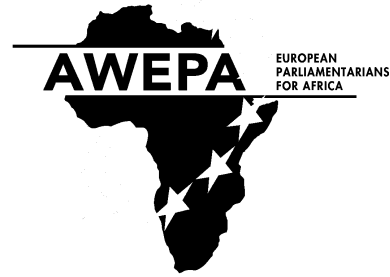


Mozambique political process bulletin



Issue 34 – 6 July 2007

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

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

Published by AWEPA, the European Parliamentarians for Africa

Prins Hendrikkade 48, 1012 AC Amsterdam
Tel: +31 (20) 524 56 78 ; Fax: +31 (20) 622 01 30

Rua Licenciado Coutinho 77 (CP 2648) Maputo
Tel: +258 21 41 86 03, 21 41 86 08, 21 41 86 26

e-mail: awepa@awepa.org

Fax: +258 21 41 86 04

e-mail: awepa@tvcabo.co.mz

Formerly *Mozambique Peace Process Bulletin*

(Back issues: <http://www.open.ac.uk/technology/mozambique>)

Voting in the rain

Provincial assemblies will be elected on Thursday 20 December, long after the start of the rainy season. Following the confusion caused by rain during early December elections in 2004, new laws bar national elections in the rainy season, but do not prohibit wet provincial elections.

An entirely new electoral register will be compiled starting on 20 August – just five days after the end of the national census – and ending on 18 October

Elections this year are required by the constitution which came into force in 2005, but meeting the 20 December date will require bypassing new electoral laws. It was widely suggested that provincial elections be delayed and carried out at the same time as local elections next year or national elections in 2008. This would have required a constitutional amendment. Both major parties took very macho positions, implying that to call for a delay would suggest they were not ready. In several statements, President Armando Guebuza said the elections must take place this year.

The biggest legal contradiction relates to candidates. Each district is a constituency, and the

No money for elections *page 4*
Debate on 7 mn MT for districts *page 6*

number of assembly members is based on the number of people registered to vote in each district. But candidates lists must be presented 90 days before the election – 20 September, before the registration finishes. Indeed, registration numbers will only be published in January, after the election.

Candidates lists must contain enough people to fill all the seats, but lists must be submitted before anyone knows how many seats are to be filled. Numbers of seats could be based on the previous electoral registers of 1999, 2003 and 2004, but the Constitutional Council in its ruling of 19 January 2005 was highly critical of the inaccuracies and other problems with those registers.

Can the CNE respond to Constitutional Council and international observer criticism?

Parliament dumped a hot potato in the lap of the National Elections Commission (CNE, Comissão Nacional de Eleições) when it failed to deal with the harshest criticisms of the Constitutional Council and observers after the 2004 election, and left them to be dealt with by the CNE in internal regulations.

Meeting these criticisms will require a complete rewriting of procedures for dealing with counting, reporting of meeting, observation and transparency in general.

The fear is that the new CNE will feel under such pressure to meet the tight deadline of 20 December that it will simply adopt the regulations of previous CNEs. But this would lead it into a direct confrontation with the Constitutional Council.

The full CNE only began work on 11 June. Only three members have direct experience of election commissions, which means many new CNE members may have little experience of Mozambican or foreign elections. Thus they may not understand that Mozambique's election procedures are now considered unacceptable by international standards. For example, there was widespread criticism that in 2004 the CNE made substantial changes in the final results, in secret and with no explanation or justification. (See Bulletin 33, page 6) Observers were astonished that nearly 900 polling stations were excluded from the final tally, with no explanation.

Mozambique always receives high praise for the polling day. Well run polling stations; openness to party delegates, observers and press; the immediate count in the polling station; and then posting the results on the polling station door are all seen as a model of transparency and good conduct.

But praise ends at the polling station door, and it is the closed and secret proceedings of the election commissions which are not accepted. Former US President Jimmy Carter said in 2004 that no other country in which the Carter Center observed has such unacceptable procedures. The European Union was unable to sign a memorandum of understanding in 2004 because of CNE secrecy. Mozambique's own Constitutional Council agreed with the international observers.

In the following three articles, we set out the challenges to the CNE, problems remaining in the law which will be hard for the CNE to resolve on its

own, and finally the way in which the new focus on districts means important changes in procedures.

CC: Transparency is essential

"The principle of transparency of the electoral process is an essential element of its national and international credibility", declared the Constitutional Council in its 19 January 2005 ruling. Commonwealth observers said "the lack of full access created an atmosphere of secrecy and mistrust about the whole counting process".

