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CC demands editais from 11 more municipalities, while Bishop Matsinhe admits CNE does not have the editais - so results were OKed without checking

The Constitutions Council (CC) today gave the CNE 72 hours extra time to produce *editais*, but demanded *editais* from 11 more districts. They are Katembe, Kambukwana, and Nhaca in Maputo city; Namaacha (Maputo province), Chokwe (Gaza), Homoine (Inhambane), Morrumbala and Milange (Zambézia), Mandimba and Insaca (Niassa), and Moatize (Tete).

Yesterday the CC demanded individual results sheets (*editais*) and minutes (*actas*) from 10 municipalities and gave the National Electoral Commission (CNE) just 24 hours. CNE president Bishop Carlos Matsinhe, today asked for an extension to 48 hours. The Bishop said that the CNE does not have them, and that they are still in the hands of district elections commissions. CNE spokesperson Paul Cuinica said in an interview today that polling stations *editais* always remain in the in the municipalities

This is an admission that the CNE simply rubber-stamped the results compilations sent to it by district elections commissions, without checking them.

Opposition members the CNE believe many *editais* could have been sent today. They suspect that Frelimo has instructed the presidents of the electoral bodies in at least two provinces to delay sending the material in order to fabricate new false *editais* and *actas*. This has already happened in Maputo city (see this bulletin this morning. <https://bit.ly/Moz-EI-178>)

Bishop Matsinhe yesterday issued an instruction (12/CNE/2023) to the presidents of the Nampula and Cabo Delgado Provincial Electoral Commissions to proceed with "the delivery of the *editais* and *actas* to the CNE (...) as urgently as possible". *CIP Eleições* knows that there was a province that had the material ready to bring today (Thursday), but it cancelled this after the CNE requested the extension of the deadline.

Two CNE violations of the electoral law

In national elections, official copies of the polling station *editais* have always been sent to the CNE. Indeed, in national elections provincial counts are ignored and the results announced by the CNE are the results compiled by STAE directly from the *editais*.

The municipal electoral law (14/2008) also requires *editais* to be sent to the CNE.

Article 107 defines the contents of the polling station *edital* as containing numbers of votes for each candidate plus blank and invalid votes. Article 108 says "The presiding officer of each polling station immediately communicates the *edital* provided for in article 107 of this Law, via the respective Technical Secretariat for Electoral Administration, to the District or City Electoral Commission, which in turn transmits it to the Provincial Electoral Commission and the latter directly to the National Electoral Commission." This seems clear that it is the polling station *edital* which is passed up the chain to the CNE, in municipal as well as national elections.

And the reason is that the law gives the CNE a special responsibility. Provincial centralisation makes no sense, and the province simply makes a table of the district results (art. 121, 122). But for the general tabulation by the CNE, the law gives the CNE the special responsibility of "verifying" the total numbers of votes and the votes for each party. (art 126) This clearly requires access to the mesa *editais*, which should have reached Maputo.

Thus not having the mesa *editais* in Maputo is a double violation of the law - they have not been sent directly up the chain as required, and the CNE rubber stamped results rather than verifying them.

This is the CC 15 November notification to CNE, with 24 hours deadline (*prazo*), and demands for *editais* for Matola city and Matola-Rio (Maputo province), Nihamankulo, KaMpfumo and KaMavota (Maputo City), Quelimane, Alto Molocue and Maganja da Costa (Zambezia), and Angoche and Isla de Moçambique (Nampula).

Vista.
Remete-se à atuação do
SIOE.
Partilhar esta nota com os
Membros da Comissão.
EBZ
15/11/2023



República de Moçambique

CONSELHO CONSTITUCIONAL

NOTA

Fica notificada, a Comissão Nacional de Eleições, na pessoa do seu Presidente, ou Representante Legal, para todo o conteúdo do duto despacho adiante transcrito.

"DESPACHO

Em aditamento a notificação anteriormente feita, solicita-se a CNE a remessa a este Órgão dos 39 editais reclamados pelo Partido RENAMO no Município da Cidade de Quelimane.

Ilha de Moçambique, Angoche, Alto Molocué, Maganja da Costa, Nihamankulu, Kampfumo, Ka Mavota, Cidade da Matola e Matola-Rio .

Prazo: 24 horas

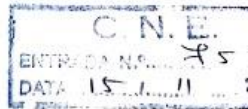
Maputo, 15 de Novembro de 2023

(Assinado) **Lúcia da Luz Ribeiro**"

Maputo, 15 de Novembro de 2023

O Oficial de Diligências

Samuel F. Chaguala
(Samuel Chaguala)



Digitalizada com CamScanner

Police shoot 8 Renamo demonstrators in Angoche

Police shot eight Renamo demonstrators in Angoche, Nampula, today (Thursday, 16 November). Manquinho Mastado is in a serious condition and has been transferred to Nampula Central Hospital. Four were hospitalised of whom two were discharged.

The confrontation apparently started when Renamo demonstrators were travelling through the streets with a coffin covered with a Frelimo capulana (cloth). The police went to disperse the demonstrators and took the coffin to the District Command. The demonstrators went to the command to ask for the return of their coffin. It is not known what happened, but there was a riot that resulted in four people being confirmed shot. Amongst those shot there and elsewhere are: Essumaila Amisse, Ali Carlitos Amisse Salvador, Suhura Braimo and Wazir Chande.


Ibramogy apologises to CNE and Mazanga drops his lawsuit

The CNE vice-president appointed by Renamo, Fernando Mazanga, is no longer going ahead with criminal proceedings against member Daud Ibramogy for the death threats made during the 31st session of the body, held on 11 November.

According to Mazanga, Ibramogy apologised for the act and Mazanga decided to forgive him because he believes that "every human being makes mistakes and deserves forgiveness".

Daud Ibramogy first went to CNE head Bishop Carlos Matsinhe to ask him to intercede for forgiveness. Carlos Matsinhe, in his capacity as President of the CNE, asked the offended party to ask Daud to apologise face-to-face, which he did. However, Fernando Mazanga made the pardon conditional on apologising at the CNE plenary session, where the threats had been made. And it was there, after the apology and the pardon, that hugs took place:



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	<p>Editor: Lázaro Mabunda</p> <p>Advisor: Joseph Hanlon</p> <p>Director: Edson Cortez</p> <p>Translator: Paul Fauvet</p> <p>Sub-editor: Samuel Monjane</p> <p>Layout: Liliana Mangove</p>	<p>Centro de Integridade Pública Bairro da Sommerschild, Rua Fernão Melo e Castro 124, Maputo</p> <p>English To subscribe: https://cipleicoes.org/eng/</p> <p>Web: https://cipleicoes.org/eng/ Portuguese Web: https://www.cipeleicoes.org/ Facebook: @cipeleicoes Instagram: @cip_eleicoes Tiktok: @cipmoz Telegram: +258 843890584</p>

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