

2014 National Elections



Mozambique political process bulletin



Number NE-77 13 November 2014

Editor: Joseph Hanlon (j.hanlon@open.ac.uk)
Deputy editor: Adriano Nuvunga News editor: Teles Ribeiro Reporter: Idalêncio Sitoê

Published by CIP, Centro de Integridade Pública e AWEPA, European Parliamentarians for Africa

Material may be freely reprinted. Please cite the *Bulletin*

web: bit.ly/NatElec

Facebook in Portuguese: <https://www.facebook.com/CIP.Eleicoes>

To subscribe: <http://tinyurl.com/sub-moz>

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.

2009 data suitable for academic research: Various statistical checks can be made for ballot box stuffing, invalidating opposition ballot papers, and other problems in polling stations. Mesa-by-mesa data is now available from the 2009 elections. This will require a huge amount of work, but could produce academic papers and MSc theses - and it would provide an important window on similar misconduct this year. I can provide some guidance to any academics or students who are interested. Contact me on j.hanlon@open.ac.uk for a discussion.

More than 300 polling station not counted

330 polling stations for president and 323 for parliament (Assembleia da República) were excluded from the final count, STAE has reported. This is nearly 2% of the 17,199 polling stations.

Percentage of editas processed:	Polling stations				
	President	AR	Total	Not counted	
	President	AR		President	AR
Total	98.08%	98.12%	17,199	330	323
Niassa	99.64%	99.64%	1,102	4	4
C. Delgado	99.94%	99.94%	1,556	1	1
Nampula	97.69%	97.46%	3,075	71	78
Zambézia	94.67%	95.32%	2,925	156	137
Tete	94.89%	94.59%	1,663	85	90
Manica	100.00%	100.00%	1,104	0	0
Sofala	100.00%	100.00%	1,267	0	0
Inhambane	100.00%	100.00%	1,061	0	0
Gaza	99.61%	99.61%	1,024	4	4
Maputo P.	100.00%	99.92%	1,244	0	1
Maputo C.	100.00%	100.00%	994	0	0
Africa	95.51%	95.51%	172	8	8
Europe	83.33%	100.00%	12	2	0

Half the excluded polling stations were in Zambézia, and 66 were polling stations destroyed by Renamo in Tete. Most others were in Nampula.

Most of these were polling stations where the results sheets contained un-correctable errors. In those instances the law specifies that a recount should be done, but this seems not to have occurred.

Where results sheets are destroyed, missing or altered, the law specifies that the copies given to parties and observers should be used, and this was done, reducing the number of excluded polling stations.

STAE now says that the crowds of Renamo supporters wrecked more polling stations than originally estimated - 44 in Tsangano and 26 in Macanga. In attacks on polling day, equipment was destroyed and ballot burned. Voting was cancelled.

CNE rebuts Renamo, MDM protests to CC

Both Renamo and MDM have made complaints to the Constitutional Council asking for all or part of the 15 October elections to be annulled. By a narrow vote of 9-8, the CNE agreed submissions to the CC attempting to rebut the claims made, and these were released by the CNE yesterday.

Some of the issues are minor, such as a single vote in several polling stations. Others are more serious, and are often CNE responded by citing lack of evidence. Renamo and MDM continue to refuse to show the media and observers their evidence, so we have no way of checking. Indeed, the CNE says that Renamo says that the CNE's Deliberação 84 "failed to reflect the facts in the [earlier] protest made by Renamo." As with Deliberação 84, the only information is being provided by the CNE and not by the parties, but the CNE has provided substantial details of the protests - its response to the Renamo protest is 18 pages and to the MDM 9 pages. Both are posted on our website: <http://www.cip.org.mz/election2013/> (in Portuguese only)

We appeal again to Renamo and MDM to make more information public, to allow balanced reporting. So, with the obvious caveat that this is a report of what a narrow majority of the CNE says that Renamo and MDM said, we publish here more detail on the misconduct claimed by the parties and the CNE majority response. All quotes are from the CNE citing Renamo and MDM.

What is the responsibility of the parties?

Perhaps the core of Renamo's complaint is that the "National Elections Commission took refuge in the perceived lack of initiative by political parties to submit complaints of electoral misconduct. To strategically benefit one party, the CNE fled its responsibilities as supervisor of elections. It turned a blind eye to everything that happened." The CNE reiterates its view that it did the best it could, and it is the responsibility of parties to exercise their rights to monitor the process. It further says it is following up all violations that it knows about.

The CNE has become a "body without credibility, because it is partial and dependent on Frelimo," says Renamo.

It continues that "impeding the participation of party representatives at polling stations was a determining factor in protests not being submitted at polling station level" as required by law. It continues that the CNE, "supported by the police, created an ambient of hostility and threat intended to impede party delegates from making their protests at the lowest level, as shown by the videos submitted." CNE responds that "there is no information about cases of party representatives being prevented from participating" and further argues that the videos only show protests after polling stations closed.

Renamo wants the election re-run in Gaza because "the political parties were prevented from being in polling stations because of threats of physical violence." CNE says there is no evidence.

Renamo also complains about other police intervention near polling stations.

CNE admits that in Zambézia a quite large 5.5% of polling stations were not included in the final count because of errors, erasures and other problems, but the CNE claims no particular party benefitted.

At the core are many dispute about fact, and extent and evidence of problems. For example, Renamo argues that "many polling stations opened late or not at all, and voting was not extended to compensate". CNE says that with the exception of four polling stations in Niassa with 679 voters, all polling stations opened eventually and everyone who wanted to vote were able to vote.

