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2018 LOCAL ELECTIONS

MOZAMBIQUE POLITICAL PROCESS BULLETIN

Editor: Joseph Hanlon | **Publisher:** Adriano Nuvunga | **News Editor:** Borges Nhimire

Number 12 - 4 February 2018

Published by CIP, Centro de Integridade Pública (Public Integrity Centre),
Rua Fernão Melo e Castro, nº 124, Maputo. eleicoes@cipmoz.org <http://www.cipmoz.org:9000/elects2018>

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Votar Moçambique calls Nampula election 'unacceptable'

"The conduct of the Nampula by-election was unacceptable," the civil society coalition Votar Moçambique declared in its report on the 24 January election, released today. "There was a degree of sloppiness which should not occur, and which should not be permitted in democratic elections."

The report cites the statement by Nampula Provincial Elections Commission spokesperson Bernardino Luís that "we can consider ourselves proud. It was an exemplary election." Votar Moçambique asks how it can be considered exemplary that 43% of polling stations did not open on time, and how they can feel proud of never resolving the confusion with the register books. The full report (in Portuguese) is on <http://bit.ly/2BRXyTI>

"There is a very short time until the second round in Nampula, and there will be municipal elections in October of this year. The conduct of those elections and the level of discipline in local election administration secretariats (Secretariado Técnico da Administração Eleitoral, STAE) and provincial elections commissions will be directly affected by the response to the conduct of the Nampula by-election," Votar Moçambique said. It concluded that "the CNE must transmit a clear message that the level of negligence that happened in Nampula is unacceptable."

CNE final results confirm 2nd round

The National Elections Commission on 30 January announced the final results of the 24 January Nampula mayoral by-election. They are in the table on the next page. The results were then submitted to the Constitutional Council (CC). The results show a second round will be required between the Frelimo and Renamo candidates as no candidate received more than 50% of the vote. The CC normally takes two to three weeks to validate the result. The second round must be held within 30 days of the proclamation of the result by the CC and there will be a 10 day campaign. The Council of Ministers sets the date, based on a recommendation from the CNE.

This creates a potential conflict, as the polling day could be in March, after the start of registration for the October municipal elections. But people will not be able to use their new voters card in the by-election second round, but only their old 2013/14 voters card.

Turnout was 24.90%, with 78,852 people voting, out of 256,590 names on the electoral register - although the register is from 2013 and 2014 and thousands of people will have died or moved since then. Nevertheless, the turnout was very low.

*2018 Local Elections is part of the
Votar Moçambique programme*



There were 1 307 invalid votes (nulos) (1.77%) and 786 blank votes (1.06%). Polling station officials are often too strict in calling votes invalid, and all invalid votes were sent to the National

Elections Commission, which considered that 216 (17%) were actually valid because the intent of the voter was clear.

Nampula by-election results as announced by CNE

Candidate	Party	At polling station	Votes considered valid by CNE		Total	%
			Invalid	Protested		
Amisse Cololo António	Frelimo	31 980	57	5	32 040	44.51%
Paulo Vahanle	Renamo	28 930	93	6	29 029	40.32%
Carlos Saíde Chaure	MDM	7 253	18	2	7 273	10.10%
Mário Albino	AMUSI	3 036	35	1	3 072	4.27%
Filomena Mutorpa	PAHUMO	560	13	-	573	0.80%
TOTAL		71 759	216	14	71 989	100.00%
Nulos - Invalid		1 307			1 091	
Bracos - Blank		786			786	
TOTAL		73 852			73 866	

Yet another error: CNE wrong on protested votes

Party delegates can protest at a decision on a ballot paper, and these, too, are sent to the CNE in Maputo; 14 such protested ballot papers were accepted and added to the total. Thus the CNE's final total of votes (including 14 protested votes it accepted as valid) is 14 more than the number of people it says voted.

The CNE has misread the electoral law, and training of polling station staff may also have been incorrect.

Law 10 of 2014 on municipal elections, articles 110 and 111, is clear, even if the process is so complicated that it is obviously misunderstood. Any party delegado (scrutineer) can question the decision made by the polling station president (presiding officer) on a ballot. For example, a Renamo delegado could say that the ballot is not nulo (invalid), but is really a vote for the Renamo candidate. After discussion, if the president does not change their opinion and the delegado wants to make a formal protest, they write their protest on

the back of the ballot paper and the ballot paper is put into a different bag and sent to Maputo. But the protest does not change the count which follows the ruling of the president. In this example, the vote is considered invalid in the count.

What should happen in Maputo is that if the CNE accepts the protest, in this case the number of nulos would be reduced by 1, and the number of votes for Renamo would be increased by 1. Thus the column of protest votes accepted must always add to 0 because for each protest accepted a vote is taken away from one row and added to another.

Thus the CNE is wrong to simply add to the totals the protested votes which are accepted,

Detailed coverage of 2018 municipal and 2019 national elections is again being provided by the *Mozambique Political Process Bulletin*, which has covered all of Mozambique's multi-party elections. We will have a large team of local journalists throughout the country, ensuring that our reports are accurate and verified. Publication will become more frequent in the run-up to the Nampula by-election; we will publish daily in election periods.

Elections newsletters are distributed on the "Mozambique News Reports and Clippings" mailing list.

If you do not want to receive the elections newsletter, simply send a note to j.hanlon@open.ac.uk with the subject line "no election".

The elections newsletter is also in Portuguese; para subscreever <http://eepurl.com/cYjhdB>

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without removing them from their original category.

What is not clear is if polling station staff acted correctly. Not being conversant in the electoral law, they may simply exclude the protested votes from the total completely and send them to Maputo.

There is apparently no line on the results sheet (edital) for the number of protested votes. So there is no way of knowing if people with protested votes were counted in those who turned out and voted.

Continued questions over registration

Questions continue to be raised over the electoral register books used in the 24 January Nampula by-election, and the claim by the CNE that they were using the same register books and polling stations as used in Nampula in the 2014 national elections.

A list of polling stations and register books, dated 2014, was distributed by the Nampula Provincial Elections Commission (CPE) just ahead of the election. But it was different from the list, also dated 2014, distributed by the National Elections Commission (CNE) in Maputo just before the 2014 election. The CPE list had 401 polling stations, which were used this year. But the CNE 2014 list had 402 polling stations. A detailed comparison made by Daviz Simango of MDM also showed that there were differences between the two lists as to which register books were allocated to which polling stations.

Lawyers are also looking at a broader issue. Before previous by-elections in Quelimane, Cuamba, Pemba and Inhambane, the electoral register was updated, according to Miguel de Brito in a Facebook post last October raising the issue. <http://bit.ly/2BPeoIB> The election registration law says that the register is valid for an entire 5-year electoral cycle starting with the local elections, and that was used by the CNE and Council of Ministers

to say that an update of the register was not needed for Nampula this year. But the law also says that everyone over 18 should register and vote. A new registration is normally done before the local elections and updated before the national elections, and then in any municipality before a by-election. Might the Constitutional Council reject the Nampula by-election on the grounds that those who are now 18, 19, and 20 - surely more than 10,000 people - were denied the right to vote?

CNE still without website

"The CNE has a page on the Government's website, where its activity data, deliberations, resolutions, studies, census and voting data and other items that should be public knowledge are published" says law 9 of 2014, article 68. But four years after the law was passed, the CNE has only a Facebook page which contains little of the information required by law on the web page, and the web page is not updated or active.