Mozambique peace process bulletin

Issue 24 – January 2000

Chissano and Frelimo win;
Supreme Court rejects Renamo protest

Joaquim Chissano was re-elected president, but by a much smaller margin than in 1994, while Frelimo increased its parliamentary majority, in the 3-5 December 1999 election. Renamo challenged the result and demanded a recount, but the Supreme Court rejected the appeal on 4 January. (See page 6).

The election won high praise from national and international observers (see page 3), but faced unexpectedly serious problems.

Heavy rains in the Zambeze River valley in the days before the election caused logistic problems which delayed opening of some polling stations and forced the extension of the election for a third day; 11 polling stations never opened. (See page 13.)

But the biggest problem was the high error rate in reports submitted by polling stations. Each polling station (of up to 1000 voters) is independent and does its own count as soon as the polls close. But the count typically takes six to eight hours, and is done by candle- and lamp-light by an exhausted polling station staff. At the end of this process, well after midnight, staff have to fill in long and short report forms (*actas* and *editais*).

Unexpectedly, there were errors in one-fifth of the *editais*. Many typically involved simple addition mistakes. But 6.6% of the presidential editais and 8.7% of the parliamentary editais had errors so serious that those polling stations were excluded from the final results.(See page 5.) In addition, the National Election Commission had to reassess more than 500,000 invalid ballot papers (*nulos*); of these, more than 130,000 were considered to be valid.(See page 5.)

These problems delayed the announcement of the results by two days, and also formed the basis of Renamo's objection to the Supreme Court. But the margins were sufficiently large, 4.6% in the presidential race and 9.6% in the parliamentary race, that the excluded votes could not have changed the outcome.

The unexpected closeness of the race and the considerable number of problems led to growing tension, distrust, and antagonism within the National Election Commission (CNE), which contained 8 members nominated by Frelimo, 6 by Renamo, 1 by the UD, and 2 by the government.

By law, the CNE was to announce the results within 15 days, by Monday 20 December. In the event, results were announced by CNE President Rev Jamisse Taimo at 9 am on Wednesday 22 December. The six Renamo members of the CNE had walked out of the an all-night session at 3 am, and were not on the platform with other CNE members when the results were announced.

The total number of voters in the presidential election was about 5.3 million, slightly down on the 5,4 million who voted for president in 1994. But the percentage of registered voters who actually voted is sharply down, from 88% in 1994 to about 74% this year. This year's turnout cannot be determined precisely, because of the large number of excluded polling stations.

• Election technicians now admit that *editais* problems meant hundreds of polling stations were also excluded in 1994, but that this was never mentioned in CNE reports.

Chissano's margin cut but Frelimo gains parliament seats

The results announced by the CNE for the 1999 elections were:

Joaquim Chissano 2,338,333 52.3%
Afonso Dhlakama 2,133,655 47.7%

(Percentages are of valid votes; blank votes were 6.5% and invalid votes 2.9% of a total of 4,934,352 votes. The Supreme Court reported that 6.6% of polling stations were not counted in this result, which suggests a total vote of just below 5.3 million.)

The 1994 results were:

Joaquim Chissano 2,633,740 53.3%
Afonso Dhlakama 1,666,965 33.7%
others 640,774 13.0%

(Percentages are of valid votes; blank votes were 5.8% and invalid votes 2.8%.)

In this election there were only 2 presidential candidates, compared to 12 in 1994.

Although Renamo's leader made major gains in the presidential race, Renamo itself made only small gains in the parliamentary race; both Frelimo and Renamo increased their number of seats, but Frelimo strengthened its position as majority party.

There were 12 parties and coalitions in the 1999 parliamentary race, compared to 14 in 1994. None of the small parties passed the 5% threshold in this election, which means there will be only two groups in parliament; in 1994 the UD gained 5.15%, which gave it 9 MPs.

However, this year Renamo was standing as part of the Renamo Electoral Union with 10 small parties. At least 15 leaders of the these parties were elected to

parliament, so parliament will retain an alternative voice and some of the small party leaders may form a separate bench.

The votes in 1999 were:

Frelimo 2,005,713 48.5%
Renamo 1,603,811 38.8%
others 522,799 12.7%

(Percentages are of valid votes; blank votes were 9.6% and invalid votes 4.9% of 4,833,761 total votes. The Supreme Court reported that 8.7% of polling stations were not included, which again suggests just under 5.3 million total voters.)

The 1994 votes were:

Frelimo 2,115,793 44.3%
Renamo 1,803,506 37.8%
UD 245,793 5.2%
others 608,133 12.7%

(Percentages are of valid votes; blank votes were 8.4% and invalid votes 3.2%.)

The number of seats in parliament for each party now and in the previous parliament are:

| | 1999 | | 1994 | | |
	Fre-limo	Re-namo	Fre-limo	Re-namo	UD
Niassa	6	7	7	4	0
Cabo Delgado	16	6	15	6	1
Nampula	24	26	20	32	2
Zambézia	15	34	18	29	2
Tete	8	10	5	9	1
Manica	5	10	4	9	0
Sofala	4	17	3	18	0
Inhambane	13	4	13	3	2
Gaza	16	0	15	0	1
Maputo prov.	12	1	12	1	0
Maputo City	14	2	17	1	0
TOTAL	**133**	**117**	**129**	**112**	**9**

Changes in number of seats for the 2 main parties:

	Fre-limo	Re-namo	(Total seat difference)
Niassa	-1	+3	(+2)
Cabo Delgado	+1	.	
Nampula	+4	-6	(-4)
Zambézia	-3	+5	
Tete	+3	+1	(+3)
Manica	+1	+1	(+2)
Sofala	+1	-1	
Inhambane		+1	(-1)
Gaza	+1		
Maputo prov.			
Maputo City	-3	+1	(-2)
TOTAL	**+4**	**+5**	

(The number of seats in each province in based on the number of registered voters. The last column gives changes in the total number of seats for those provinces which were different in 1999 compared to 1994.)

In effect, the two main parties divided between them the 9 UD seats. One thing which is notable about these results is that in much of the country, the two main parties made inroads into their opponent's territories. Only in Zambézia did the gap between the parties

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Results close to parties own forecasts

Both Renamo and Frelimo used the results posted at individual polling stations and reported by their party agents to do parallel counts and forecast the outcome. Frelimo's forecast was published by the Sunday newspaper *Domingo* on 12 December, and gave Chissano 52% and Frelimo 132 seats in parliament, both just below the final result.

On 14 December Renamo called a press conference to declare victory and issued its projections. They showed Dhlakama with 52% of the vote. The parliamentary projections were not translated into seats, but when that was done by the local press they showed Frelimo with a secure parliamentary majority -- between 127 and 132 seats out of 250. So Renamo declared victory based on data showing Frelimo would win in parliament!

In the two weeks after the election, Renamo held almost daily press conferences to denounce the process. But some were very strange. At a 16 December Renamo press conference Raúl Domingos declared that President Joaquim Chissano had flown secretly to Nampula. "Chissano is now in Nampula" where he had gone to manipulate the outcome of the delayed provincial count, Domingos said. Journalists then went in search of Chissano, and they found him at the Frelimo headquarters in Maputo where he came out of an all-day Political Bureau meeting to show himself to the press and TV.

increase significantly, while in 6 provinces the party which did worse in 1994 gained seats in 1999.

Thus this election shows Mozambique divided into three zones:
• Frelimo has a large majority in 5 provinces: Cabo Delgado in the north and Inhambane, Gaza, Maputo province, and Maputo City.
• Renamo has a large majority in 3 central provinces: Zambézia, Manica and Sofala.
• Three central and northern provinces are now closely balanced, with Renamo having a one or two seat lead: Niassa, Nampula and Tete.

Smooth voting process draws high praise

The voting days 3-5 December drew very high praise from national and international observers. The vast majority of polling stations opened on time and ran smoothly. Turnout was high and voting orderly.

"Our observers, with a wide experience of elections, were quite unanimous in their conclusions that the election in Mozambique was second to none in any country our people have observed," declared Pertti Paasio, head of the European Union observer team on 12 December. He added, "in my country of Finland, we have quite a lot to learn."

Former US President Jimmy Carter said he was "very pleased at the success of this election, compared to those in other countries where we have observed elections. As far as conduct so far, this election has been overwhelmingly free and fair, although this does not, obviously, cover the counting process which is still to take place," Carter said on 6 December. "This was a very well conducted election," he added. Former Botswana president Ketumile Masire was also part of the Carter team, and he said that "election officials did a marvellous job".

The largest group of national observers, organised by Feciv and Amode, called the elections "free and acceptable. ... There were no reports of intimidation and all citizens had the right and opportunity to vote."

The Christian Council (CCM – Conselho Cristão de Moçambique) said the very high turnout without any coercion was unequivocal proof that the elections were "free".

Feciv/Amode said their "observers were unanimous in affirming that the elections took place in an atmosphere of harmony." Their report added that "citizens once again demonstrated the civic pride and great dignity that characterises our people."

Feciv/Amode and the CCM had high praise for the organisation of the electoral process. National and international observers stressed that all procedures in polling stations were carried out correctly, that party agents were present in virtually all polling stations. and that ballot boxes were properly guarded over the two nights between the three polling days.

In general, there were queues at polling stations when they opened, but they were shorter than in 1994; many voters did not go to vote until the afternoon of the first day or the morning of the second day.

Most polling stations were in schools. Others were in permanent buildings such as warehouses, but some were in specially built huts made of local materials and plastic sheeting.

More than 2000 election observers

There were nearly 300 foreign observers, one-tenth of the number of foreign observers in the 1994 election. The two biggest foreign teams were the European Union, with 64 people who visited 750 polling stations, and the Carter Center, with 50 observers who went to 649 polling stations.

This time there were at least 2000 national observers; Feciv (Fórum de Educação Cívica, Civic Education Forum) and Amode (Associação Moçambicana para o Desenvolvimento da Democracia, Mozambican Association to Develop Democracy) worked together to coordinate 1000 national observers and 318 supervisors who came from local associations, religious groups and trades unions. CCM fielded 473 observers, and other groups had smaller numbers.

There is no official national total of observers and party agents because registration was decentralised and simplified, and was not approved at national level. However observers said that there were party agents in nearly all polling stations visited, and agents of both Frelimo and Renamo in the vast majority. Smaller parties had some agents. Parties were allowed one agent and one substitute in each polling station; many substitutes were seen. This suggests that there must have been up to 30,000 party agents and substitutes.

In general, local observers worked near to where they lived. From donor funding observers received about $20 per day to cover their expenses for the three days of the election.

Party agents had been paid by donors in 1994, and many expected this again. Parties could use some donor money to pay party agents if they wished. Renamo made no promises to its agents, but most volunteers assumed they would be paid or at least get t-shirts and shoes; this led to demonstrations after the elections in Maputo and elsewhere. In Nampula, Renamo head Issufo Momade dismissed his own protesting agents as "opportunists and marginals."

The relationship between party agents varied widely. Most observers reported a level of cooperation and even friendliness, with the agents sitting side by side. But there were also instances of real hostility, with agents of the two main parties sitting on opposite sides of the room and not talking to each other.

Counting votes in the dark

Votes are counted in each polling station as soon as voting finishes at 1800 on the final day of voting. But the process is slow and laborious, and continues until after midnight.

Vote counting is done by candle- and lamp-light under difficult conditions by an exhausted polling station staff. Several observers reported cases of staff falling asleep during the count.

Ballot papers must be scrutinised in the bad light, and decisions made about potentially invalid votes. All observers report that the count was done according to the rules – each ballot paper was individually read out and showed to the party agents and observers, and then put into piles on the floor or ground or on school desks. Problem ballot papers are held up close to the lamp or candle and discussed.

Under these conditions, tired staff made many errors. Ballots went into the wrong piles or people lost count. After midnight, the temptation to cut corners became overwhelming. For example, as ballots are assigned to parties, a staff member keeps score on a blackboard or notebook. Then the piles of ballot papers are counted. If the number in the pile does not correspond to the number on the blackboard, the pile should be counted again; at midnight, it proved too easy to simply accept the first count and "correct" the number chalked on the blackboard.

