President **João Lourenço** approves additional credit to **Orçamento Geral de Estado** (National Budget) of 100 billion kwanzas (\$157m) for completion of 64 projects of the ministry of public works;

23 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. **United States**-based rating agency **Standard and Poor's** says Angola will remain in recession until at least 2022, maintaining Angola's rating at CCC+;

23 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. Government announces it will spend \$46.2m rehabilitating over 1,000 properties seized from **China International Fund** in February this year;

23 Aug 2021 **Luanda (Angola)** *Angop*. According to production report for July published by the **Agencia Nacional de Petróleo Gás e Biocombustíveis (ANPG)** (national petroleum, gas and bio-fuels agency) total oil production in July stood at 34,185,213 barrels against the 32,191,940 barrels produced in June, with an increase of more than two million barrels of crude but despite the increase, Angola did not reach the daily target of 1,185,393 barrels;

23 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. **International Monetary Fund (IMF)** releases 704 million units of Special Drawing Rights to Angola, equivalent to \$997m;

20 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. Opposition party **Frente Nacional de Libertação de Angola (FNLA)** leader **Lucas Ngonda** announces he will impeach the party's 5th Ordinary Congress for electing **Pedro Dala** as the new party leader, ahead of the party congress in September;

20 Aug 2021 **Luanda (Angola)** *Angop*. Gross revenues from oil exports totalled \$6.73 billion during the second quarter 2021, a rise of 0.11% against the first three months of the year due to the increased oil price of \$70 per barrel;

18 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. Government announces earnings of over 371 billion kwanzas (\$515m) from privatisation of 35 companies and state assets;

18 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. **International Monetary Fund (IMF)** says Angolan public debt continues to be sustainable, although exposed to very high risks due to dependence on oil;

18 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. Inflation rises to 27.5% in July, the highest level since July 2017, but may be offset by an improvement in exchange rates due to increased oil prices;

18 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. Angolan commercial banks announce they made loans valued at 578.19 billion kwanzas (\$897.4m) in July 2021, principally to large and medium sized companies;

14 Aug 2021 **Luanda (Angola)** *Angop*. **United Kingdom**-based multinational mining company **Anglo American Plc** is undertaking three months of aero-geophysical prospecting in the provinces of **Moxico** and **Cunene**;

13 Aug 2021 **Luanda (Angola)** *Lusa/Verangola*. **Agencia Nacional de Petróleo Gás e Biocombustíveis (ANPG)** (national oil, gas and biofuels agency) and **Italian** oil company **ENI** announce start of production on 30 July at the deep water **Cuica** oilfield in Block 15/06;

10 Aug 2021 **Luanda (Angola)** *Angop*. State-owned diamond company **ENDIAMA EP** chairman **Ganga Júnior** says Angola expects to produce 13.8 million carats of diamonds in 2022 with turnover of \$1.5 billion, a reduction of the previous target of 14 million carats due to the impact of **Covid-19**;

9 Aug 2021 **Luanda (Angola)** *Angop*. **Agencia Nacional de Petróleo Gás e Biocombustíveis (ANPG)** (national oil, gas and biofuels agency) and **French** oil company **Total E&P Angola** announce signing of a Production Sharing Contract for Block 29 with Total E&P Angola as the operator of Block 29, with a 42.8% stake;

- 6 Aug 2021 **Luanda (Angola)** *Angop*. Mineral resources, oil and gas minister **Diamantino de Azevedo** says Angola will put six more oil rigs into operation by the end of the first quarter of 2022;
- 6 Aug 2021 **Luanda (Angola)** *Angop*. **Serviço Nacional de Recuperação de Activos** (national asset recovery service) returns recovered assets belonging to the **Instituto Nacional de Segurança Social (INSS)** (national institute of social security) worth \$134m, including the **Eucaliptas Towers**, which have yet to be paid for in full, the **Luanda Medical Centre** building, which cost the INSS nearly \$48m, the **Sapiens Institute** costing INSS \$35m, and the **Monalisa Hotel**, costing \$39m;
- 5 Aug 2021 **Amsterdam (Netherlands)** *ICIJ*. **Netherlands Court of Appeal** rules that **Isabel dos Santos** must return all her \$500m shareholding in **Exem Energy BV** to **Sonangol**;
- 4 Aug 2021 **Luanda (Angola)** *Angop*. The government sends more than 500 tonnes of goods to **Cuando Cubango, Cunene, Huíla** and **Namibe** provinces to assist local drought victims amid intensifying effects of prolonged drought in southern Angola;
- 2 Aug 2021 **Luanda (Angola)** *Angop*. Angola and **Ghana** define areas of bilateral cooperation with an emphasis on agriculture and oil production, with the signing of a Memorandum of Intent as part of the state visit of President **João Lourenço**;
- 28 Jul 2021 **Luanda (Angola)** *Angop*. Angola says it plans to send 20 military advisors to **Mozambique** as part of the **Southern African Development Community (SADC) Standby Force**, in the framework of the SADC protocols;
- 28 Jul 2021 **Luanda (Angola)** *Angop*. France-headquartered cybersecurity company **Evina** releases report "*State of Mobile Fraud in Africa*", saying it regards 34% of Angola's mobile transactions as suspect;
- 23 Jul 2021 **Luanda (Angola)** *Angop*. Newly appointed public prosecutor in diamond province **Lunda Norte, Mário Salvador Gama**, says he will work to end the lethargy in the province that slows treatment of cases of crimes of embezzlement, corruption, influence peddling, money laundering, and deal with crimes of diamond trafficking, human beings, illegal migration, fuel smuggling, among other economic crimes;
- 23 Jul 2021 **Luanda (Angola)** *Angop*. **Assembleia Nacional** approves resolution on the implementation of the revised state general budget (OGE) in Q4 2020 and recommends that the executive improve the instruments for assessing public accounts.

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