This was a reaction to the procedures of the election commissions in 2004 in which all meetings and counting were closed. No minutes or lists of decisions were published, there was no record of votes, and even regulations were kept secret.

Whereas the count in the polling station is open to party representatives, observers and press, none of these were permitted in any election commission meeting. Nothing in the new legislation prevents this system from continuing. But it is up to the CNE to set its own regulations. One argument for secrecy in the past has been that when the CNE was heavily party based, secret negotiations between parties were sometimes necessary. But with the new largely non-partisan CNE, this is no longer necessary. Like parliament, sessions should normally be open, and be closed only under exceptional circumstances (for example to discuss personnel matters.)

There are three different groups specified in the legislation as having the right to monitor the electoral process – party representatives, press, and national and international observers – and the CNE will need to produce regulations for all three.

Curiously, the law for the 2009 national election allows presidential candidates or their agents (*mandatários*) to be present during the CNE count (Lei 7/2007, art 144). But the laws make no similar provision for party agents to be present at lower levels (district, province), nor do the laws make any provision for party agents to be present in the work of any election commission during counts for provincial and national assemblies. The Constitutional Council specifically said that counting at all levels should be open to party representatives, but this was ignored by parliament.

The basic point is established that at least some part of the CNE counting process should be open. And there is no reason why all three groups should not have almost total access to the work of election commissions, just as they have total access to polling stations. The law does not prohibit this.

In an essay last year on the electoral process. Constitutional Council member Teodato Hunguana wrote "in regulating electoral observation, the CNE must be guided by the principle of the most unrestricted openness."

Parliament resolved some problems

Although difficult issues were ignored, parliament (*Assembleia da República*) in new legislation did solve five problems cited by observers and the constitutional council:

- The CNE was reduced in size, from 19 to 13, and parties now only nominate five members. The elections commissions are largely non-partisan and should work more smoothly.
- There are no longer party nominations to the Technical Secretariat for Electoral Administration (STAE), making it a purely professional body.
- Polling has been reduced to one day, which means polling station staff will be less tired during the count, reducing errors.
- A definitive list of polling stations and their locations must be published 30 days before the election. (In 2004, this list was secret.)
- A much greater role has been given to district election commissions (see article on page 3)

Throwing away evidence

There was clear evidence of significant fraud in the 2004 election and the Constitutional Council was highly critical of the CNE's failure to investigate and prosecute apparent violations. "If violations of the election law remain unpunished, they will multiply and threaten the entire fundamental principles of our state. This is a real threat," it said.

Parliament made no changes in the sections of the laws on election crimes and how to deal with them, and these sometimes make prosecution difficult. Three problems are particularly serious. One is the complaints must be presented to the lowest level of the system and then be dealt with at each level above. Time is short and complaints are often refused or not passed up the hierarchy, and there is no redress. There is no system to deal with the refusal by a polling station or election commission member to accept a complaint. Where party delegates have been excluded, they are supposed to complain to precisely the people who excluded them.

Second is that the complainant must present

evidence, but the evidence is often in the form of documents held by an election commission and not accessible to the complainant.

Third, there seems no way within the law to complain about or investigate broader problems such as the 2004 Tete ballot box stuffing or the failure to open polling stations in Zambezia.

One obvious example is a case seen by observers during the checking of invalid ballot papers. Ballots had clearly been made invalid by someone adding an extra fingerprint to the ballot paper; the same print was in the same position on a whole series of ballots. A finger print is obvious evidence, but within the law there was no way to follow this up without a specific complaint having been made at the polling station, and the law required that the ballot papers be destroyed quite quickly, destroying the evidence and preventing any investigation.

● A paper confirming fraud in the 2004 elections has been published by the prestigious London School of Economics. The paper, *Identifying Fraud in Democratic Elections: a case study of the 2004 presidential election in Mozambique*, by Joseph Hanlon and Sean Fox, is available on <http://www.crisisstates.com/download/wp/wpSeries2/wp8.2.pdf>

District count limits CNE role

The new electoral laws give a substantially larger role to the district election commissions.

In both national and provincial elections, ballots are counted at each polling station, which prepares a summary results sheet known as an *edital* and a fuller report known as the *acta*.

Materials are then sent to the district or city election commission (CDE). The big change is that the CDE, instead of just serving as a post box, actually does the count. It publishes consolidated results within three days of the close of polling stations, and it will be these results which matter. For the first time, it will be easy for media and observers to compile national totals based on the 150 CDE *editais*.