Similarly, in bad light late at night, mistakes were made in the short and long report forms (*editais* and *actas*). Up to 20% of *editais* had errors, and this caused serious delays in the provincial and national counts. Many had been stamped but not signed; there were many arithmetic errors, with the totals not adding up correctly; many listed the parties in order of how many votes they received instead of in their order on the ballot paper.

One of the strongest recommendations of the international observers was that counting should be deferred until the next day (which a few polling stations did unilaterally). The Carter Center suggested that voting should stop at noon on the final day to allow the count to start in the daylight.

Errors means problems for provincial count

This was a much more decentralised election that 1994. Each Provincial Election Commission was to do its own count and announce provincial results within 7 days. National results are then supposed to be the sum of provincial results, plus reconsidered invalid votes.

The law assumed this to be a simple process, and each province had its own computer centre to make it easy to add up the *editais*. But there were two unexpected problems – the very high number of *editais* with errors, and the delay in installing computer software which meant that data input started three days late.

In most provinces, teams from the Provincial Election Commission (CPE), usually involving one Renamo and one Frelimo appointee, would check the *editais* as they

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Details of the election process

Two elections took place on 3-5 December, one for president and one for parliament. The president is elected by a simple majority, and there were only two candidates. Parliament is elected on a party list system, with a separate list for each of the 11 provinces; seats are distributed on a provincial basis.

Voting is by paper ballot marked in secret; ballots for the two different elections (presidential and parliamentary) are put into different ballot boxes.

This is the second national multiparty elections. All voters were required to register again, and 7.1 million did, between 20 July and 17 September. Each voter received a photo ID card.

Voters are registered in books (*cadernos*) of up to 1000 people. Each registration book corresponds to a polling station (*assembleia de voto*) which is at the same location that the registration took place. This is normally a school, and each classroom will have a different polling station.

Each polling station is separate, with its own staff of 5 (*mesa*) and its own party agents. At the close of voting, each polling station carries out its own count.

For each of the two elections, the staff fills in a long report (*acta*) and three copies of a short report (*edital*). One copy of the short report is immediately posted at the door of the polling station, one copy is sent to the provincial election commission (CPE) and one copy to the national election commission (CNE). The *acta* goes to the CPE. But all invalid votes (*nulos*) and protested votes are sealed in plastic bags and sent directly to the CNE in Maputo.

Within 7 days, each CPE is expected to do a provincial count – adding up the totals in *editais* of individual polling stations. It issues its short and long reports (*editais provincias* and *actas provincias*).

Within 15 days of the end of voting, the CNE is expected to announce national results. These should be the sums of the provincial short reports plus those invalid and protested votes which the CNE had reconsidered and ruled to be valid.

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came in and resolve simple problems. Lack of signatures was commonly ignored. Where the totals did not add up, the number of votes for president or parliamentary parties was normally taken as correct, and the number of blank votes adjusted to make the sums correct. *Actas* should be consulted and given priority, but this was often not done.

In Tete, problem *editais* were dealt with around a big table, with not just CPE members but also international observers and party agents.

In Beira, Sofala province, exactly the opposite was done. All problem *editais* were kept for a meeting of the full CPE after the rest of the provincial count was finished, and observers were not allowed to be present for the discussion.

There was also a wide variation in the percentage of problem *editais* which the CPE would deal with. Manica sent only one *edital* to the CNE and Maputo-City resolved all of its problems. But some CPEs sent up to 15% of *editais* to Maputo for the CNE to resolve, and issued initial results without those polling stations.

Reconsideration in Maputo

The National Election Commission (CNE) by law must reconsider all invalid (*nulo*) and protested votes, and its role in the post-election period expanded rapidly. In the new, more politicised CNE there are 8 Frelimo and 6 Renamo members, plus 1 from the UD (*União Democrática*) and 2 named by the government (and treated by Renamo as being Frelimo). The CNE set up four subcommittees and various working groups.

In the days after the election, tension, distrust and problems rose. CNE members took on ever-increasing responsibilities. Every action, including opening plastic sacks received from polling stations, had to be overseen by one Renamo and one Frelimo CNE member.

Many activities in the two weeks after the election were done in three shifts, and there was a shortage of political CNE members to cover all shifts. It proved too much work, and results could not be approved within the 15 days set out in the law. But in a tense environment, it also meant that every critical decision was agreed by representatives of the two main parties

CNE excluded 1277 *editais*

Reconsidering *editias* sent by CPEs was an unexpected task. Eventually, the CNE corrected and included 297 presidential *editas* but it rejected and **excluded 550 editais, 6.6% of all polling stations**. For the parliamentary election, the CNE accepted 300 *editais* and **rejected 727 editais, more than 8.7% of polling stations**. That means more than 300,000 votes in each of the two elections were never counted in the final totals. It was this that provoked the Renamo walkout of the CNE early in the morning of 22 December and was part of the challenge to the Supreme Court.

Editais were excluded when problems could not be resolved, in particular if the *edital* lacked a polling station number, if votes for some parties or candidates were missing, or if the totals added up to more than 1000 (the maximum number of votes possible in a polling station). Some *editais* reported more than 1200 votes, according to the STAE Director General, António Carrasco.

The Supreme Court also cited "unexplained erasures and corrections" in some *editais*. In an interview in *Notícias* (10 January), Carrasco said "some *editais* show evidence that something happened outside the polling station, and that someone tried to change the results."

Some of the problem *editais* were corrected by reference to the longer reports, the *actas*, which were also sent to Maputo, but this was then halted. No reason has been given, but the CNE had already passed the 15-day deadline set by law, and tense relations between CNE members would have made this a slow and contentious process. The Surpreme Court could have ordered such an analysis, but did not.

CNE checked 500,000 invalid votes

All invalid ballot papers are sent to the CNE for reconsideration. Voters are expected to put a finger print or an X in a square in the right of a rectangle with the

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Renamo fraud in Nampula count

People doing data input in Nampula, Sofala and Niassa tried to change the results, STAE director António Carrasco said in an interview in *Notícias* (10 January). This seems the only major instance of documented fraud in this election.

Carrasco gave no details, but when Nampula Provincial Election Commission (CPE) head Teófilo Manuel announced the provincial results on 16 December, he said that the results had been delayed because it had been necessary to check and correct them. Several Renamo-nominated people tried to increase the numbers for Dhlakama and decrease those for Chissano.

Two descriptions of the fraud have been given, but neither is confirmed. One was simply that Renamo operators failed to input *editais* where Chissano was in the lead. The alternative explanation is more complex; it was claimed that six operators were able to bypass two security checks, but were caught in the end. Each *edital* (report form) is keyed in twice, by two operators selected at random, so that the first operator does not know who will key in the second time. The computer only accepts an *edital* if both versions are the same, mainly to avoid simple keying errors, but also to reduce fraud. Second, the computer automatically checks the arithmetic, and does not accept an *edital* which does not add up. The operators avoided that first check by secretly forming pairs, and avoided the second by agreeing to transpose the results of Chissano and Dhlakama whenever Chissano received a higher number (by simply swapping numbers, the sum remained the same, which avoided the second check).

But party agents could check the data after it was input, and Frelimo agents apparently discovered the change – a demonstration that the transparency and monitoring systems do work. The computer keeps a complete "audit log" of all transactions, so it was then possible to identify which data had been input by these pairs of operators, and do the input again.

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name of the party or candidate, a party symbol, and a photo of the presidential candidate. But a vote is clearly valid with more than one mark, a + instead of an X, or marks on the name, symbol or photo. Invalid votes (*nulos*) occur there are marks made for two or more candidates, or when there is a word or signature or design on the ballot paper. The law says that a vote is valid if the intention of the voter is clear.

In 1994, the CNE was overwhelmed by more than 600,000 invalid votes. This year the polling station staff manual gave better instructions, but staff still ruled 500,000 votes invalid. These were sent directly to Maputo in special plastic bags. The CNE meeting room was converted into a reclassification centre working 24 hours a day and processing more than 2000 ballot papers an hour. Most invalid ballot papers are clearly so, with marks for two candidates or words such as "yes" or signatures. But the CNE had decided to be as liberal as possible, so any scribble, a single letter (such as D in Dhlakama square of C in the Chissano square), or a fingerprint in the margin that just touched the square, was accepted as valid.

Two teams opened the sacks and logged the contents, then passed the *nulos* on to two pairs of STAE staff who divided ballot papers into two piles proposed as still invalid or to be reclassified as valid. These went into cardboard cartons on the top table, where a pair of Renamo and Frelimo CNE members considered the proposed classification and agreed on a decision. A report form was written with the number of votes for each party reclassified as valid, and this was sent to the computer room to be added to the provincial totals. Protests were few, and were treated in the same way.

The CNE reconsidered 194,345 presidential votes, and accepted 30% of them – 30,349 for Dhlakama and 27,913 for Chissano. Of 309,139 reconsidered parliamentary votes, only 23% were accepted as valid – 24,983 for Renamo-UE, 22,904 for Frelimo, and 22,600 for other parties.

• The CNE sometimes responded flexibly to unexpected problems. The law says all parties name a *mandatário* or legal representative in Maputo, with special rights of access. This post does not exist at provincial level, and it was unclear who should have access to meetings and computer rooms. So the CNE created a post of provincial *mandatário* with equal rights at provincial level.
• Polling stations staff did not know how to deal with pro-tested votes. There is no line in the *edital* for votes where a decision is subject to a formal protest by a party. These should be included in the totals for candidates, but held out for reconsideration in Maputo. There were very few protests, but everywhere that observers saw protests, they found staff treated than as invalid votes (*nulos*) which also go to Maputo for reconsideration, but which have a line in the *edital*. Protested votes were thus left out of the totals, and so the sums did not add up.

2nd count causes confusion

Each polling station fills out three copies of each *edital*, one to be posted at the polling station, one to go to the province for the provincial totals, and one to go directly to Maputo and the CNE.

From the beginning, the national STAE (Technical Secretariat for Electoral Administration) computer centre had been compiling its own record based on the third copy of the edital sent directly to the CNE. This is not called for in the law, but there is no reason not to do it.

CNE members had to oversee the opening of the plastic bags and the photocopying of *editais* to be sent to the data processing centre. A pair of CNE members were present in the data processing centre most of the time.

Initially, the senior Renamo CNE member, Francisco Xavier Marcelino, tried to halt this count by arguing that since it was not specified in the law, it was illegal.

Later, it became clear that this second count in Maputo might actually be more accurate, and Marcelino reversed his position. CNE members in pairs, one Frelimo and one Renamo, began to monitor the process more closely, including making necessary corrections to *editais*. It was agreed that once it had been put into the computer, the results of each polling station would be printed out, and the CNE pair would check to ensure that the print-out agreed with the original hand-written *edital*.

This process proved to be very slow. During the weekend of 18-19 December the CNE noted that only half of the editais had been entered, and there was a danger that it would not be completed before Christmas. So the CNE decided to stop this process, and instead use the computers to simply update the results which had been sent in (one copy on diskette and one copy on a CD-ROM) by each CPE. This formed another basis of the Renamo complaint to the Supreme Court. .

Tribunal Supremo

Supreme Court rejects Renamo's 24 points

The court appeal by Renamo-União Eleitoral and Afonso Dhlakama demanded a recount and was based on 24 claims. All were rejected; many had already been raised publicly and are discussed in other parts of this *Bulletin*. Renamo's 24 points, the court (*Tribunal Supremo*) rulings, and Bulletin notes follow:

1 & 2) RENAMO. CNE results were based on computer diskettes submitted by provincial elections commissions (CPEs) instead of for-mal reports (*actas*). The diskettes did not faithfully reproduce the results.

TRIBUNAL. The law says the CNE should work on the basis of "*actas* and other relevant documents". The data was submitted not only on diskette, but also on CD-ROM, and it is not possible to alter a CD-ROM. The Tribunal spent some time with officials and technicians and determined that the software had

been tested and approved by the CNE and would have detected any alteration in the data submitted. In addition, the technicians named by the parties worked throughout and supervised the data processing. Thus "the security system permitted the detection of any irregularity."

3) RENAMO. 8 polling stations did not open in Pebane, Zambézia.

