

2014 National Elections



Mozambique political process bulletin



Number NE-78 19 December 2014

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

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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.

Constitutional Council rejects opposition complaints but is investigating misconduct

All nine protests by opposition parties have been rejected by the Constitutional Council (CC) on procedural grounds, but the CC is investigating some of the issues they raised about the 15 October election.

Last Friday, 12 December, the CC asked the CNE for three sets of original documents:

- The results sheets (*editais*) from the 11 provincial elections commissions
- The *editais* from 12 cities and districts in Zambézia province: Quelimane, Ile, Inhassunge, Alto Molocue, Lugela, Maganja da Costa, Milange, Mocuba, Namacura, Namarroi, Nicoadala and Pebane.
- The originals of all the polling station *editais* that were rejected because the CNE computer system could not process them - because of arithmetic errors, lack of official stamps and signatures, improper changes made by election officials, or because they were missing.

The CNE submitted those documents early this week.

We noted that the CNE reported 26,313 fewer votes for President than announced by the Zambézia provincial elections commission (CPE). Later STAE reported that for Zambézia, 156 polling stations (5.3%) were not counted for President and 137 (4.7%) for parliament. (*National Elections Bulletin*, 75 and 77) This has triggered complaints from parties, and this is clearly being investigated

In all, STAE said 1.9% of polling stations were not included in the national results, 330 for president and 323 for parliament.

The CC has no official deadline as to when it must validate the elections, and can take its time with its investigations. But it will surely want to finish by Christmas, if it can, so it can go on holiday.

Although it is investigating the content of the opposition complaints, all nine were rejected by the CC on technical grounds, mainly that the initial protest had been filed late and lacked evidence, it

not been filed at the lowest possible level, or was being submitted to the CC with new material which had not been included in objections at lower levels. Procedures are spelled out by Renamo in its demands for changes to the election law, which were accepted, but neither MDM nor Renamo was able to follow the new procedures.

The CC was so angry about one MDM complaint which it said was "inept", "manifestly contrary to law", and "in bad faith" that it fined the MDM and its party agent each \$1000. The fine was set at 10 times the minimum wage, currently 3000 MT (\$100) per month.

The nine complaints raised a mix of substantive and frivolous issues:

- Credentials not issued to party delegates in Maputo city. MDM. (Acórdão nº 12/CC/2014 de 17 de Novembro, Acórdão n.º 13 /CC/2014 de 17 de Novembro, Acórdão nº 14/CC/2014 de 18 de Novembro and Acórdão nº 16 /CC/2014 de 20 de Novembro.)
- In Tete party delegates were excluded from some polling stations and especially from some counts; some polling stations had additional register books not on the official list; and "Community leaders" had been nominated by Frelimo as party delegates and members of polling station staff (which is apparently not illegal). MDM (Acórdão nº 15/CC/2014)
- Erasures, changes and discrepancies in 14 polling stations in Matola involving hundreds of votes; three polling stations in Tete city and one in Angonia with extra register books, all with the same number 05000285; polling station 05039801 in Tete City with 356 ballot papers in the box but only 332 voters; various errors and omissions in Chiuta district, Tete; and, again, failure to issue delegate credentials in Maputo city. MDM (17/CC/2014).
- Results published by CNE were not the real ones and were fraudulent; the CNE did its final count behind closed doors and without the presence of party delegates as required by law; many polling stations did not open or opened late; pre-marked ballot papers were found in the hands of people who should not have had them; CNE did not allow party representatives at some polling stations; supported by the police the CNE created an ambient of hostility and threats; "blind legalism" was used by the CNE to reject protests; ballot box stuffing; and differences in results in Zambézia. Renamo. (18 /CC/2014)
- Results from 39 polling stations in Quelimane were not included in the count. A protest was made at polling station 04038101, EPC Coalane, Quelimane. Renamo. (19/CC /2014)
- Frelimo stole party pamphlets in Manjacaze, Gaza; irregularities in Maputo; and CNE rejected protests. Partido Unido de Moçambique da Liberdade Democrática (PUMILD), (20/CC/2014)

The complaints were rejected on 17, 18, and 20 November and 2 and 4 December. Each ruling is posted separately on the CC website as

<http://www.cconstitucional.org.mz/Jurisprudencia/12-CC-2014>

<http://www.cconstitucional.org.mz/Jurisprudencia/13-CC-2014>

and so on through

<http://www.cconstitucional.org.mz/Jurisprudencia/20-CC-2014>

Frelimo wins Cuamba by-election

A by-election Wednesday for mayor of Cuamba, caused by the death of the incumbent mayor in September, was won by the Frelimo candidate, Zacarias Filipe. The results was expected as Frelimo has won all general and municipal elections in Cuamba. Turnout was 24.9%. The results were:

| | |
|--------------------------------|----------------------------|
| Zacarias Filipe (Frelimo) | 6,143 (58% of valid votes) |
| Tito Cremildo (MDM) | 2,816 (27%) |
| Leovigildo Buanacasso (Renamo) | 1,643 (16%) |

Blank votes 208 (1.9% of total vote)

Invalid votes 159 (1.4%)

The Electoral Observatory has observers in all 65 polling stations. It reported disturbances during the count at two polling stations.

The Observatory reported problems in four of the 65 polling stations (6%). In two stations the electoral register was missing. In one polling station the original of the electoral register contained 400 voters but the "copy", which should be identical, contained 800 names. And in one polling station there was no indelible ink to mark voters' fingers so they cannot vote again.

Comment: STAE, which administers the elections, has been heavily criticised for problems during the 15 October national elections, particularly with respect to register books. One might have expected that STAE would have used a simple by-election with only 65 polling stations to show that it could be perfect. Yet even in an easy election, it made the same mistakes again. Why did the provincial and city directors of STAE not check to make sure everything was correct? Not responding to criticisms after the national elections suggests serious management failures. *jh*

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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Published by CIP and AWEPA

web: bit.ly/NatElec

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