Renamo says that some polling stations did not have the official forms to make a protest. CNE denies this.

Renamo claims a range of serious irregularities including changing and failing to process editais. CNE claims lack of evidence.

Renamo claims investigations reports into some of its complaints have been suppressed, while CNE says these are incomplete preliminary reports.

The incident of theft of ballot papers from a lorry in Gondola shows that CNE did not take proper care to secure electoral material. Further, CNE failed to provide adequate information about the incident. CNE denies both points.

In several places Renamo claims that the CNE "fled its responsibilities" by allowing STAE to carry out various actions. CNE argues that by law STAE is a support body of CNE which is supposed to carry out these tasks. Similarly, Renamo objects to the way voting was carried out abroad in embassies, but CNE says it was done correctly.

Renamo accuses the CNE of doing nothing about partiality the press, but CNE says the law does not give this responsibility to the CNE. Renamo criticises CNE for rejecting the Tsangano district court decision to rerun the election in parts of that district, but CNE says that issue rests with the CC.

Finally, complaints were made about a group of specific polling stations. One is accepted as having been improperly altered. At least four are said to be arithmetic errors and the correct sum was used in the tabulation. Allegations of improper counting in Pemba are with the city court.

MDM alleges erasures and intimidation

The CNE says MDM made complaints to the Constitutional Council about Maputo city and province and Sofala and Tete.

Broad points in the MDM complaint include the "delayed and partial emission of credentials for party polling station delegates in Maputo city" and the expulsion from polling stations of those who had not been accredited. CNE replies that the law says lists must be submitted 20 days before the election and that on 12 and 13 October (2 days before the election) the CNE told MDM it still had not received a full list but was willing to accept them even though the deadline had passed. STAE worked constantly for 72 hours, but still could not process all late submissions in time. There is no evidence of expulsion of delegates without credentials.

A protest about the count was rejected by a provincial elections commission. CNE says it failed to follow procedures.

Two complaints are rejected for lack of proof: Actas (minutes) without signatures in Dondo, Nhamantanda and Chibabava district. and "threats to party delegates and expulsion from polling stations by the police.

MDM also objects to "control of polling stations by community leaders who were Frelimo party delegates or Frelimo nominated polling station staff." CNE points out that this is legal; under the changed law which MDM agreed in parliament earlier this year, parties can nominate who they wish for those posts.

MDM made complaints about 15 polling stations in Maputo city and province.

In three polling stations, the CNE agrees there is a problem, and asks why the party delegates signed and approved the edital with errors or after improper changes were made:

- In EPC Patrice Lumumba, Matola, the CNE agrees numbers appear to have been changed, in a different handwriting, to give more votes to Frelimo.
- EPC Bunhiça. 311 votes on the results sheet but only 302 in ballot box.
- EPC 1º de Maio. 100 extra votes for president.

In four polling stations, CNE says MDM did not submit any proof to justify their claims:

- EPC Patrice Lumumba, Matola. Difference between edital (short results sheet) and acta (full minutes).
- EPC 19 de Outubro. Major erasures and changes.
- EPC Sikwama. Major erasures and change to invalid votes.
- EPC São Damaso. Change to invalid votes.

The eight other polling stations are

- EPC Bairro Lopes. 676 unused votes changed to 376, and extra votes distributed as 200 to Frelimo and 100 to MDM. CNE says clearly an error in writing seen by staff, who corrected the 6 to a 3.
- EPC Bunhiça, Machava: Erasure. CNE says clearly just correcting an arithmetic error, substituting a 0 by a 3.
- EPC Patrice Lumumba. Erasure. CNE denies.
- EPC Tundururu, Matola. MDM claims 100 votes difference in number who votes. CNE says difference is only 1.
- EPC Machava 3. 1 vote difference in totals.
- EPC Bairro Lopes. 1 vote extra.
- EPC Ndlavela. 2 extra ballots in box. CNE says no, number is correct.
- EPC Bairro Lopes. Discrepancy in votes used. CNE says no, number is correct.

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.

Mozambique Political Process Bulletin

Editor: Joseph Hanlon (j.hanlon@open.ac.uk)

Deputy editor: Adriano Nuvunga News editor: Teles Ribeiro Reporter: Idalêncio Sitoê

Material may be freely reprinted and circulated. Please cite the Bulletin.

Published by CIP and AWEPA

web: bit.ly/NatElec

CIP, Centro de Integridade Pública, Rua B (1335) Nr. 79, Bairro da Coop. Maputo. Moçambique.

(CP 3266) Maputo www.cip.org.mz cip@cip.org.mz Tel: +258 21 492 335, 823 016 391, 843 890 584

AWEPA, the European Parliamentarians with Africa, Rua Licenciado Coutinho 77 (CP 2648) Maputo

To subscribe: <http://tinyurl.com/sub-moz> **To unsubscribe:** <http://tinyurl.com/unsub-moz>
To opt-out from the election bulletin but still receive other Mozambique-related publications, send an email to j.hanlon@open.ac.uk with just "no election" in the subject line.
Para subscrever a este boletim em **Português**, envie uma mensagem para j.hanlon@open.ac.uk apenas com a palavra "subscrever" na linha de assunto.

Academic citations: Cite as "2014 National Elections, Mozambique Political Process Bulletin, Maputo"