TRIBUNAL. This was due to bad weather, and the law says that any interruption of voting due to a "calamity" does not affect the results.

NOTE. In fact, 11 polling stations did not open, in Lugela and Mopeia districts, not Pebane as claimed by Renamo. The Tribunal repeats this error in its validation of the election. (See page 13.)

4) RENAMO. Gaza provincial *acta* not signed by all CPE members.

TRIBUNAL. It was signed by a majority, and that is sufficient.

5) RENAMO. Invalid votes from Mossurize, Manica, not submitted to the CNE and thus not reconsidered.

TRIBUNAL. Records show they were submitted and reconsidered.

NOTE. The Tribunal did discover a basis for the complaint – the two district deputy directors (named by Frelimo and Renamo) improperly opened the plastic bag containing the valid votes from one polling station and took out some ballot papers they considered invalid; this did not change the result, as they had already been counted as valid.

6) RENAMO. Some *editais* in Manica were excluded.

TRIBUNAL. The evidence for this is an internal report submitted by Renamo, but the report is a list of problems which the report itself says were all resolved. Furthermore, Manica CPE only left out one *edital*, which was submitted to the CNE and

eventually included.

7) RENAMO. In 3 districts in Tete, Renamo was violently blocked from campaigning and having agents.

TRIBUNAL. The Tribunal already dealt rejected this and it cannot be raised again. (See page 12)

8) RENAMO. Renamo-União Eleitoral computer technicians were "systematically intimidated by armed men who had their arms inside the computer room".

TRIBUNAL. The document submitted by Renamo as evidence makes no mention of intimidation by armed men, nor does it give any indication of who was intimidated, or when or where. The Tribunal interviewed the Renamo deputy director of national STAE and Renamo technicians, who had no evidence of intimidation by armed men.

9) RENAMO. Jailing of Renamo-UE candidates Raúl Domingos in Beira and Manecas Daniel and Mantigas Gabriel in Quelimane.

TRIBUNAL. "We underline the repeated failure to provide proof of allegations." In any case this is a matter for the criminal courts, is "irrelevant", and could not affect the results of the election. (Pages 9, 14.)

10) RENAMO. 938 presidential *editais* and 1170 parliamentary *editais* were excluded. More than 900,000 voters were excluded, particularly in Zambézia, Sofala and Nampula where Dhlakama and Renamo did well.

TRIBUNAL. The actual numbers excluded were 550 and 727 and the irregularities really were unresolvable. Nevertheless, none had been protested by party agents in the polling stations. Taking the average turnout at other polling stations, the Tribunal estimates that at most 377,773 voters were excluded.

NOTE. The Tribunal does not do the rest of the calculation, but to win the presidency, Dhlakama would have needed 77% of those votes, and he only did that well in Sofala province. An estimate based on projecting offical provincial results suggests that including rejected *editais* would lower Chissano's percentage from 52.3% to 51.3%.

11) RENAMO. STAE altered the computer software for the count "various times".

TRIBUNAL. Directors and technicians nominated by Renamo confirm that the final version of the software was approved by the CNE.

12) RENAMO. 4 identified *editais* from Cabo Delgado were altered.

TRIBUNAL. All four *editais* were reverified and accepted by a CNE working group headed by Francisco Xavier Marcelino, the senior Renamo person on the CNE.

13) RENAMO. The CNE failed to respond to protests made by Renamo, Nine documents were given as evidence.

TRIBUNAL. Most of the 9 were not formal protests, but simply statements or requests; the CNE responded to all formal protests.

14) RENAMO. There is a big discrepancy (100,601) between the number of people said to have voted for president and the number who voted for parliament. "This shows deliberate disorganisation with fraudulent intent because the number of voters should be the same for legislature and president."

TRIBUNAL. Although votes are cast at the same time, the counts are separate. The difference is accounted for by the fact that 177 more parliamentary *editais* were rejected than presidential. (See 10 above)

15, 19 & 22) RENAMO. The reverification of invalid votes (*nulos*) was never completed, and those reclassified as valid were never added to the total. About 150,000 votes for president and 70,000 for parliament were considered valid but not added to the totals.

TRIBUNAL. All invalid votes were reconsidered, and those reclassified as valid (58,262 presidential and 70,487 parliamentary) were added to the totals. (See page 6.)

16) RENAMO. Polling stations 0B958, 0B756, 0B797, 0B620, 0B621 and 0B116 were not included in the count for Inhambane.

TRIBUNAL. That is because all polling stations with a B in their number are in Cabo Delgado. There was no complaint about these having been omitted there.

17 & 20) RENAMO. Adding the numbers on provincial *editais* gives a different number of registered voters than is given in the national totals. The difference is 42,041 for the presidential contest and 42,553 for the legislative.

TRIBUNAL. This is because of errors and because of corrections to the register after registration. The number is not large enough to change the outcome of the election.

18 & 21) RENAMO. The national results have 169,609 more votes for president and 116,095 more for parliament than the sum of the provincial results.

TRIBUNAL. This is because 297 presidential and 300 parliamentary *editais* which were sent to Maputo were corrected and accepted by the CNE, and those votes added to the provincial total.

NOTE. These are some of the missing votes and polling stations cited by Renamo in point 10, above.

23) RENAMO. In Nampula there was clear evidence that numbers were changed between the provincial and national counts for parliament, with "clearly fraudulent intent."

TRIBUNAL. The Tribunal did a special investigation of the computer centre in Nampula. It concluded that there was a "technical error in writing the *edital* but no alteration of numbers". All data is input twice and then compared as a check. A correction was made once, but not the second time, resulting in the error which was only discovered when the CD-ROM was checked in Maputo. The Tribunal verified this from provincial documentation.

NOTE. The Tribunal does not say so, but this may have been the correction of fraudulent data input by Renamo operators. (See page 5.)

De facto 24) Renamo did not number this as a formal part of the complaint, but attached to the supporting documents copies of three pairs of *editais* from Gaza where each pair has the same number: 0i307, 0i317 and 0i564.

TRIBUNAL. All three were cases where mobile brigades registered people in one book (*caderno*) but the distances were large, so the *caderno* was physically split in half and two polling stations set up. A letter was added to the number, as 0i317-A and 0i317-B. The Tribunal gives the locations of all six polling stations.
• The Tribunal rejected nearly all of Renamo's points. It did confirm a few irregularities, but said they could not have changed the outcome of the election. Therefore the Tribunal declined to order a recount. In a separate ruling, the Tribunal also validated the elections.

The Supreme Court's two rulings are available on: http://www.mozambique.mz/governo/eleicoes/tsupremo.htm

STAE stumbles over computers

Computer problems marred an otherwise impressive record in election administration by STAE, when a series of avoidable delays led the opposition to feel they were being cheated by secret manipulation of the computers.

The law requires each province to produce results within 7 days, in a transparent way. It was decided that each province would have a computer system to add up the data sent in by each polling station on *editais*.

The first problem came when STAE computer director Orlando Comé decided that this was not a major task, and that his own staff could write the software rather than buying or modifying an existing package. Recent history is packed with stories of systems like this which were not written in time, and this occurred again.

The system was written in the Microsoft Access language, which is not good for networked systems demanding high security, like this one. Work only began a month before the election. Two weeks before election day it was discovered that the system was, indeed, inadequate. A team was sent to the Independent Electoral Commission in South Africa and its software suppliers, who spent several days helping patch the system.

Revised software was approved by the CNE so late that it was installed on the 11 provincial computers on 6 and 7 December, after the election and when processing should already have started. This meant no time for trial runs and proper staff training, which led to a wide range of interpretation about rules and procedures. This also meant confusion about the role of Renamo technicians and who had access to computer and data-input rooms.

Data input only began on 8 and 9 December. In Quelimane staff stopped working on Monday 13 December because they had only been contracted for five days, and local election officials had to contact "Maputo" to see what they should do; this seems not to have happened elsewhere.

Transparency proves difficult

Fear of computers as a source of fraud led to a sensible demand for enough transparency to ensure that the correct data was put into the computer. (In the 1998 local elections, such transparency had allowed the Maputo group Juntos Pela Cidade to discover that in some cases typists had put a zero in place of the real number of JPC votes.) But an excessively complex system for transparency led to the second set of computer problems.

The CNE decided that it would not allow any paper copies of any documents in the provinces. This prevented the simple solution - making photocopies of the *editais* as submitted by the polling stations and print-outs of *editais* as put into the computer for each polling station, and posting them or putting them in a book side-by-side to allow comparison.

As a result, it was decided that each computer should have an observer terminal where observers and party agents could call up any *edital* and compare it to the notes taken by party agents in the polling station; if there was a disagreement, then the agent or observer could ask to be shown the original *edital*. The CNE decided on 27 November that the observer terminal must be in a separate room and that it must be possible "at any time to view the situation of any polling station."

This proved impossible. The very late installation even of the computer hardware meant that very few provinces actually had an observer terminal in a separate room when they started. (There were other installation problems as well. Nampula suffered repeated power cuts which caused more than one day of delay; there was a generator to go with the computers, but it was never used. Tete, by contrast, had a functioning generator.)

Computer rooms had very tight security, including no pens, pencils or paper to ensure that no one changed or switched an *edital* while it was being input. But this meant party agents were, in effect, not allowed to take notes or bring to the observer terminal their list of results.

The Frelimo and Renamo deputy directors of national STAE toured the provincial capitals to sort out the problems. This sharply improved access, and in most cases led to the terminal being moved to another room. In Tete there was not enough cable to do this, so observers and party agents were allowed to use the supervisor's terminal.

Access to the observer terminal was not straightforward, and in most provinces staff tried to be helpful; in Beira, Sofala, however, observers and party agents were left on their own in a room with a terminal. In most provinces, staff would show *editais* and even the more detailed *actas* if requested when there was a discrepancy between what had been input into the terminal and what party agents in individual polling stations reported. In Nampula, for example, both parties used this and found inputting errors, although it also became clear that party agents making notes in the middle of the night had made recording mistakes as well. Access and helpfulness seemed to be the norm, but in a few places, including Quelimane (Zambézia) and in Maputo for the second national count, party agents and observers were not allowed to see *editais*.

In several provinces, staff did not understand the

International observation of data input

Both of the main international observation teams, the Carter Center and the European Union, asked some observers to stay on for an extra 10 days after the polling, and they had people in 10 of the 11 provinces.

In general, observers praised local staff, and felt that adequate access was provided following the instructions given by a travelling team of deputy STAE directors. In most places, staff were seen to be making a real effort to be helpful and open. Tete and Nampula won special praise for openness, while Quelimane (Zambézia), Beira (Sofala) and Xai Xai (Gaza) were seen as hostile. In Quelimane, where observers were denied access to the data input area and were not allowed to see *editais*, an official said sharply: "In your country, no foreigner can look at the computers."

purpose of the no-pencil-and-paper-in-the-computer-room rule and continued to impose it even in the special room for observers where there were no original *editais* which could be tampered with.

By far the most serious problem, however, was in the software. Using the observer terminal interfered with data input, so most provinces were forced to limit access to the observer terminal to the three half hour periods at the shift changes. STAE made clear that the CNE had ruled that party agents must have access "at any time" and if pressed, provincial officials would allow this. But the parties themselves did not want to slow down the count, so they tended to limit themselves to checking just samples of data during the shift change.

In Nampula and elsewhere, party agents and *mandatários* assumed that once all the data was input and provincial results were published, they would be freer to check data; in fact, the computer centres were immediately closed down. So the only check would be the second count being done in Maputo, but which was not completed (see page 6).

'Like watching TV at home'

Editais displayed on election commission computer screens for observers and party agents "are fictitious. This is just like watching television at home," said Francisco Xavier Marcelino (José de Castro), the senior Renamo member of the CNE, at a press conference on 14 December.

It underlined Renamo's deep distrust and lack of understanding of the data processing procedure, as well as continued problems with the system itself. When the computer committee of the CNE met with representatives of the foreign observers on 15 December to discuss the issue, there was an open and angry argument in front of the observers between Frelimo CNE member Maria Angélica Salomão and Renamo CNE member Maria Joaquina Júlio Inácio. Maria Joaquina said that observers needed to know that Renamo was being excluded from the computer centre and that there was a total lack of transparency, while Angélica Salomão denied that this was the case.

