

2014 National Elections



Mozambique political process bulletin



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COLLECTIVE ACTION: This newsletter is based on reports from 150 journalists in nearly every district, working together to give the most up to date coverage of the election. We are also working with the Community Radios Forum (FORCOM) and the Human Rights League.

Also in this issue

**Dhlakama implies no demobilization soon
and demands 'caretaker government'**

CNE rejects Renamo protest on procedural grounds

By a vote 9 to 6, with 2 abstentions, the National Elections Commission rejected a Renamo petition to declare the 15 October election null and void. The rejection was because of Renamo's "failure to observe the legal procedures that the initial challenge must be made at the polling station."

In effect, Renamo did not follow the procedures which Renamo itself put into the electoral law earlier this year, which are that the first protest must be made at the polling station, and if that is refused or rejected, immediately submitted to a district court. Instead, Renamo collected its complaints together and submitted them to the CNE.

But the CNE decision goes on to say that "this decision does not preclude or jeopardize the legitimacy the filing of the facts as they are embodied by the complainant, which if proven must be considered very serious, and therefore we proposes to investigate them."

The now sharply divided CNE met for four hours Monday afternoon 3 November and finally resumed on Tuesday morning and took the vote. The CNE decision was not initially released but has now been posted on the CNE website. Deliberação nº 84/CNE/2014, de 4 de Novembro;
<http://bit.ly/116cJqa>

Curiously, both the CNE and Renamo refuse to release the Renamo protest, so there is no way of confirming what Renamo actually said. However the CNE in its deliberation says that Renamo "alleges, in summary, that the electoral process was not free, fair and transparent given the

massive fraud perpetrated by technicians of the electoral bodies at the behest of the Frelimo Party,"

The CNE further says that Renamo said that "because the electoral process from the start was found to be completely corrupted, discredited and with an evident disorganization on the part of the electoral bodies that shows a lack of integrity, impartiality, and the creation of conditions for checking for fraud on the part of those who should ensure the correctness and transparency of same, nothing is left but to ask for Presidential, Legislative and Provincial Assembly elections to be declared null and void."

Meanwhile, the Mozambique Democratic Movement (MDM), the third big party in the elections, Monday 3 November submitted a petition to the Constitutional Council requesting the annulment of the elections in three provinces - Maputo, Tete and Sofala - and in Maputo City, where they said there had been serious irregularities. As with Renamo. MDM refuses to give any details about its protest.

Dhlakama implies no demobilization soon and demands 'caretaker government'

Renamo leader Afonso Dhlakama in a long interview in *Savana* (7 November) sets out his negotiating position on a range of issues. Three key points are:

- He wants a "caretaker government", not a "unity government". It would serve until the 2019 elections and he would name some members. He would not serve in the caretaker government.
- He wants a constitutional change to create a post of leader of the opposition.
- Demobilization of Renamo armed men will not happen soon.

Chiefs and others

Dhlakama is dismissive of some key figures, and stresses he is a chief. CNE President Sheik Abdul Carimo is never mentioned by name, but is instead dismissed as "the Muslim". Dhlakama says "Indeed, someone forced him to publish results which gave the victory to someone who won by fraud." And about Carimo he says that "I believe that he sinned, and within his religion he is dirty."

The government chief negotiator in the talks with Renamo, agriculture minister and Frelimo political commission member José Pacheco, is at least mentioned by name. "Pacheco is just cheap talk. He is a little boy." As for Filipe Nyusi, "no one voted for him - half a dozens macondes in Muidumbe, Nangade e Mueda."

And referring to himself, he said simply "the chief is the chief. The chief always goes first and the others follow. In my area, they say that no matter how hard it rains, if the chicken does not go into the coop, then the smaller chicks always stay out in the rain." That was the reason the Renamo campaign could not start until Dhlakama left the bush, because the chief must be in the lead.

Caretaker government

Dhlakama says he strongly opposed to a government of national unity (Governo de unidade nacional) and instead wants a caretaker or management government (Governo de gestão) of "competent professionals".

"The government of President Guebuza must end. No one can stay; all must fall. Perhaps some ambassador can stay, but those who did propaganda for the government must go."

The proposal is that "Dhlakama will supply a list of competent people, with high degrees of professionalism, to be ministers and governors. Frelimo would present similar proposals, and we would negotiate. For example I would propose my man named João for the foreign ministry, Pedro for Transport, and so on. But I would not give a list to Frelimo to choose who it wants."

The last point is central to all of Dhlakama's negotiations over the past 20 years - he wants the right to name specific people to specific posts. He is specifically rejecting the common Mozambican system of creating shared responsibility by selecting a short list of three people and giving it to someone else to make the final choice.

The caretaker government would serve until 2019 elections and Dhlakama would not be part of it. Instead Dhlakama said he wants to accept a proposal made by President Armando Guebuza "at the signing of the cease-fire agreement in September, when he publicly announced it was in the interests of the country to create the status of leader of the opposition. This I could demand, even tomorrow."

