

2019 General Elections - 92

Mozambique Political Process Bulletin

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CNE again violated electoral law by refusing to publish provincial results

The number of votes cast by each party in the election of members of the provincial assembly was not disclosed by the National Election Commission (CNE). CNE President Abdul Carimo, in announcing on 27 October the official results of the provincial assembly elections, merely published the number of assembly seats won by each party. The omission of the votes obtained by each party violates the electoral legislation.

The official election results must contain the total number of votes obtained by each list and the total number of mandates assigned to each list, according to article 143 (d) e) of Law No. 3/2019 of 31 May .

This Bulletin unsuccessfully attempted for two weeks to access the results through CNE spokesman Paulo Cuinica. Contacted by the Bulletin, Cuinica said he forwarded our request to the Chief of Staff of the CNE President's Office. The Bulletin also unsuccessfully approached the Head of Department.

The provincial assembly results are the only ones with give turnout and votes by district, which can then be compared to results reported by our correspondents from the district court. This is an important check on manipulation at district and provincial level - which the CNE makes impossible to illegally not publishing the full provincial assembly results.

Delegates arrested in Gaza - 18 released on bail & 4 still in jail 6 weeks after election

Four MDM party delegates (poll watchers) were arrested on 15 October on polling day in Chókwè district, Gaza. MDM spokesman Fernando Bismarque said today that the party through lawyers is fighting for the release of delegates, but without success. He said the four detainees have not yet been tried and have been transferred from Chókwè jail to Xai-Xai jail.

Also arrested on 15 October were 18 delegates of the New Democracy (ND) party. Chókwè District court finally on 26 November agree bail of 40,000 meticaís (\$650) each and gave them five days to raise the money. The money was raised and the 18 were

released on bail on Saturday. They are 12 men and 6 women.

Neither the relatives of the detainees nor the party had the required \$12,000. As a result, the amount was gathered through a fundraising campaign that ran shortly after the court ruling. Quitéria Guirengane, ND party agent, said that for the money was from domestic and foreign sources, notably "by Southern Africa Human Rights Defenders and Amnesty International through the CDD," said. The ND representative also explained that part of the amount collected in the country was used to "fund the rent of vehicles that were used to transport delegates to different points of Gaza province and to provide basic assistance to 18 delegates."

"Those who kidnapped our delegates must be held responsible in the bars of justice. All this concert of illegality has a father, a godfather but, above all, there are key actors from the electoral bodies and the police who refuse to respect our legislation in Mozambique," Guirengane told Radio France International (RFI).

The delegates were detained by the police under the guidance of the Technical Secretariat of Electoral Administration (STAE), allegedly because their credentials were false. Detainees are charged with crimes of forgery and use of false documents and not of electoral wrongdoing.

But STAE and CNE refused to issue credentials to ND delegates, which is also a crime, but none of their staff has been detained.

Failure to issue credentials is covered by the crime of obstructing delegates, punishable by up to three months imprisonment (Law No. 2/2019 of 31 May, Article 235). Delegates are charged with falsifying documents, which is punishable by a penalty of two to eight years imprisonment (Law No. 2/2019 of 31 May, Article 239).

Traditional leader says she was jailed for supporting opposition in election

Ana Margarida Fernando Martunato, also known as Queen Macuta, was forced to cease her duties as "Queen" of Mogovolas, Nampula, allegedly for supporting an opposition party.

Macuta was detained for seven days in the civil jail of Mogovolas, and was forced to resign her post and surrender her uniform and insignia. The arrest took place at the beginning of September while the election campaign was underway. The queen understands that the removal of their functions has political motivations.

Interviewed by the Bulletin, Macuta said that the Mogovolas District administrator had made the complaint. "It was not the government that removed the uniform, it was the Chief of Staff who went to complain to the administrator and ordered the police to take me to jail," Macuta said. "After seven days in jail they took me to court, and there they demanded that I hand over the uniform, saying that if you do not hand in your uniform, we will return you to jail."

The queen told the newsletter that she delivered the uniform and was required to pay a security deposit of over 1,000 meticais.

During the election campaign, the queen says she was supporting the ruling party, Frelimo, as she always did in the years when elections were held. However, she says she was

banned from campaigning for Frelimo. "The district secretary of the Frelimo party in Mogovolas did not want me to campaign."

Since September, the queen has not performed her duties in the governorate of Mogovolas. "Right now who has taken my place is my nephew, Ezequiel Mário, who is not doing his job properly," Macuta said, explaining that Community members still turn to her when she has problems to resolve.

Frelimo District Secretary João Pereira denied having prevented the Queen from campaigning for Frelimo. "Her behaviour did not please Frelimo members, she is confused," said Pereira.

Ana Margarida is 51 years old, single, has no children and lives with two grandchildren, children of her nieces. Macuta served as Queen in Mogovolas from 2008

Queen Macuta was sympathetic to an opposition party from 2003 to 2005. But since then she has supported Frelimo, she says.

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There are two archives of historic elections data, at IESE on <http://www.iese.ac.mz/eleicoes-resultados/> and at London School of Economics on <http://bit.ly/MozEIData> The LSE archive now has detailed 2013 and 2014 results, by polling station.

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