In Quelimane, two Renamo-Electoral Union representatives were arrested when they tried to break into the computer centre on 9 December.

At the 14 December press conference, Renamo CNE member Viana Magalhães said he had been expelled from the computer centre the night before. But when the *Bulletin* went to the computer centre later in the afternoon, it was surprised to see Magalhães wandering freely around what seemed to be the entire area. When questioned, he said that he had been excluded from a tiny room at the end which contained the two computer servers, and which was treated as a security area which could only be entered by authorised operators.

On 15 December, in the presence of CNE member Maria Joaquina, Renamo technician Martinho Máquina Khadyhale, and international observers, STAE computer head Orlando Comé confirmed that the small room was restricted to four people: himself, a UNDP technician, and two computer operators who had been hired initially to oversee the input of registration data on these computers and who continued when these same

computers were being used for election results input. This small room had large windows so that observers could see what was happening inside. Comé said the operators only entered for security issues, and to change the data bases (which are different for each province). He confirmed that no Renamo-nominated technicians had physical access to the computer, but he said all CNE members could now enter the small room so long as they did not touch anything.

Comé further said that there was an audit trail of the entire data entry process and that a detailed "audit log" could be printed out, but that Renamo had never asked for this. Máquina responded that he had never been told such a log existed, but that Renamo would not be satisfied unless he had the same free access to the computer and to the supervisor's terminal as Comé himself.

This was confirmed in a 20 December letter to the CNE President from two Renamo technicians (including Máquina) and two Renamo CNE members, Magalhães and Joaquina, which said that they could only agree with the use of the present computerization process "if technicians from the parties can enter the data base, through the network."

The CNE had ruled (*Deliberação* 51/99) that the "two technicians specialising in informatics and integrated into STAE, representing the two major parties in parliament, will work with the head of the informatics department in the supervision of the processing of polling data." In a press conference on 17 December, Renamo CNE member Francisco Marcelino (José de Castro) said this "gives the right to all our technicians to supervise all aspects of informatics. Orlando Comé refuses to obey this; he ignored our demands."

Máquina could not explain to observers what he would look for if he had open access. Observers said

privately that Máquina's demands were excessive because they implied the right to change data and software, but observers also felt that not enough had been done to provide more access and be more open about the process. Furthermore, although Marcelino's interpretation of 51/99 is too broad, it does seem to give at least one Renamo technician more access than had been granted.

The were three key checks in the process, which were intended to be sufficiently transparent.

• Renamo technicians had the right to check the initial software at the CNE headquarters (*Deliberação 51/99*),

• Renamo CNE members in the central STAE computer centre in Maputo and Renamo-designated people in each province had the right of access to the restricted data processing area, although not to the physical computers themselves, and in general were present.

• Each computer had an observer terminal which could be used to display a copy of any *edital* after it had been entered into the data base, to verify its accuracy.

This final check should have been the most important, and it was the way by which Frelimo discovered that data was being improperly input in Nampula.

But for Renamo, there were three problems with this access:

• Franciso Marcelino clearly believes that it is possible to display on this screen something different from what is actually in the data base - the argument that this just a TV screen - and that without access to the physical computers, looking at a "TV set" is useless.

• Weaknesses in the system, which restricted access to the observer terminal to half hour periods at shift changes (discussed more on page 9).

• Limited access, in some places, to the original hand-written *editais* for purposes of comparison. Comé confirmed these would not be made available in Maputo, while Máquina argued that it was unreasonable to expect Renamo to have collected together all the reports from its agents at polling stations to use for comparison. However, at the 17 December press conference, with Máquina sitting beside him, Francisco Marcelino said that details of every polling station had arrived in Maputo and been used in Renamo's projections.

No single problem was insurmountable, but the late introduction of the computer system and the very high level of distrust of the system by Renamo meant small problems ballooned into major crises, which became worse as data processing was delayed.

By 17 December, Marcelino was demanding a totally new manual recount, but on 21 December he had shifted to demanding the completion of the second count which had been started by national STAE and which had been halted 18-19 December following Marcelino's objections.
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Misconduct and fraud

Renamo misused copies of official *edital* form

Photocopies of an official election document were used by Renamo party agents (*delegados da candidatura*), causing immense confusion, at least one arrest, allegations of fraud, and an uncharacteristically angry outburst by the Rev Jamisse Taimo, president of the National Election Commission.

The *edital* is the summary of results prepared in three copies by each polling station after the count. One copy is posted at the polling station, one copy is sent to the provincial election commission, and one copy to the national election commission.

Exactly what happened remains unclear. However it appears that at the last minute, Renamo decided to do its own parallel count (as Frelimo did in 1994 and this year). The easiest way to do this is to ask the party agent in each polling station to make a copy of the results and submit it to party headquarters. Since the *edital* has all the essential data set out in a clear way, it appears that Renamo simply decided to give copies of the *edital* forms to its party agents.

In Maputo, Renamo cut off the top of the form before copying it. But in at least six provinces, Renamo copied the complete version of an early draft of the *edital*, which included the national symbol and the words *República de Moçambique, Comissão Nacional de Eleições* (Republic of Mozambique, National Elections Commission), as well as space at the bottom for the signatures of polling station staff and the polling station stamp.

In several provinces, Renamo agents demanded that polling station staff stamp and sign their version of the *edital*. Some did, although others refused.

It was this which caused the angry outburst by CNE president Taimo at a press conference on 7 December. "Any party can collect data and create its own forms, but no polling station can be asked to legitimate these forms by signing and stamping." Indeed, the CNE had already decided on 27 November (*Deliberação* 51/99) that "it is not permitted for any member of the polling station staff to initial or sign copies or extracts of data from the summary of the count."

Taimo went on to stress that the problem was not the collection of the data, but the use of a form which looked official. Because it was based on an early version of the form, it looks different if examined closely, but it also looks official. This caused serious concern for election officials in several provinces. It also forced an increase in security in computer centres and counting locations, for fear that false *editais* might be swapped for real ones.

In Niassa, Renamo provincial head Hilario White was arrested on 11 December for having signed and stamped copies of the Renamo version of the *editais*. In Manica, forms were confiscated. In Nampula, the provincial election commission head rang Maputo to ask advice. It was also alleged that in some places, Renamo had used the forms to create false *editais* which were posted at polling stations in place of real ones.

The decision to copy an official form may have been innocent, but it caused real confusion and opened Renamo to allegations of fraud.

38 arrests but little fraud

The Supreme Court reports 38 arrests in seven provinces for attempts at double voting, ballot box stuffing, falsification of *editais* and disrupting the polling stations. These will be dealt with by the police and courts. But in reality, few incidents have been reported.

There have been a few instances of ballot box stuffing in this election, which seems less clean than in 1994. Frelimo made a formal complaint of ballot box stuffing in Nacala Port and a Renamo man in Inhassunge in Zambézia was caught trying to put extra ballots in the box. Observers also suggested Frelimo ballot box stuffing in Changara, in Tete.

In very few other cases has evidence of alleged fraud been presented, but in these cases it has led to another explanation:

• Frelimo said that 60 voting slips in Costa do Sol, Maputo, had been pre-marked for the UD, and others in the north had been pre-marked for Renamo, before being given to electors. In Maputo, after Frelimo complained, the Maputo STAE took the marked ballot papers. Later they were inspected by the *Bulletin* and there were red dots in the UD part of the parliamentary ballot paper, but they were clearly a printing error and not fraud.

• Renamo said that in Maputo data input people were holding back *editais* favouring Renamo, while Frelimo alleged that this was being done against them in Niassa and Nampula. In most cases, it appears that operators were simply putting aside problem *editais* for later consideration by the CPE or STAE.

• Foreign Minister Leonardo Simão told the diplomatic community that Renamo "was attempting to introduce 440,000 false votes into the system" in Niassa, and which led to a *Notícias* headline about "440,000 false ballot papers".

This relates to Renamo's use of copies of official *edital* forms for its parallel count (see article on page 10); although unwise and perhaps improper, it seems not to be fraud and especially not an attempt to introduce false ballot papers.

All other claims of fraud, mainly but not totally by Renamo, have not been backed up by enough evidence to test the claim.

Fraud, culture and virtual reality

"In Africa, fraud is the culture," Renamo's president Afonso Dhlakama told a press conference on 5 December. Fraud, by its very nature is secret, so it cannot be shown or proven, but "the Mozambican state has all possible mechanisms to commit fraud in this election," Dhlakama continued.

He went on to say that a ballot box stuffed full of votes had been seen in the house of a Frelimo official in Nacala; similar ballot boxes had been seen in other provinces.

After the press conference, the *Bulletin* asked Dhlakama why he had never shown these ballot boxes to anyone else, such as foreign observers or the press. He replied: "you know we would not be allowed to take you to a Frelimo house to show you these ballot boxes. All we can do is tell you we have seen them."

The international community has not accepted this line. Pertti Paasio, head of the European Union observer team which praised the election, was asked at a 6 December press conference about Renamo claims of hidden ballot boxes. He said: "No one on our staff has been shown any information. We call on those who make allegations to provide evidence. We need proof."

Former US president Jimmy Carter, who also praised the election, was asked the same question at his press conference on 6 December. "I talked to the chair of Renamo today and he made no allegations to me.

The proper role of an opposition party is to file evidence and make a formal complaint to the CNE." The Carter Center's statement noted pointedly that "political parties have too often relied solely on the media to voice complaints rather than use appropriate formal channels."

In the press conference Dhlakama said "in 1994 we proved fraud but accepted the election." Yet the unanimous view of outside observers in 1994 was the opposite - that there had been no fraud and that Renamo failed to provide any proof of its claims of fraud. Indeed, all of its 1994 claims of stuffed ballot boxes and false registration, proved to be false.

Renamo has attempted to create a climate in which simply claiming that a fraud has occurred is to be taken as proof, even when the suggestion is manifestly false, as with claims of false registration books during the registration period (see *Bulletin* 23). It creates a kind of "virtual reality", in which some people see an entirely artificial or computer-generated world, and expect others to believe it to be real. Does the Renamo president actually now believe that he proved fraud in 1994, and that it he says so often enough, others will also believe?

Even if no one outside believes, there is a danger that some Renamo members will accept as real this "virtual reality", and call into question the democratic process.

"We have all heard Renamo's accusations of Frelimo sending cars, planes and who knows what else full of false ballot boxes," wrote Machado da Graça in the independent weekly *Savana* (10 December). "Claims of fraud must be raised with concrete proof in hand. None of this 'we heard that ...'. If not, it simply causes confusion and devalues democracy." As in a wedding ceremony when anyone with any reason to oppose the wedding is told to "speak now or forever hold your peace," Machado da Graça says that "if anyone has concrete proof of fraud, then show it now. If there is no proof to present, then keep quiet forever."

Renamo expelled from Changara

Renamo was chased out of Changara district of Tete, in what was probably the only significant intimidation during the electoral process.

Most importantly, the Renamo-nominated deputy director of the district election secretariat (STAE), who was living in a tent in Changara, had his tent destroyed and claimed he was assaulted by a Frelimo-linked crowd. He fled to Tete city shortly afterwards and remained there. Thus Changara was one of the few districts where the voting was not overseen jointly by the two main parties. This seems to be the only example of an election staff member being attacked during the electoral process.

Renamo's representative in Changara was also expelled, and Renamo claimed it was afraid to campaign or put party agents into polling stations on voting days.

The intimidation was effectively confirmed by Frelimo leader Mariano Matsinha who, at a 6 December press conference, said with a smile that Renamo had brought in campaigners from outside but these had been "expelled by the people" of Changara.

Filipe Carlos Domingos, Renamo representative in Changara, told the *Bulletin* that Frelimo intimidation began on 28 October with the burning of house of a Renamo supporter, Maria Selenga Sherengu. On the night of 6 November a group of 40 men arrived at his house and beat him so badly that he had to spend two days in hospital, Domingos said. A month later when he was being interviewed, his wounds were still visible.

On 8 November a group of Renamo people arrived to reopen the campaign. On the following day they were forced to take refuge in the police station when they were attacked by a gang of Frelimo youth. The gang then burned Domingos' house, forcing his wife and family to flee, Domingos said. The police then arrested some of the Renamo activists.