District results are sent to the provincial election commission (CPE), which must publish results within 5 days of the election. Actions of provincial election commissions are circumscribed, because they can only add up the *editais* sent in the CDEs.

These then are passed up to the National Election Commission (CNE), which actually announces the allocation of assembly seats within 15 days of the election.

In past elections, there has been huge confusion because the CNE did its own count on the basis of polling station *editais*, and the CNE often had different results from the provincial count. This is still possible because the laws specify that copies of each polling station *edital* must be sent to the CNE, and allows the CNE to consider "other documents" ("*demais documentos*"). The idea of electoral authorities doing two separate counts in secret is unique to Mozambique, and European Union observers recommended that the separate national

count should be ended. This, again, is an issue for internal regulations, and the CNE must decide if it wants to abolish the second secret count.

Both election laws contain contradictory

Reconsidering nullos at district level

Invalid votes (*nulos*) remain a serious problem, with voters erroneously marking two candidates. The law says a vote is valid if the intention is clear, but polling stations apply the rules far too strictly, so the law requires all *nulos* to be reconsidered. In the past, this was done by the CNE.

In 2004 the CNE received a mountain of 158,875 invalid ballot papers in the parliamentary election (4.7% of total votes), but the CNE found nearly one-third of those (48,813) to be valid. The new legislation shifts responsibility for reconsidering *nulos* to the district election commissions.

In provincial elections, there is no further action. But in national elections, the CNE must reconsider the remaining *nulos* for a second time.

instructions. In one place (lei 7/2007 art 96; lei 10/2007 art 102) ballot boxes, registers and other materials must be sent by district election commissions (CDEs) to provincial election commissions (CPEs) within two days of voting, while in another place (lei 2007 art 105; lei 10/2007 art 111) they must be sent within six days. This difference is important. The shorter time would not allow the district election commission to reconsider *nulos* before they are sent to the provincial election commission. Second, both laws say that the CDEs should base their results on *editais*, *actas*, and "other documents" sent from the polling station. Under the shorter time scale, these documents would have been sent to CPE before the CDE could look at them.

The laws require that ballot papers be sealed into special plastic bags and sent with other electoral materials. It would seem that such ballot papers are "other documents", and thus, in principle, if an edital

contains obvious errors, the CDE could recount the ballot papers.

Some districts will have more than 200 polling stations so computerisation will be required at district level, even if based on simple laptops. But the recent computer-based survey of civil servants found that 50 districts still did not have stable enough electricity and telecommunications for their computers. This means that some care must be taken to set up systems which are both simple and robust – another difficult task to be done in haste. Training will also be required.

In the past, relatively complex double entry systems have been used. It might be better to use simple spread sheets and then manual checking of the accuracy on the date input. Each party is given copies of polling station editais, so spreadsheets could be printed out and given to the parties to verify.

Donors reluctant to fund election

Donors have been asked for \$32 million toward the registration and provincial elections, but seem unlikely to pay. At a 27 June meeting with Foreign Minister Alcinda Abreu and UN Resident Coordinator Ndolamb Ngokway, donors were told that government had only \$12 million of the likely \$44 mn cost. But at a follow up meeting with the UN Coordinator on 4 July, no donor offered money.

Abreu, herself a former CNE member, admitted that she was going to the donors because the European Commission (EC), usually the main election funder, had decided not to support this election.

The election laws passed last year did not respond to complaints in 2004 by European Union observers about the total secrecy of the CNE and lack of transparency and openness to observers. So the EC made clear it could not fund elections which could be unacceptable. It had a budget line of €12 million for elections, and with the agreement of Abreu this was transferred to the population census and health.

Speakers at the 4 July meeting raised three main issues:

- Lack of guarantees for observation.
- Why was money not in the state budget, when the constitution required an election this year? Donors say it is time to stop assuming they will pay for elections, especially when Mozambique fails to create acceptable conditions for observation. After five donor-funded elections, Mozambique should be including elections in its ordinary budget – which is, in any case, substantially funded by donors.
- Major questions about the feasibility of organising elections in such a short time. The rush for 20 December means many donors fear elections will be poorly prepared and managed.

Some donors are now suggesting that government consider a postponement, which would be better than a bad election. This would also

provide a golden opportunity for better training and organisation, and to make needed changes to systems. Donors would be willing to take the "blame", allowing the government to say that elections must be delayed because of lack of donor funds.

