

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.

CC confirms election but rejects CNE secret changes

The Constitutional Council (Conselho Constitucional, CC) today ratified the 15 October 2014 elections and the victory of Filipe Nyusi and the Frelimo majority in parliament (Assembleia da República, AR). The CC was divided and only approved the election 6-1, with Manuel Franque dissenting, saying "the general elections in 2014 were not conspicuous by their fairness or transparency, as should be desired and as the law requires."

But the CC rejected the way that the National Elections Commission (Comissão Nacional de Eleições, CNE) made secret corrections to the results. Instead the CC recalculated the results based on provincial and district results sheets (*editais*). It found an extra 46,939 valid votes for President, distributed across the three candidates. But the CC found 50,099 fewer valid votes for parliament (AR), with Frelimo losing 41,150 votes and Renamo and MDM gaining votes. The change in the parliamentary votes did not change the number of seats for each party in the AR. But for provincial assemblies, the CC moved one seat from Renamo to the MDM. Details have not yet been released, so it is not clear which province was affected.

Presidential votes

	CC	CNE	Difference	CC %	CNE %
Registered	10,964,377	10,964,978	-601		
Total voters	5,376,329	5,333,665	42,664		
Valid votes	4,918,743	4,871,804	46,939		
Confirmed nulo	157,174	171,675	-14,501	2.9%	3.2%
Blank	300,412	290,482	9,930	5.6%	5.4%
Of valid votes:					
Dhlakama	1,800,448	1,783,382	17,066	36.6%	36.6%
Nyusi	2,803,536	2,778,497	25,039	57.0%	57.0%
Simango	314,759	309,925	4,834	6.4%	6.4%

nulo = invalid

Parliamentary (AR) votes

	CC	CNE	Difference	CC %	CNE %	AR seats
Total voters	5,242,899	5,316,936	-74,037			
Valid votes	4,552,383	4,602,482	-50,099			
Confirmed nulo	245,145	264,819	-19,674	4.7%	5.0%	
Blank	445,371	458,919	-13,548	8.5%	8.6%	
Of valid votes:						
MDM	385,683	384,538	1,145	8.5%	8.4%	17
Renamo	1,499,832	1,495,137	4,695	32.9%	32.5%	89
Frelimo	2,534,845	2,575,995	-41,150	55.7%	56.0%	144
other	132,023	146,812	-14,789	2.9%	3.2%	

Provincial Assembly seats

	CC	CNE	Difference
MDM	32	31	1
Renamo	284	295	-1
Frelimo	485	485	0

The CC ruling should be available on

<http://www.cconstitucional.org.mz/content/download/1043/5926/version/1/file/Acordao+21+CC+2014.pdf>

but the website was not available this evening, so we have posted Acórdão n.º 21/CC/2014 de 29 de Dezembro on bit.ly/CC-acordao21

CNE admits results 'corrected' in secret

The Constitutional Council pointed to the "unusual" situation of there being two different provincial counts, a computerised one done by STAE technicians which tried to correct errors, and the official one done by the provincial elections commissions (CPEs) which simply uses the *editais* as presented and which are signed by members of the CPEs.

The CC in its ruling says that only the second "is allowed by law to be used for the general and national tabulation. It is also censurable that, under any pretext, there are two parallel provincial parallel tabulations, one being the responsibility of the CPEs and other of provincial STAEs."

In past elections there have always been these two counts and the CNE has always used the STAE count and not the CPE ones. In an unusual press statement issued on 26 December, the office of the National Elections Commission president, Abdul Carimo, explained that "material and calculation errors which affected the fidelity of the ballot box data" in polling stations results sheets (*editais*), as well as errors in the district and provincial counts, were "corrected" when data was computerised at provincial and national level.

"The CNE did not consider the provincial [election commission] minutes and *editais* which were elaborated manually" and signed, and only considered the results which came from STAE provincial data processing centres, the statement continues. Therefore the CNE considered these electronic *editais* which have been "verified and cleaned of errors" to be the official *editais*, and not the *editais* which were hand written at polling stations and district and provincial elections commissions and given as official copies to party representatives, observers and media. The press statement was issued to some but not all media, and is not on the CNE website, but is posted on our website: bitly.com/CNE-correct

No details are given as to the "corrections" made. In August the CNE promised it would make all such changes public (see *Bulletin* 36, 27 August) but, yet again, this was not done.