Demobilization

Although he is never precise, Dhlakama makes clear that a lot of negotiation will be required before Renamo's armed men are demobilized. He says it is wrong to call Renamo an "armed party" and that the armed presidential guard was only kept because "Frelimo harassed us so much with the police." He wants his men integrated into a "republican police that is skilled and professional," but this cannot happen yet because "the police are still Frelimo".

Similarly, after a recent negotiating session Pacheco was quoted as saying that Renamo would send its men to the present Armed Forces of Mozambique (Forças Armadas de Defesa de Moçambique, FADM). Dhlakama said "No. Renamo will not send one man to the FADM. ... Renamo already has people in the FADM who are marginalized and enslaved. They are just urchins (*moloques*) who sweep the barracks but are called advisors. First under the agreement, reactivate and promote these people."

And the interview has implicit warnings of a return to violence. He speaks of "party meetings in the centre and north that talk of what happened in the campaign and the results, and who want to demonstrate their discontent with the fraud and say 'enough'. (*basta*) I say no. Trust me. I am your spokesman. I will calm down these people because the country cannot stop." But he goes on to warn "'I'm tired of putting out the fire."

'We were robbed'

"I know we were robbed and my party was robbed". This has happened in all five elections, Dhlakama says. "I know that in 1999 I won the election with 69%. The whole world knows. ... Afterwards they manipulated it to give me 49%."

"On the day after polling day, I met with religious leaders and our activists and demobilized soldiers. They said to me, it is clear no one voted for Nyusi. How can we govern? They said if you accept this, you must stand down as head of Renamo, and we will go it alone."

The full *Savana* interview is on <http://bit.ly/1w0WmCO> in Portuguese only.

Renamo claims massive fraud but will not show the proof

Renamo submitted 107 pages of evidence with its protest to the CNE, which now says this evidence will be investigated. But Renamo refuses to allow the media or observers to look at the evidence or at the complaint to the CNE, which makes it impossible to check the quality of the evidence or the accuracy of the CNE report.

In previous elections Renamo has allowed the *Bulletin* to see the evidence, and we have published some of it. For example, it was Renamo complaints shown to the *Bulletin* that first exposed the use of extra ink marks to invalidate ballot papers. But this year, Renamo refuses to show its evidence.

The CNE, in its Deliberação 84, reports these details of Renamo complaints. Quotations are from the CNE, not Renamo.

- "In Gaza Province, Renamo members to be integrated into electoral bodies as District Elections Commission members, polling station staff (Membros das Mesas de Voto, MMV) and party delegates were refused requests to rent living spaces in a deliberate action aimed at preventing their presence during the voting. Thus they could not carry out their activities for lack of housing. ... In the same province, the complainant further alleges that its members have been the subject of hostile acts and even attempts on their lives, including the burning of a house they had rented ... In the face of this hostile environment, the complainant says that its members appointed to the polling stations eventually give up participating in the process, so that polling stations were left without [Renamo] representatives."
- "Arbitrary arrests of party delegates and intimidation of voters by the Police."
- "Planned cuts of electricity facilitating stuffing ballot boxes in favor of Frelimo and its candidate."
- "Refusal by polling station presidents to receive complaints and protests as well as refusal to distribute polling station minutes and editais to representatives of opposition parties."
- "Expulsion of party delegates at the start of the counting of votes."
- Obstructing party delegates from checking on the work of the polling station staffs.
- "Preventing party-indicated MMVs from exercising their functions."
- "invalidating ballot papers with ink."
- "Disappearing polling station minutes."
- "Late opening of polling stations," and
- "Ballot box stuffing".

The new CNE transparency

Still no full results and no party finance data

Despite repeated requests, the CNE has still not provided full election results. The results which were distributed on 30 October, the final day allowed by the law, did not include the detailed provincial assembly results, by district. The CNE district results are important because they can be checked against the results announced by the district elections commission. But so far, the CNE has only announced the number of provincial assembly

seats for each party, by district, but has not given the details of the district vote.

Similarly, we have been asking for more than a month for more details on party funding, but this has been refused.

EU observers say credibility of election 'undermined'

The European Union Election Observation Mission (EU EOM) issued a brief statement on Friday 6 November. It noted that "a series of irregularities together with localized restrictions to the movements and access to information of observers and political parties' representatives, many of them publicly recognized by the National Election Commission (CNE), undermined the credibility of the tabulation process, mainly in four provinces.

"The authorities responsible for the adjudication of the complaints could still contribute to identify and rectify some of the major shortcomings and all stakeholders should contribute to this endeavour."

The "Mission considers that the problems registered in the tabulation process, added to the acts of violence and political intolerance during the electoral campaign, underline the necessity of important improvements for the future electoral processes in Mozambique.

A detailed report on the 2009 elections is available, in two parts, on
<http://bit.ly/MozElec2009-1a> and <http://bit.ly/MozElec2009-2>

The Portuguese edition of the Bulletin is more detailed, and can be read on
<http://www.cip.org.mz/election2013/> Portuguese Facebook: <https://www.facebook.com/CIP.Eleicoes>
Some English bulletins cover two Portuguese bulletins and have a double number.

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