Several other factors are behind donor coolness:

- There is little enthusiasm for provincial assemblies, without a decentralisation policy making their role clearer.
- The decision to hold the election this year means three elections in five years, which is expensive and disruptive (taking many officials out of their offices for two months each time).
- Fear that doing registration so soon after the population census will allow little time for publicity and lead to a low registration. This is compounded by fears of a low turnout for an election to a new body people do not understand.

Donor yellow card for government

Donor coolness on elections is partly linked to a subtle but real change in donor attitudes in general, largely in response to Mozambique's failure to act on governance, justice and corruption issues. Aid to Mozambique is increasing, but not as fast as planned. Germany, for example, had announced plans to increase budget support from €10 mn per year to €15 mn, but in the end will only give €12.5

mn – still an increase, but less than expected. Several other donors point out that increases in overall aid are not being matched with increases to Mozambique.

Donors are quick to stress that the picture is not gloomy or negative, and aid is still rising. But they also want the government to see the slowing down of increases as a first warning. One donor official said: “We know the government cannot do everything at once. Initially the priorities on both sides were economic. But now the government has a grip on the economy, while the agenda at home has moved to governance and corruption. Our capitals need Mozambique to show tangible progress on these issues.”

In the joint review of government and budget support donors earlier this year, it was agreed that government had failed to meet most of its targets on justice and corruption – just the issues rising on donor agendas more generally. Several donors told the *Bulletin* that they feel a lack of Mozambican enthusiasm for reform, but they need tangible results they can show their headquarters, and not just more reports and promises. Justice reform is difficult, but some concrete actions are possible, with several saying that action on Banco Austral would be the best example.

Although governance is the main cause of donor disquiet, concern is also expressed by some about agriculture, decentralisation and democracy. “Too many crucial areas are stagnating,” said one donor official.

Limited role for provincial assemblies

Provincial assemblies are more like the consultative councils, mainly giving opinions, and less like the municipal assemblies, which have real power over resources. The provincial bodies only have the right to “approve” (and thus also reject) four things – the

provincial plan and budget to be submitted to the Council of Ministers (which can then make changes), multi-year district development plans, and environmental plans and programmes. The law says the assemblies “give recommendations”, “give opinions”, or “monitor” a wide range of provincial activities, but power rests with the governor, who is appointed by the President of Mozambique.

Normally, the assembly will meet twice a year for 10 days each time. As at national level, there will be commissions which will meet more often.

Provincial assemblies will have 50 to 80 members, depending on the number of registered voters. As with the national assembly (*Assembleia da República*, parliament), members will be elected on a party list system, but with a different list for each district.

Members are expected to simultaneously represent both the province and their district. Linked to President Armando Guebuza’s campaign to make districts the centre of development efforts, the “MT 7 million” being given to each district, and the increased role of district election commissions, this represents a real shift in focus and defacto power to the districts.

Registered parties are automatically allowed to propose lists of candidates for elections. However, like municipal assemblies but unlike the national assembly, independent citizens lists can be proposed. Lists must contain enough names to fill all the available seats plus 50% extra to fill future vacancies, which will make it a bit more difficult for citizens’ groups trying to find enough candidates.

But it appears that citizens and party lists can be presented for individual districts, and need not be for the whole province.

This will be the first election of provincial assemblies, which do not now exist. As a condition of its approval of a package of constitutional amendments in 2004, Renamo insisted that the new assemblies be created.

Decentralisation

Controversy over MT 7 mn for district job creation

Earmarking the “7 million meticaís” district grants specifically for jobs and food production has provoked substantial controversy and confusion. Civil society, consultative councils, Mozambican technicians, donors and the international financial institutions have all expressed strong reservations, although often for very different reasons. Donors met Planning and Finance Minister Aiube Cuereneia on 30 May.

Meanwhile, there is also confusion and disagreement within government. Districts must submit their plans for 2008 by the end of July 2007, yet draft orientations with significant policy changes were only put into circulation in mid June and have still not been approved. (see page 8) A fourth draft of regulations for local consultative councils has also been put into circulation for consultation.

There has been broad support for decentralisation and reasonable support for the surprise decision in the 2006 budget to give MT 7 million (now \$275,000) to each district with spending to be decided locally. This was only 2% of the state budget in 2006, similar to state budget transfers to the municipalities, and was clearly experimental. There were no rules about how the money was to be used, except that local “consultative councils” had to be involved.

Initially, the money was used quite conventionally. A survey of 29 districts showed 31% of money used for social infrastructure (water, health, education); 28% for improving district government buildings; 24% economic projects (mostly agriculture); and 11% economic infrastructure (roads, irrigation).