Were editais lost?

The CNE statement was issued in response to repeated reports by the newspaper and website *Canal de Moçambique* that original *editais* had been lost and that the CNE was not able to hand over *editais* and other documents requested by the Constitutional Council. The statement says "we distance ourselves from all information that has been published by *Canal de Moçambique* which shows a direct and immediate attitude of bad faith and is aimed at misinforming the public and discrediting the electoral administration and the election results."

But the CNE only adds to the confusion by saying that the official *editais* are the computer-produced ones and not the original hand-written ones. The CC has now overruled this. And in his dissenting opinion, Manuel Franque talks of "editais that the CNE says had disappeared."

Franque: every election has the same problems

"There were so many irregularities that have not been corrected or clarified [by the CNE] that it raises doubts about the accuracy of their results," said Manuel Franque in his vote against approving the election. A long-serving Renamo appointee to the CC and respected jurist, he continued: "This has been happening in all the elections held in our country, and the CNE has never bothered to correct it, nor lifted a hand to avoid their recurrence".

He went on to cite two specific issues. "Pre-voted ballot papers were detected and neither the CNE nor any other authority has deigned to clarify this phenomenon and its impact on the election results - and how to avoid it happening again in the next elections." Second the legal principle of having to make complaints first at the lowest possible level (*impugnação prévia*) "is designed to be complex, inequitable, and unjust and only serves to sanitise irregularities, some of them intentionally caused."

Dhlakama predicts violence

"If the Constitutional Council decides to play games, there will be violence, there will be disobedience. No one will recognize the loser as the winner of these elections," Renamo presidential candidate Afonso Dhlakama told *CanalMoz* (29 December) for the CC ruling. <http://www.canalmoz.net/politica/afonso-dhlakama-diz-que-se-o-conselho-constitucional-validar-fraude-eleitoral-vai-haver-confusao/>

Comment

CNE & Renamo secrecy encourage rumour & confusion

Renamo claims victory but provides no evidence, while the CNE says it "corrected" the results and provides no information. It is hardly surprising that there is so much rumour and confusions

At most polling stations there were members of staff appointed by Renamo and by MDM and party delegates from Renamo and from MDM. All four received official copies of the results. Renamo and MDM refuse to release these copies of results sheets (*editais*), nor will they show their evidence of fraud. This suggests that Renamo does not actually have evidence of substantial fraud, and does not really have the evidence for its claims that Afonso Dhlakama won.

CanalMoz claimed on 16 December that observers in Caia, Chemba, Ilé, Mocuba and elsewhere were paid to report false results, and thus the Electoral Observatory's parallel count is not credible. <http://www.canalmoz.net/opinioao/canal-de-opinioao-como-se-operou-fraude-nas-eleicoes-passadas/>

This would be easy to prove. The list of observer polling stations and the numbers submitted by observers is public. Renamo and MDM could show their official copies so they can be compared with what was reported in the Observatory's parallel count. *CanalMoz* has good sources within Renamo, and could obtain the evidence to prove observers faked the results. If the official results sheets agree with the observer reports, will *CanalMoz* argue that Frelimo bought off not just the observers, but large number of Renamo and MDM people as well?

The CNE, Renamo, MDM and *CanalMoz* seem not to be interested in facts and details, and prefer secrecy and rumours. The CNE admits, yet again as in previous elections, that it changed the results in secret and will not say what the changes were. It should not be surprised that *CanalMoz* and others say the changes are fraudulent, and that the CC rejected the changes. But if *CanalMoz* and Renamo refuse to provide evidence, they should not be surprised that they are not believed either.

As we have frequently said in this newsletter, the election was sloppy and not well run, with evidence of fraud and misconduct - in many cases evidence coming from the observers that *CanalMoz* does not trust. Electoral officials should be ashamed. But that is not enough to say that Dhlakama won. Renamo's president claims, and appears to believe, that he won all five multi-party elections. But each time, it is only a claim, with no evidence. Renamo had two people in nearly all polling stations, most of whom received official copies of the *editas*. If these results sheets show such a Dhlakama landslide, why not at least show them to diplomats, journalists and independent observers?

But like the CNE, Renamo says "trust us", "believe us". Why should we trust either of them? *jh*

Electoral Observatory report

The Electoral Observatory has just released its report on the elections. This is posted on bit.ly/EIObs2014

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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