After that, Renamo was forced to abandon its campaign. Worse, when Domingos was beaten up, Frelimo members stole from his house the list of Renamo's party agents (*delegados da candidatura*) and then went to their houses to tell them it would be dangerous for them to be Renamo agents, Domingos said.

In the end, Renamo did not campaign further in Changara district and did not have party agents in the polling stations. Some observers reported noticeable tension in the district in the days just before and during voting.

Renamo claimed that there were similar problems in two other districts in Tete, Cahora Bassa and Mágoè. In Mágoè, Renamo said it never campaigned; it did put party agents into some polling stations in the two districts.

Renamo spokesman Jafar Gulamo Jafar said on 29 November that "we trust the CNE" but that it is the party agents which guarantee the integrity of the voting process, which could not be ensured in Changara. Party agents are optional and voting can go ahead without them, but it is an "electoral crime" to prevent agents from performing their duties.

CNE declined to deal with Changara

Renamo wrote several times to the CNE about the issue of intimidation and finally on 2 December requested that the election be postponed in Changara, Mágoè and Cahora Bassa (Songo). Under article 163 of the election law 3/99 if there are "irregularities which could substantially influence the results", voting can be declared void and repeated on the second Sunday following a CNE decision.

But the CNE ruled the next day, on 3 December (deliberation 52/99), that it did not have the right to alter the election dates in those districts, and that in any case the complaint was about election crimes (*ilicitos eleitorais*). Intimidation in the campaign and of party agents are specific electoral crimes (art 173, 194) and the CNE "suggested" that the available evidence be presented to the appropriate "public judicial authorities" who would bring the any prosecution.

On 8 December, Renamo appealed the decision to the supreme court, which rejected the appeal and backed the CNE.

International observers disagreed with the CNE. The Carter Center was particularly strong, saying "the issues raised in this complaint should be within the competence of an elections commission. The failure of the CNE to address these issues undermines the potential effectiveness and credibility of electoral institutions."

Ballot box stuffing

Without Renamo party agents monitoring the voting days in Changara, the expelled Renamo deputy director said that there was ballot box stuffing in Changara. There are indications from observers to support these claims.

Most extreme was a case reported by an international observer of two polling stations side by side in N'Temangue primary school. In polling station 4E733 there was a national observer during the polling; of 1000 registered voters, 724 voted for Dhlakama and 73 for Chissano, with 88 blank and 26 invalid. In the adjoining polling station with no national observer, of 333 registered voters, 277 voted for Chissano, 25 for Dhlakama, and there were only 6 blank and 2 invalid votes.

Another international observer who monitored the partial count in Tete city found at least four polling stations with a turnout of over 99%. In 4E751 there were 827 votes for Chissano, 3 for Dhlakama, and no blank votes. In 4E727 there were 962 votes for Chissano, 3 for Dhlakama and 3 blank votes.

The are villages in Changara of former guerrilla fighters (*antigos combatentes*) from the liberation war who would be expected to vote overwhelmingly for Frelimo, so these numbers do not provide proof of ballot box stuffing. But there were other indications which led

some of the international observers to believe that there had been manipulation. For example, in polling station 4E751 there were 63 blank votes in the presidential election, and none in the parliamentary poll.

In Tete the observers were allowed to watch the process of checking the incoming documentation by the provincial election commission, and they confirm that Renamo made no objections to any of the results submitted from Changara, even when there were obvious anomalies. The observer commented: "Renamo people present seemed only to want to ensure that the *editais* (summary reports) and the *actas* (full reports) agreed, and to take down the numbers to report to party headquarters. It was totally mechanical and administrative."

Illegal campaigning in Tete

Both Renamo and Frelimo were accused of improper campaigning on polling days in Tete.

Renamo deputy and head of the Tete electoral list David Aloni Selemane was seen by the *Bulletin* in the mid-afternoon of the first day of voting sitting in the school yard of Ulónguè Secondary School talking to voters. He was sitting near the entrance so that people had to pass in front of him. There was at least one complaint from a Frelimo party agent, but the president of the polling station did nothing, and the party agent phoned Frelimo headquarters in Tete to ask for help. Ulónguè STAE told the *Bulletin* that Aloni had been sitting there since he had voted at 7 am, and that the president of the district STAE and gone to the school to ask Aloni to leave but he had refused. By mid-afternoon, there was tension in the school yard, and the STAE head returned with several men to again ask Aloni to leave the

area of the polling stations. Faced with a larger group and the presence of the press, Aloni then left at 3 pm.

But in another incident in Tete, international observers saw a car pull up to a school and saw a man get out and begin talking to people waiting to vote. The man turned out to be a Frelimo candidate, and he told people in local language not to tell the international observer who he was.

Altered editais

Documents from Chifunde and Mútarara districts of Tete arrived in Tete city in a lorry not accompanied by any police, polling station staff, or party agents, according to an international observer. Provincial election officials then sent the lorry, still containing its documents, back to the two districts to collect those people who were required to accompany the materials to Tete. This meant that the materials were left unattended for nearly four days, and in some cases were not even in locked boxes.

The observer then noted that when the documents were actually opened for consideration by the provincial election commission, many of the *editais*, the summary reports of each polling station, had been corrected or changed in minor ways, while others seemed to have been re-written. The revisions in general seemed small. For example, in polling station 4E147, 26 votes were added for Renamo and 11 for Frelimo in the parliamentary election. It is unclear if there had been tampering with the *editais*, or if polling station staff in remote areas with poor light during the count simply made an unusual number of corrections.

Also in Changara

Frelimo election posters were on walls *inside* at least two polling stations in Changara, behind the table with the polling station staff. This dominance of the ruling party was shown by another incident. Several people claimed to national observers to be Renamo party agents, but no credentials were issued in Changara for Renamo agents. Credentials do not give the name of the party, and each party is allowed one agent and one substitute (*suplente*) per polling station, which suggests that substitute agents for one party were falsely claiming to observers that Renamo agents were present.

Voting days

Voting extended to 3rd day, but 8000 couldn't vote

Voting was extended for a third day, but 11 polling stations with just over 8000 voters never opened. The cause was a mix of unexpected rain, over-optimism, and the failure of a Mozambican company to supply helicopters.

This came as a bitter disappointment to election officials who had been consistently early in getting voting materials out to the vast majority of the polling stations. Indeed, it is estimated that fewer than 100 polling stations did not open on the first day. But at some polling stations in at least five districts of Zambézia province, polling station staff and voting materials did not arrive until late on Saturday, the second and scheduled final

day of voting. This led the CNE to extend voting for a third day, 5 December.

Highly unusual early heavy rain in the Zambeze River valley during week before the elections turned roads to mud and made access to hundreds of polling stations much more difficult that was expected in parts of three provinces, Tete, Zambezia and Sofala. In Zambézia, materials that would have been distributed by road in Mopeia, Chinde, Morrumbala, Milange, Gúruè and Lugela districts had to be taken by air. The bad weather also caused problems for boats going to supply the 60 polling stations on coastal islands in Pebane district.

This would not have been insurmountable if there had been enough helicopters. The South Africa Air Force had promised air support and supplied 7 helicopters and two small planes for two weeks. Funds were available to hire 8 additional helicopters. The contract was split between a South African firm, Eagle, which supplied its four, and a Mozambican company, which turned out not only to not own any helicopters, but to be unable to hire them. Even one additional helicopter would have been enough.

The problem was compounded by over-optimism by Zambézia election officials, who on 29 November, three days before the election, told international observers that materials were already in place in all polling stations – when this was clearly not true. Eventually STAE in Maputo discovered the problem and redirected helicopters from other provinces, but it could not arrange on such short notice for enough fuel, which had to be brought by lorry from Nacala. On the extra day of voting, polling materials were flown to 20 polling station in Lugela district, for example. But then the fuel ran out.

In Mopeia district, 8 polling stations with 5,828 voters did not open; in Lugela, 3 polling stations with 2,175 voters never opened, according to STAE director general António Carrasco.

CNE discussed extending the voting only in certain areas where it was needed, but the law is unclear on whether or not an extension can be partial. After being overruled by the Supreme Court in it attempt to bar Fumo from the elections, the CNE was understandably reluctant to take a decision on weak legal footing. So it decided it had no choice but to extend voting everywhere.

The vast majority of polling stations had opened on schedule the first day, and very few people voted on the third day. But an odd side-effect of the extension was probably to enfranchise more people than those at the 11 polling stations would could not vote.

An often-noted idiosyncrasy of the electoral law is that people can only vote at the polling station at which they are registered, and there are no transfers. This includes polling station staff, party agents, national monitors, the press, police and STAE staff. An attempt was made to post people at or near their home polling station. Nevertheless, it was estimated that up to 50,000 people would lose the right to vote. On the first and second days, some of these people had taken time off to go and vote, but most had not. The fact that so few people turned out on the extra day meant that polling station staff felt safe to take off time to go longer distances to vote; in some places, STAE cars took staff to vote.

• Communications were better than in 1994, and by the end of the second day of voting all polling stations knew about the extension to the third day (in contrast to 1994, when some began the count after the second day because they did not know of the extension).

• One of the hired helicopters crashed while taking off from Luabo, Zambézia, on 6 December. It carried voting materials and 20 polling station staff. No one was killed and all the voting materials were recovered.

• The number of polling stations is officially 8322, not counting the 11 which did not open. But other reports cite 8334 (close to 8322 + 11) and 8356. One problem is that up to 100 registers (*cadernos*) compiled by mobile brigades were split in half to be used in two locations; there may not have been consistent decisions as to whether this was to be considered as one or two polling stations.

Renamo accused over polling station incident

Manuel Pereira, Renamo head in Sofala province, was accused of assaulting a member of the polling station staff at Ponte Gêa primary school in Beira.

The incident occurred when Pereira attempted to impose a party agent (*delegado da candidatura*) without credentials. On the morning of the first day of polling, Renamo still had not obtained credentials for 80 of its agents. The president of the district election commission, Alberto Nhavoto, said he had extended the deadline for Renamo to submit details of its agents, but that the very late submissions were still being processed. Pereira claimed he had an informal agreement with Nhavoto to put agents into polling stations without credentials; Nhavoto denied this.

Pereira went to several polling stations which accepted agents without credentials, but at about 1030 polling station 5G760 refused. Pereira became very angry and barged into the polling station with at least six people and more waiting outside. Finally the president of the polling station stopped the voting. She asked one of the three scrutineers (*escrutinadores*, who are part of the 5-person polling station staff) to go outside to talk to Pereira.

The scrutineer, João Gabriel Zingoga Muge, told national and international observers that he was then dragged into a car by Pereira and beaten. Policeman Jose Vincente de Ouro Fombe told the observers that he was present and could confirm the beating, and that the detention was halted when he (Fombe) drew his gun and ordered Pereira to release Muge.

By mid-afternoon, Renamo agents had been given credentials and there was a Renamo person in post in polling station 5G760, however she was not the person Pereira had been trying to impose earlier in the day.

During its investigation of the incident on Saturday, the police detained three Renamo cars and between 7 and 12 people, who were released on Tuesday. Renamo alleged that the cars were carrying food to its party agents in polling stations. Raúl Domingos, head of the Renamo-União Eleitoral list for Beira, was in one of the cars when it was stopped. As a candidate, he could not be arrested, and was offered a ride home, João Mutaca of the Beira police told the daily *Notícias*, but he insisted on spending one night in the police station in solidarity with his arrested staff. At a press conference 14 December, Francisco Marcelino (José de Castro), a CNE member nominated by Renamo, said that Domingos had been jailed because he was distributing food to Renamo party agents and that was not allowed by the "Frelimo police".

Not without small problems

No election is problem-free, and in Mozambique problems are compounded by a mix of low education, poor roads and general underdevelopment. But national observer group Feciv/Amode spoke for all those who monitored the election when they concluded that "there were some technical, logistic and socio-cultural problems, but these cannot take away any of the credit for the meticulous work done by CNE, STAE and their provincial and district commissions."