Throughout 2006 and early 2007 there have been a string of revised orientations, leading to an instruction that the money should not be used at all for infrastructure. In a series of speeches, President Armando Guebuza said the money should be used for job creation, profitable investment and food production. And he stressed that much of the money should be revolving loan funds. For 2007, there was a slight variation in amounts going to districts, dependent partly on poverty and population; grants ranged from Mt 6.8 mn to MT 9.5 mn. (Formally, the money is the Local Investment Initiatives Budget, OIIL – Orçamento de Investimento de Iniciativa Local, although it is still widely called “the 7 million”.)

Negative reactions

The rapid changes and this new line caused a major backlash. At local level, the consultative councils, which had already been reconstituted more than once following new orientations, found their plans for the “7 million” rejected and had to start again. In some places, contracts had already been issued and had to be cancelled. Some districts, for example in Nampula, had developed a programme for

supporting new local construction companies to build classrooms and roads with the “7 million” and suddenly this was not allowed. District administrators admitted to being confused.

Although job creation is a high priority in all rural areas, at a regional seminar in Nampula in May some district administrators said local communities considered road repairs and water to be equally urgent.

Notícias director Rogério Siteo in a column on 11 May warned of the dangers of “putting politics in command to the detriment of the technical component”. He pointed to the “emerging demoralisation and relative frustration of technicians in ministries because of their reduced influence on political decisions.” And he cited in particular the lack of technical capacity at district level to implement the new orientations.

Civil society reacted strongly to what they saw as the marginalisation of the consultative councils by the tighter rules imposed from above. On 29-30 May a group of 34 NGOs (20 local and the rest international) met and concluded that “it is evident that the legal and political framework [of the consultative councils] was not designed on the basis of reality.” They “lack capacity, space and credibility to carry out an effective role in local government.”

The civil society meeting was also concerned about the “strong hand of government” in the creation and running of the consultative councils. The lack of elections “facilitates politicisation” and “there is a clear fear of retaliation if any criticisms of officials are expressed”. The meeting concluded that “to have a real participative and transparent process, there must be elections in which everyone can vote.”

The international community picks up many of the same points, plus one other. President Guebuza’s proposal to create a development bank was rejected out of hand by the donors in 2005, and they fear he is using the “7 million” to create a development bank by the back door.

Donors are also concerned about the lack of a clear government decentralisation policy, what they see as confusion about the purpose of the “7 million”, and that new policies reduce the role of local decision-making. A World Bank paper in May said that “OIIL has ceased to be an unconditional grant” to be spent according to local needs, and instead had to follow narrow national policies. Following the traditional World Bank line, the paper also argued that government funds should be used

for infrastructure and not for private goods or credits for productive investments or for agricultural services, which should be provided by the private or NGO sectors.

Representatives of 11 donors and the IMF and World Bank met for two hours with Planning and Development Minister Aiuba Cuereneia on 30 May. He rejected many of the donor complaints, stressed that it had been concluded that if the districts were to be the focus of development, then the funds should be used for district level income-generating projects. The minister did not respond to concerns about the reduced power of the consultative councils.

The IMF in an 18 June statement expressed continued “concerns about the accountability and transparency of district spending.”

It is clear that decentralisation policy, including municipalities and district funds, is now high on the government agenda and the subject of intense internal discussion. The *Mozambique Political Process Bulletin* will follow decentralisation in future issues.

Two of the latest draft papers are discussed in articles below. Two other issues are also being debated. First, complaints from the consultative

councils have been heard, and there is discussion, so far unresolved, about the possibility of a second fund for local level decisions on infrastructure.

Second, in his meeting with donors and international financial institutions, the minister accepted the lack of capacity in district government and said they were looking for alternatives to the districts giving cash grants or loans. Some districts are already giving items such as cattle and baby chicks and this will be extended. There is also discussion of using micro-credit agencies or existing development funds (*fundos de fomento*) to manage loans. Cuereneia met with four of the funds on 21 June to see how they could increase their involvement in the districts.

A first step may be an agreement between one of the funds (FFP, Fisheries Development Fund), the Small Scale Fishing Institute (IDPEE), and GAPI (a development finance support institution) on 29 June to work with small scale fishing on the northern coast. The idea is, for the first time, to support the whole value chain, from boats and nets through processing to marketing. GAPI will provide business support. This structure could also help fishing people tap the “7 million” district funds.