Particularly striking was "the speed with which these bodies took decisions and responded to problems," concluded Feciv/Amode. Indeed, "from the point of view of readiness, these bodies demonstrated a technical efficiency far above what was expected, especially taking into account the great communication difficulties faced by the country."

National and foreign observers, as well as *Bulletin* correspondents, all cited four kinds of problems:
• difficulties with the register, which meant that at most polling stations some people could not vote;
• crowd control problems at many polling stations;
• problems with the explanation of how to vote; and
• a slight increase, compared to 1994, of what might be called improper campaigning at polling stations.

Pushing to get in to vote ...

Crowd control was the second most common problem reported by observers (after problems with the register). This usually involved unruly crowds at the doors of polling stations and sometimes disrupted the voting process. Curiously, the problem often affected just one polling station at a polling centre; for example, at a number of primary schools there were problems at only one classroom and not at others.

Each polling station is organised independently, with five staff (the *mesa*) who coordinate the actual voting and two "auxiliaries" (*auxiliares*) who are expected to organise the queues. Each polling station has a book to 1000 numbered tickets (*senhas*) which are handed out to voters, but there seemed no clear instructions as to how to use these tickets. In most polling stations one auxiliary stood at the door and admitted people in order by ticket number, but there was a wide variation as to when voters were given tickets and if they were required to queue. In some cases, the second auxiliary stood a bit away from the classroom and handed out tickets as voters arrived.

Sometimes people were expected to queue even if they had tickets. This kept better order, but meant that old people and women with small babies on their back who did not want to wait for a long time in the sun lost their place in the queue and could only vote when the queue became small.

At other polling stations, people did not need to queue once they had *senhas*. But when a lot of people were waiting, some people went home or went to the market; if, when they returned, their number had been passed, there was a dispute as to whether they had lost their place in queue and had to start again, or if they could go

to the head of the queue because they had the lowest outstanding number.

In some instances, queues became very disorderly and there was pushing and shoving a people tried to gain access. Then the classroom door would be blocked, people could not leave after they had voted, and voting would grind to a halt until order was restored.

... and a larger role for police

The election law prohibits the presence of **armed** police within 100 metres of a polling station, except when specifically called by a polling station president (who must stop the voting when the armed police are present).

In general, police around polling stations were unarmed, and tended to keep their distance – usually staying outside the schoolyard, for example. Much more than in 1994, however, police were called in for crowd control. Where queues were particularly disorderly, a police officer sometimes stayed with the auxiliaries to control the waiting voters.

At a polling station at 21 October primary school in Xipamanine, Maputo, there was repeated confusion as people came back to vote after their number had already passed, and people who had waited did not want to allow them to go to the front of the queue. Police came several times to calm down the queue, and two unarmed policemen actually went into the polling station to talk to the presiding officer (president), while voting continued. The Renamo agent commented that "the police really helped. The problem is that this is a new system and people don't understand."

Renamo during the election campaign had complained about the "Frelimo police" being biased against it, yet there was total acceptance of the police presence for crowd control. Renamo party agents all agreed with the police role, and some even encouraged it in order to make the voting run more smoothly.

In its report, Feciv/Amode commented that "the police played a preponderant role in the maintenance of law and order during the elections" and that "there was no case of intimidation on the part of the police."

Registration errors deny vote to 1000s

The electoral registration turned out to have many more errors than expected. Observers noted that in most polling stations at least one or two people were turned away because of errors; some polling stations reported that more than 10 people (1% of the electorate) could note vote. Tens of thousands of people were denied the chance to vote because of these errors.

Most common were numbers written incorrectly on the voters' cards, leading to frequent cases with two people having the same number or to people not being on the list because of an error in the registration book number as written on the card.

In general, people were not allowed to vote if their name and number was not correctly in the register.

Although the register was displayed after the registration process was completed, this was only done at district level, so not many people went to check their registration. Observers noted that in future if would be better to display the register at the place where voting would take place.

Problems also occurred with the registers made up by mobile brigades. They were instructed to start a new register every 10 kilometres as they moved around, but this was not always done. In some cases, it proved necessary to break a register book in two. In some cases, people did not know where their polling station was to be. And in a few cases wrong books or wrong parts of books were sent to a polling station; in different areas, either the voters or the books were transported to allow people to vote.

Finally, there were a number of unexplained cases where voters' names had already been ticked in the register, meaning they had voted, when in fact they had not and had no ink on their finger. This could have been either a numbering error in the register, or it could have been that the polling station staff had ticked the wrong line in the register. But in all cases, the person was not allowed to vote.

Observers and agents under-trained

Observers and party agents played a central role in preventing misconduct and in reporting the smooth running of the voting process. But national observers and party agents who have voted in such an election at most twice in their lives, and international observers who know little of the Mozambican election system, did not always fully understand their role or know what to look for.

"Observers" should, as their name implies, "observe" and not intervene in the process; they are there to report on the conduct of the election, not to make changes or improvements in how polling stations are run. But for some observers, the temptation was just too great, and they stopped the voting to tell presiding officers (presidents) to change the way some things were done. Some observers also expressed opinions during the ballot counting process.

Foreign observers were again criticised for arrogance. One team actually halted voting so that they could ask the polling stations staff a long list of questions. Another team was angry that the district STAE had not prepared an itinerary and maps for them.

Observers are, however, supposed to report on errors and misconduct, yet many did not take note of procedural errors or of questionable decisions on invalid votes during the counting process.

Party agents were present almost everywhere, but all too often party agents did not know what to look for. They were only concerned to be present and to fill in report forms, particularly during the count. The observers noted that party agents frequently failed to question and provoke a discussion on questionable decisions on potentially invalid votes that went against their party. On the other hand, a few over-zealous party agents made dozens of misguided formal protests.

Thus the presence of observers and party agents does prevent gross abuses like ballot box stuffing, but they are not yet able to prevent more subtle abuses.

Which way should voting booths face?

The voter goes to a small voting booth (*cabine de voto*) to mark their ballot papers in secret. But should the voting booth open:
• toward a wall, to ensure maximum secrecy, or
• toward the polling station staff, to ensure that no messages, graffiti, or election symbols are left in the voting booth to influence subsequent voters?

In all three elections, 1994, 1998 and 1999, the latter choice has been made. After each election, there have been complaints from observers that this does not ensure secrecy, that in small polling stations it is possible to see how people are voting, and that in future elections the voting booths should be turned. Yet the position was continued this year.

For the first time, but only after voting was already in progress, national STAE officials recognised that there was a problem. They issued an instruction, in Maputo City only because of the difficulty of communication, that the voting booth should be rotated by 45 degrees or 90 degrees, to make it harder to see in.

Some local STAEs issued similar instructions.

How much explanation?

Voting with ballot papers is still a very new process for most people, and many need an explanation. This inevitable clashes with the demand for scrupulously not suggesting a vote for a particular party, which makes it hard to explain to the elderly and illiterate how to actually mark a square on the ballot paper.

The manual for the polling station staff members (*"Manual dos Membros das Mesas das Assembleias de Voto"*) does not help. It instructs the president on how to pre-fold the ballot paper (folding it in half with a vertical crease down the middle, so any ink from a finger print goes onto the rectangle for the same candidate and not onto a second candidate) and how to show this to the voter, but says nothing about explaining how to vote.

The actual training for polling station staff did cover this, and stressed that staff members had to be very careful not to point to any single candidate. This inevitably leads to polling station staff waving a hand or a finger over the entire ballot paper, which is not adequate to explain that a mark must be put into a square for the preferred candidate.

Older people often had to ask several times, sometimes coming out of the voting booth each time. Many asked for help. Some openly said "where do I put my mark" for Chissano or for Dhlakama. In rural areas, some older people could not understand why they were voting at all, when Chissano was already president.

Most observers said polling station staff were extremely patient with people who did not understand, and usually gave local language explanations as well.

Only disabled voters, such as blind people, are allowed help in the voting booth; voters who are simply old or illiterate are not supposed to be helped. But some polling station presidents, with agreement of party agents, did bend the rules and allow very old people to be helped after they came back more than once to ask for help. In one case, the president said "this person clearly is deaf and cannot hear the explanation, so she can select a person of her own choice to help"; party agents smiled and agreed, and a neighbour in the queue helped the elderly voter.

Observers did, however, report some polling station staff who were abrupt and unhelpful, or who did not speak the local language.

The manual requires that the president hand out and fold the ballot paper, so the president normally did the explanation. Some observers felt this gave the president too many tasks, and it would be better to have one of the other staff do the explanation.

Posters of the ballot papers are posted outside each polling station, and in a few places auxiliaries at the door of the polling station used this poster as a way of explaining the voting process to people waiting in the queue.

Nevertheless, it was not enough. A significant portion of the blank votes must be older people who did not know what to do and simply followed instructions and folded the ballot paper and put in the box. Many of the invalid votes were also people who did not understand the process.

• In Pemba, Cabo Delgado the president of polling station 0B499 was replaced by STAE after party agents complained that he was using his local language explanation to tell voters to vote for a particular party.

Lost keys, but different outcome

One of the scandals of the 1998 local elections was that locked "kits" – the metal trunks containing voting materials – were distributed in time to many polling stations, but not the keys, and that local STAEs did nothing about it, resulting in very late opening of polling stations.

The same initial problem occurred in several places, but this time local STAEs moved quickly. At the Unit 2 Primary School in Inhagoia, Maputo, the kits had been locked overnight in the school storeroom, but at 5 am no one came to unlock the room. Finally at 6.45 the staff from the three polling stations (*mesas*) telephoned Maputo city STAE, which sent someone to the school and authorised the staff to break down the storeroom door. Voting started at 8 am, only one hour late.

In Ile, Zambézia, at several polling stations there was no key for the "kit" – the metal trunk itself. Although there was no transport, there was radio communication, and staff obtained authorisation to break open the locks, mostly before 8 am. Replacement locks were sent later.

There were also a few problems with the "kits" of voting materials – most commonly the bottles of inedible ink had come open and damaged some materials, but there were also cases of missing items. Observers reported that in all cases, STAEs moved quickly to replace the missing or damaged items.

Campaigning in polling stations

The law prohibits any party symbols or advertising within 300 metres of a polling station, and also bars non-voters and people who have already voted. This was scrupulously followed in 1994, but this year observers saw a few party *capulanas*, caps and t-shirts in polling stations. In most cases, although not always, action was taken – voters with party t-shirts were sent home to change. In Dunda Sede, Macossa, Manica a woman was sent home because the baby on her back was wearing a very faded Frelimo cap as a sunshade.

Also, in contrast to 1994, there were instances in which people had put marks on the posters with sample ballot papers. These were removed when it was noticed.

A few candidates and senior party officials were seen hanging around polling stations. In Xai Xai a group of youth chanting anti-Dhlakama slogans came up to a polling station door at Eduardo Mondlane secondary school; the Renamo agent objected but the polling station head was very slow to respond.

In Zambézia there were a number of problems. At Coalane primary school in Quelimane, observers reported that a Renamo poster close to the polling station which was removed on the first day after objections had been reinstated by the third day. In Milange district there were several complaints about Renamo campaigning with people in the queues and of party agents urging people to vote Renamo; in Molumbo (Milange) Christian Council observers reported that Renamo militants were warning voters that they would be punished if they did not vote for Renamo.

Nevertheless, campaigning at polling stations remained at a relatively low level problem.

More aggressive campaign with some violence

While 1994 was the reconciliation election, in 1999 the two main parties were more openly critical of each other during the campaign, and talked more about the war. Frelimo for the first time referred to the war and said Renamo killed people; it claimed success in post-war reconstruction and general economic growth. Renamo put great emphasis on the need for a change away from what it claimed was Frelimo corruption and abuse of power, and Frelimo's failure to support the north and rural areas. In general, the campaign was quite negative, with parties stressing that other people were bad rather than making positive claims of what they would do.

The formal campaign ran from 19 October to 30 November. Parties seemed to spend less money than in 1994, although both handed out party caps, t-shirts and *capulanas*. There were a large number of rallies and speeches. Most government offices slowed down as all key officials hit the campaign trail.

There were a number of reports of punch-ups and rock-throwing between young men of Frelimo and Renamo, particularly when rallies overlapped or motorcades met. There were accusations that leaders on both sides often egged on their supporters. But for the most part the ambient was peaceful.

Several major incidents were reported. Nhampassa, Báruè, Manica is in an area heavily fought over during the war. The *palhota* (small house built of local materials) that served as Renamo headquarters was burned down during the campaign. In retaliation, Renamo supporters stoned a truckload of Frelimo supporters on 25 November, who then tried to pull down the newly rebuilt Renamo headquarters. The following night there was a drunken fight between a Renamo militant and a Frelimo militant in a local bar, over a mix of politics following the earlier incident and also over a woman; the Renamo man, a demobilised Renamo guerrilla, left and returned with a knife and stabbed the Frelimo man, killing him.

In Marromeu, Sofala, a Renamo supporter was shot and seriously injured by police during a disagreement over posters between supporters of the two parties.

In Ile, Zambézia, two Frelimo officials were injured seriously enough to require hospitalisation and the Frelimo office was stoned and windows smashed. The incident occurred after Renamo and Frelimo rallies met and clashed.

In Muatala bairro of Nampula city, four Renamo supporters were injured when Frelimo activists stoned a Renamo rally which they said was being held too close to their office.

Frelimo party used government resources

There was widespread evidence of Frelimo taking advantage of its position of governing party. There were many reports of government cars being used in the campaign, and government lorries being used to carry people to political rallies and meetings. One observer who went into a government office in Manjacaze, Gaza, said it looked like a Frelimo campaign office.

The party in power always gains an advantage because it can make announcements close to elections, but one juxtaposition raised eyebrows. On Saturday 27 November, the president of the state-owned railways, CFM, Rui Fonseca, was shown on TV in the election coverage at a Frelimo rally in Mutarara with two CFM engineers. All three wore Frelimo t-shirts and Fonseca promised the rally that "Frelimo" would rebuild the railway to Mutarara. The very next night he was shown on ordinary television news, as CFM head and a government person, reopening the railway line to Lichinga.

Radio coverage praised by monitors

"Radio Mozambique appears throughout to have sought with considerable success to meet high standards of balance and impartiality. This is important to note given that RM has by far the greatest audience of any media outlet in Mozambique," said Article 19 on its interim report of media coverage of the election campaign.

Article 19 is a British-based press freedom organisation which also monitored the 1994 election campaign. In this election, it worked with the Mozambique Human Rights League (*Liga dos Direitos Humanos*) to monitor the public media.

"Radio Mozambique showed a significant improvement in the balance and impartiality of its election coverage compared with 1994", says the Article 19 interim report. Jon Lunn of Article 19 added that he

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'A bad example of brutality'

"... The protagonistic attitude of some Renamo leaders and Frelimo MPs for Gaza who were in front of cavalcades of their supporters is to be deplored. You expect a constructive attitude from these people who have at least a minimal knowledge of the laws, yet they took the lead in inciting violence and mistreatment of their respective 'enemies'.

In Chókwè I saw Frelimo MPs at the front of a cavalcade of their supporters inciting those behind them to block the progress of Renamo supporters who were accompanying their leader on the way to a rally.

For their part, Renamo leaders, instead of calming the anger of their followers, insisted on staying in front of the skirmish, in an unprecedented demonstration of force and brutality.

Because of these attitudes, various innocent people were beaten. For example, I remember a peaceable citizen who was wearing a Frelimo t-shirt and standing in front of his house to watch the two cavalcades pass by. Without knowing why, he was violently beaten by the Renamo presidential guard, in an action initiated by the top leadership of the party. ...

Frelimo supporters stoned and partially destroyed a car in the Renamo president's convoy. ..."

Mussá Mohomed, *Notícias*, 29 October 1999

Campaign

could state "categorically" that Radio Mozambique's neutrality was "immeasurably greater" than that of Malawi radio during its recent election, it also monitored.

Nevertheless, Lunn felt that RM remained "Frelimo-minded" and that there was a tendency to focus in greater quantity and less critically on government and Frelimo activities and statements compared with opposition ones. But Lunn also noted that Frelimo had "been much more active in the campaign" than Renamo, which started its campaign 10 days late, and that editors cannot be expected to chase parties who do nothing.

Article 19 also monitored RM local language broadcasts in six provinces. Election coverage was largely direct translations of the national Portuguese broadcasts. Where there was a difference, there was a tendency to more negative coverage of opposition parties, it said.

The Carter Center, in its campaign report, praised the RM code of ethics for journalists.

Mozambique television (TVM) "showed some improvement in the balance and impartiality of its coverage compared with 1994, but there remained a general tendency to focus in greater quantity and less critically on government and Frelimo activities," said Article 19.

Both Radio Mozambique and TVM ran special daily election news programmes, often of 30 minutes or more, in addition to the party political broadcasts allowed to each party by law.

The three government-owned newspapers came in for more criticism, both from Carter and Article 19. The two dailies, *Notícias* (Maputo) and *Diário da Moçambique* (Beira), were seen by Article 19 as "clearly pro-Frelimo". In its detailed monitoring, Article 19 found that the two papers gave nearly half their space to Frelimo, about one-third to Renamo, and the rest to the small parties. Frelimo articles tended to be more prominent and positive, but the opposition received significant coverage.

The Sunday newspaper *Domingo* was seen as overtly pro-Frelimo and partisan by all observers. The Carter Center said that *Notícias* and *Domingo* "clearly failed to abide by the provisions of the law" demanding "absolute impartiality" by publicly-owned or controlled media. Article 19 was less critical of *Notícias* than was Carter.

Article 19 noted that a major improvement on freedom of information this time, compared to 1994, was that there were no longer Renamo-controlled "no-go areas" which meant that in 1999 the press and all the parties were free to go around the whole country.

Finally, Article 19 made a wide-ranging attack on a number of Mozambican institutions, calling for new regulatory authorities and privatisation of the state-owned press (while elsewhere in the report criticising the bias of the private press). It criticised parliament for passing an electoral law which it called a "party 'stitch-up'" and objected to the party dominance of the National Election Commission which had been demanded by Renamo.

Parties and people

Only 2 presidential candidates

Joaquim Chissano, incumbent and head of the ruling Frelimo Party and Afonso Dhlakama, leader of the main opposition party, Renamo, were the only presidential candidates in the 3-5 December election.

In 1994 there were 12 presidential candidates, but the election law was revised to require that the 10,000 nomination signatures for presidential candidates must be notarised. No small party was able to do this.

Four other candidates tried to stand, but were rejected by the Supreme Court, which must validate the 10,000 signatures. Ya-Qub Sibindy, leader of the Independent Party of Mozambique (PIMO), which in some of its literature also calls itself that Islamic Party of Mozambique, submitted 10,200 signatures. But the Court found that many of the forms were not valid; it gave Sibindy five days to correct the paperwork, but he was unable to do so.

The signatures of each and every supporter must be "recognised" by a public notary who declares that the signature really is that of the person concerned, usually by comparing it with the signature on an identity card, passport or similar document. The Mozambique News Agency (AIM) reported that many of Sibindy's forms were not notarised or only carried a name but no signature. Some forms were notarised even though they were unsigned. "How can the notary say 'I vouch that this signature is genuine' when there is no signature ?" asked a court official. On some of Sibindy's forms, the absence of a signature is justified on the grounds that the supporters are illiterate. The words "nao sabe assinar" ("doesn't know how to sign") have been written in. But

illiterates are supposed to sign documents with a fingerprint, and a witness then testifies to their identity, but this was not done for Sibindy's supporters.

On 11 October the Supreme Court rejected outright three other candidates as having insufficient nominations. They are Armando Siueia, leader of the National Workers and Peasants Party (PANAOC), Joaquim Nyota of the Democratic Party for the Liberation of Mozambique (PADELIMO), and Wehia Ripua, who heads the three party coalition UMO (Mozambican Opposition Union). Nyota did not provide any nomination signatures at all. Ripua only managed to present the court with 6,000 signatures. He claimed that his other nomination papers had been "destroyed by Dynamising Groups" in Matola, who allegedly seized 7,000 forms and destroyed them. There is no confirmation of this story from any other source.

The signed forms presented by Chissano and Dhlakama were not free of problems; the court rejected some supporters of both candidates for irregularities. There were cases, for instance, where the same person tried to support his chosen candidate by signing nominations twice. But both Chissano and Dhlakama protected themselves against such difficulties by providing many more than the legally required number of signatures - Chissano delivered 30,000 and Dhlakama 16,000. When the invalid forms were weeded out, that still left more than enough to validate their candidatures.

Four of the six hopefuls stood in 1994: Chissano (who received 53.3% of the vote), Dhlakama (33.7%), Ripua (2.9%) and Sibindy (1.0%).

Small parties join Renamo

The election law works against small parties, in particular by saying that no party can win seats in parliament unless they gain more than 5% of the national vote. In 1994 one coalition (UD, União Democrática, Democratic Union) scraped past this barrier with 5.15% to win 9 seats, but in 1999 none did.

Instead, 10 small parties formed an electoral coalition with Renamo as the Renamo-União Eleitoral. The small parties agreed to support Afonso Dhlakama for president in exchange for one or two winnable parliamentary seats on the joint list. Because of this, at least 16 leaders of small parties were elected to parliament.

The ten small parties in the electoral union and their members in the new parliament are:
• ALIMO, Partido da Aliança Idependent de Moçambique, Independent Alliance Party, Khalid Sidat (leader) and Sérgio Neves.
• FAP, Frente de Acção Patriótica, Patriotic Action Front, Jose Palaço (president), Raul da Conceição (general secretary).
• FUMO-PCD, Frente Unida de Moçambique-Partido de Convergência Democrática, Mozambique United Front-Democratic Convergence Party, José Gudo.
• MONAMO-PMSD, Movimento Nacionalista Moçambicano - Partido Moçambicano da Social Democracia, Mozambican National Movement - Social Democratic Party, Máximo Dias (general secretary), Zelma Vasconcelos
• PCN, Partido da Covenção Nacional, National Convention Party, Lutero Simango, (president), Abel Mabunda (coordinator).
• PPPM, Partido do Progresso do Povo do Moçambique, People's Progress Party, Padimbe Kamati (president).
• PRD, Partido Renovador Democrática, Democratic Renewal Party, Maneca Daniel (president), Lourenço Juma (deputy president).
• PUN, Partido de Unidade Nacional, National Unity Party, Hipólito do Couto (president), Bachir Kássimo.
• UDF, Frente Democrático Unida, United Democratic Front, Mariano Pordina (president)
• UNAMO, União Nacional de Moçambique, Mozambique National Union, Carlos Reis (president).

The leader of the independent members of the Beira municipal assembly was also elected on the Renamo-UE list; Francisco Masquil was once governor of Sofala and was a member of the Frelimo Central Committee until 1997. One UD member of the previous parliament, Celina Solomone, joined the Renamo-UE list and was elected.

A split in the leadership of FUMO-PCD over whether to join Renamo-UE led the National Election Commission to initially reject that party (on a split vote, with Renamo members opposed to the exclusion). The CNE accepted the complaint of Domingos Arouca – the party's founder who had resigned as president in September – that FUMO-PCD had not properly followed its own procedures in agreeing to join the coalition. But the party went to the Supreme Court, which on 24 November ruled that the CNE did not have the power to exclude a party in that way, so FUMO-PCD was reinstated within the coalition.

Parliamentary leaders return

Many of the leading parliamentarians in both Frelimo and Renamo were re-elected. For Renamo these include former leader Raul Domingos, former deputy leader David Alone, second deputy chairperson Vicente Ululu and Jeremias Pondeca.

The head of the Frelimo parliamentary group, Armando Guebuza, and Frelimo general secretary Manuel Tome return to parliament. Also re-elected are Assembly chairman, Eduardo Mulembue; rapporteur of the Frelimo parliamentary group, Sergio Vieira; head of the Frelimo elections office, Mariano Matsinha; head of the last Assembly's Legal Affairs Commission Ali Dauto; head of the last Assembly's Plan and Budget Commission, Virginia Videira; and pugnacious orator Teodato Hunguana.

Two former military men return, Renamo former general Ossufo Momade, and Alberto Chipande, the man who fired the first shots in the independence war in 1964. Two of parliament's most effective speakers were not re-elected, Gulamo Jafar, who loyally remained Renamo's elections spokesman, and the Frelimo deputy chairman of the old Assembly, Abdul Carimo.

More than a third of the Frelimo candidates were women, and women headed two of the Frelimo lists (Veronica Macamo in Gaza and Margarida Talapa in Nampula). There were few women in high positions on Renamo lists; all those heading the lists were men.

12 parties stood, but only 2 won seats

Twelve parties stood in the parliamentary elections, but only two won seats in parliament. Each of the 10 provinces, plus Maputo city, are defined as constituencies (*circulos eleitorais*) and each has its own list of parliamentary candidates. Seats were assigned to provinces in proportion to the number of registered voters. Normally there are 248 seats plus 2 for Mozambicans outside the country; this year as there are no conditions for elections to be held outside Mozambique, all 250 seats are assigned to the 11 provinces.

Parties are assigned seats in a province in proportion to the number of votes they receive in the province, after having excluded blank and spoiled (invalid) ballots and votes for parties which did not receive 5% of the national vote. This threshold excluded all but the 2 main parties.

The assignment of seats to parties in each province after the election is done by the d'Hondt method. This is defined in the law as follows: "the number of votes gained by each list is divided, successively, by 1, 2, 3, 4, 5, 6, 7, 8 etc and the quotients put in descending order in a series," with the seats attributed to the highest ranking quotients in the list.

For each province, parties were requried to field at least as many candidates as there are seats in the province, plus at least three substitutes. Some of the smaller parties had trouble finding enough candidates, particularly in the larger provinces of Nampula and Zambézia.

The 9 parties and 3 coalitions, in the order in which they appeared on the ballot paper, with the number of

provinces in which they stood, the number of votes, and percentage of votes, is:

• PT, Partido Trabalhista, Workers Party; 11 provinces; 111,139 votes, 2.7%.
• SOL, Partido Social-Liberal e Democrático, Social-Liberal and Democratic Party; 11 provinces; 83,440 votes, 2.0%.
• Renamo-União Eleitoral, Renamo Electoral Union (Coalition); 11 provinces; 1,603,811 votes, 38.8%.
• UD, União Democrática, Democratic Union (Coalition); 11 provinces; 61,122 votes, 1.5%.
• UMO, União Moçambicana da Oposição, United Mozambican Opposition (Coalition); 11 provinces; 64,117 votes, 1.6%.
• Frelimo; 11 provinces; 2,005,713 votes, 48.5%.
• PANAOC, Partido Nacional dos Operários e Camponeses, National Workers and Peasants Party; 8 provinces; 24,527 votes, 0.6%.
• PIMO, Partido Independent de Moçambique, Mozambique Independent Party; 6 provinces; 29,456 votes, 0.7%.
• PADELIMO, Partido Democrático Liberal de Moçambique, Mozambique Democratic Liberal Party; 5 provinces; 33,247 votes, 0.8%.
• PPLM, Partido de Progresso Liberal de Moçambique, Mozambique Liberal Progress Party; 6 provinces; 11,628 votes, 0.3%.
• PASOMO, Partido de Ampliação Social de Moçambique, Mozambique Social Broadening Party; 2 provinces; 2,153 votes, 0.1%.
• PALMO, Partido Liberal e Democrático de Moçambique, Mozambique Liberal and Democratic Party; 11 provinces; 101,970 votes, 2.5%.

$2.5 million for parties

Political parties received almost $2 million, of which $480,000 came from government, and they have been promised another $520,00 by the government (see box). Initial distribution of money was late, but it ran smoothly.

Money for parties comes from a fund administered by the CNE. The US, Switzerland, Sweden and the Netherlands have contributed $1,482,000 to the fund, and the government $480,000. Discussion of the money only began in September when the CNE held a seminar for the political parties who were shocked to hear the restrictions imposed by international donors, which would, for example, have required receipts for all expenditures. The parties argued that *chapas* (private mini-buses) and many other service providers do not give receipts. The issue was underlined at a full-day seminar on 15 October run by Deloitte Touche to show parties what the accounting requirements would be.

The CNE continued discussing party funding, but as a low priority issue, right up to the start of the official campaign on 19 October; Renamo members of the CNE showed no urgency, despite their own party's reported shortage of money. Finally, at the start of the official campaign, the CNE announced its criteria for distribution. As predicted in *Bulletin* 23, one-third of the money went to presidential candidates, one-third to parties in parliament in proportion to their number of seats, and one-third to parties standing for parliament in proportion to their number of candidates.

Extra government $ for parties

Donor pressure forced the government to offer an extra $520,000 to the political parties, if they can present acceptable receipts for the expenditure of the money after the election process finishes.

Diplomatic sources report that initially the government only offered $80,000 from the state budget to be put into the joint donor-government fund for parties. Donors rejected this, and within days the government had increased its money to the $480,000 which has been distributed.

But the US ambassador told the government that it had publicly promised the donors to put in $1 million, and the government reluctantly agreed to make another $520,000 available - if parties can still produce receipts for acceptable expenditure which has not been covered by the $2 million already distributed.

No formal announcement of this money has been made. Donors expect that both Frelimo and Renamo will be able to prove enough eligible expenditure to make use of this money.

A further $610,000 of state funds went towards voter education, and to paying Radio Mozambique and Mozambican Television for the party political broadcasts they are, by law, obliged to transmit.

Money could not be used for cars, salaries or rent. But faced with the concern of parties at the difficulty of providing receipts, it was agreed that parties needed to account for only 70% of the money they received. This was also accepted by donors, who realised that the very tightly drawn rules would have prevented the parties from using this money to pay their party agents (*delegados da candidatra*) on voting days; some donors actually wanted to support that aspect of observation and were happy that space had been created to use money for the agents.

Money was to be distributed in three tranches, with government money first and donor money given only when sufficient receipts had been submitted for use of the first funds. By 29 October, the state's 6.23 billion meticais ($US 480,000) had been allocated in the following formula:

Presidential election campaign
Frelimo (Joaquim Chissano) MT 1,038 million ($80,000)
Renamo (Afonso Dhlakama) MT 1,038 million ($80,000)
Parties represented in parliament

Frelimo	MT 1,061 mn	($81,000)
Renamo	MT 941 mn	($72,000)
Democratic Union (UD)	MT 75 mn	($6000)

Parliamentary election campaign
Those parties running a full slate of candidates in all provinces received 236 million meticais ($18,000) from the government. The other parties and coalitions receive funds in proportion to the number of valid candidates they proposed:
Frelimo, Renamo-Electoral Union, UD, PALMO, PT, and SOL all received MT 236 mn. Smaller amounts went to UMO, MT 188 mn ($14,000); PIMO, MT 129 mn ($10,000); PANAOC, MT 122 mn ($9,000); PADELIMO, MT 109 mn ($8000); PPLM, MT 88 mn ($7,000); and PASOMO, MT 27 mn ($2,000).

Initially it was intended that the funds would be disbursed in three tranches, with government money first and later tranches of donor money only disbursed to parties and coalitions that could provide receipts proving that they used the earlier ones for legitimate campaign expenses. However the initial distribution of funds was so late that this was not followed, and by mid-November the entire $2 million had been distributed without waiting for receipts. This surprised the donors, but in the end it did not cause problems. By mid-December all but $38,000 had been properly accounted for, and the two biggest parties (Frelimo and Renamo) had already provided full accounts.

Donors, who had delayed the release of their money until CNE rules and government money had been sorted out, then had to scramble to find their money in time, and then their transfers were lost in the banking system and the Ministry of Finance. But in an unusual show of flexibility, the United States reportedly pointed out to the government that it had just released a substantial amount of money for agriculture, and it had no objection if some of that money was "lent" to the parties fund until the four donors had organised their transfers.

Chissano names 22 ministers to enlarged cabinet

President Joaquim Chissano on 17 January named a larger cabinet, with 22 ministers. Three are women. Only 6 ministers retain their posts, while 2 shift to new ministries; 4 vice-ministers are promoted and there are 10 new faces.

Four ministries have been split in half:
• Agriculture & Fishing becomes Agriculture & Rural Development, while Fishing becomes a separate minstry.
• Industry & Commerce are one ministry, while Tourism is separated into its own ministry.
• Culture is one ministry and Youth & Sport another.
• Education remains a ministry, but a new ministry of Higher Education, Science and Technology is created.

The Social Action Ministry becomes the Ministry of Women & Social Action.

List of ministers

The 22 ministers and their previous positions are:

Prime Minister (*Primeiro-Ministro*), Pascoal Manuel Mocumbi; no change.

Foreign & Cooperation (*Negócios Estrangeiros e Cooperação*), Leonardo Santos Simão; no change.

Defence (*Defesa Nacional*), Tobias Joaquim Dai; was retired general and secretary-general of Defence.

Planning & Finance (*Plano e Finanças*), Luísa Diogo; was vice-minister.

Justice (*Justiça*), José Ibraimo Abudo; no change.

Interior and Minister in the Presidency for Defence & Security (*Interior e para os Assuntos de Defesa e Segurança da Presidência da República*), Almerino da Cruz Marcos Manhenje; no change.

State Administration (*Administração Estatal*), José António da Conceição Chichava; member of Maputo local assembly (city council).

Agriculture & Rural Development (*Agricultura e Desenvolvimento Rural*), Hélder dos Santos Félix Monteiro (formerly Muteia); was vice-minister.

Industry & Commerce (*Indústria e Comércio*), Carlos Alberto Sampaio Morgado; was member of National Election Commission (CNE) and vice-president of the national airline LAM (*vice-Presidente do Conselho de Administração das Linhas Aéreas de Moçambique*).

Minerals & Energy (*Recursos Minerais e Energia*), Castigo António Correia Langa; was vice-minister.

Transport & Communications (*Transportes e Comunicações*), Tomás Augusto Salomão; was Minister of Planning & Finance.

Education (*Educação*), Alcido Eduardo Nguenha; was member of parliamentary Permanent Commission (*Comissão Permanente da Assembleia da República*) and head of the Pedagogic University.

Health (*Saúde*), Francisco Ferreira Songane; doctor and was head of Beira central hospital.

Culture (*Cultura*), Miguel Costa Mkaima; was director of National Art Museum (*Museu Nacional de Arte*)

Environment (*Coordenação da Acção Ambiental*), John William Kchamila; was Minister of Minerals and Energy.

Labour (*Trabalho*), Mário Lampeão Sevene; was member of parliament.

Public Works & Housing (*Obras Públicas e Habitação*), Roberto Costley White; no change.

Youth & Sport (*Juventude e Desportos*), Joel Matias Libombo; was vice-minister.

Women & Social Action (*Mulher e Coordenação da Acção Social*), Virgínia Bernarda Neto Alexandre dos Santos Matabele, was deputy-leader of Frelimo bench in parliament.

Minister in the Presidency for Parliamentary & Diplomatic Affairs (*Ministro na Presidência para os Assuntos Parlamentares e Diplomáticos*), Francisco Caetano Madeira; no change.

Tourism (*Turismo*), Fernando Sumbana Júnior; was director of Investment Promotion Centre (*Centro de Promoção de Investimentos*)

Higher Education, Science & Technology (*Ensino Superior, Ciência e Tecnologia*), Lídia Maria Ribeiro Arthur Brito; was recently appointed academic vice-rector of Universidade Eduardo Mondlane (UEM).

Fishing (*Pescas*), to be named.

Parliamentary leaders selected

Eduardo Mulémbwê was relected speaker of parliament (*Presidente da Assembleia da República*). He was nominated by Frelimo; Francisco Masquil, former Frelimo Central Commitee member and leader of the opposition in the Beira city council, was nominated by Renamo.

Armando Guebuza remains head of the Frelimo parliamentary bench. Renamo-UE selected Ossufo Mizé Quitine to replace Raúl Domingos as leader of the opposition bench. Deputy head is José Samo Gudo, a member of one of the small parties in the Renamo-UE coalition, Fumo.

Five ministers from the previous government were elected to parliament: Eneas Comiche, Arnaldo Nhavoto, Aurélio Zilhão, Alfredo Gamito, and Mateus Kathupa.

New government