Comment: Conflicting myths

At the core of the confusion over the “7 million” are two conflicting myths. On one side, the donors, led by the World Bank, believe that the role of the government is to create infrastructure and “human capital” (through health and education), and then the private sector will use this base to invest and end poverty. For the World Bank, government investment in the economy should be restricted to infrastructure and government has no role investing in business.

The Mozambican view partly agrees with this, but argues that what is holding back Mozambican businesspeople is lack of capital. All that is needed is money and equipment, and there are 1000s of Mozambicans who know what to do next.

Both are myths, because both assume that there are foreign and domestic businesspeople ready and able to start new businesses in Mozambique. Ten years of investment in roads and schools have not caused an economic boom. Jobs have not been created, which is the main reason for President Guebuza’s shift to putting the “7 million” into job creation.

But simply giving or lending money has not worked well either. Loan repayment rates to the various existing government loan funds have been low, as has the repayment rate so far on loans from the “7 million”. The main reason seems to have been inexperience and inability to use the money profitably – inadequate maintenance of equipment, failing to estimate properly the cost of fuel for irrigation pumps, determining if there is a sufficient market, etc.

Research for a book to be published later this year (*Do more bicycles mean development in Mozambique?* by Joseph Hanlon) makes clear that both the Bank and the Mozambique government are

right about the need, and wrong about seeing a single answer. Development does need better roads, and there is a desperate shortage of rural capital and credit. But there is a third need – business training and support.

Rural entrepreneurs assume that since most people know how to raise chickens, it should be easy to use loans or grants from the “7 million” to create a chicken business. But a range of failures across the country shows just how hard it is to compete with Brazilian frozen chickens or even ordinary peasant chickens. Taking just an extra week to raise the chickens to a proper size can wipe out the profit; failing to vaccinate against Newcastle disease can mean the loss of the entire flock.

What seemed easy to a would-be entrepreneur suddenly becomes much more difficult. Of course, money can be made on chickens, cattle and many other kinds of production, but successful producers need a lot of help with basic business plans, extension services, etc.

GAPI and various NGOs are successfully providing some essential business services, but to relatively few people. The “7 million” can boost rural development and entrepreneurship, but only if backed up with business extension services.

Joseph Hanlon

Draft regulations (1)

MT 7 million to be used for kits & fertiliser

“Kits” and agricultural inputs instead of cash from the “7 million” are proposed in draft regulations distributed in June by the ministries of Finance and Planning and Development.

The draft includes “procedures for implementing projects to generate income, jobs and food production at district level.” As part of employment generation, money from the Local Investment Initiatives Budget (OILL – Orçamento de Investimento de Iniciativa Local, “the 7 million”) is to be used to buy “kits” for a wide range of activities – cabinet making, metalworking, small workshops for bicycle and pump repair and tool sharpening, making building materials, fishing, and beekeeping. Other uses include cooling and drying systems for fish, dip tanks for cattle, and small dams and irrigation systems. As part of food production, money can be spent on inputs (seeds, agrochemicals and fertiliser), farm equipment, low cost processing systems such as maize mills, and reforestation.

Specifically excluded from funding would be all running costs including salaries and fuel, construction of schools and health posts, books, seminars and workshops, trips, vehicles, furniture and clothing.

Projects would be proposed by associations, small businesses, communities, individuals and families. Materials would be given only to those who have “the potential to be local entrepreneurs and whose projects are viable and sustainable, and recommended by consultative councils.” Recipients of the materials would be expected to eventually pay for them, but no repayment terms are specified.

Decisions by consultative councils must be “transparent”. The councils are expected to check to see that resources are actually used as in the project proposal, and also to monitor repayments.

The regulations would require the creation of a Management Commission (Comissão de Gestão) and a Purchase Commission (Comissão de Compras). The first would be chaired by the district administrator and have two members of the district consultative council and would hand over the materials, monitor projects, and collect loan repayments. The second commission would actually procure materials.

The process is running very late. District plans for 2008 must be submitted to the Ministry of Planning and Development by 31 July. These regulations, although now quite widely distributed, remain an unapproved draft.

Draft regulations (2)

Consultative Councils gain power over NGOs, land

Local Consultative Councils (CCs) would have the right “approve” credits from the “7 million” and “approve” the district plan, in the fourth version of draft regulations released by the Ministry of State Administration (*Ministério da Administração Estatal*) for consultation in June.

Under the proposed rules, CCs would also have the right to comment on NGO projects, private investment proposals, concessions of land, and use of natural resources, including water, forests and wildlife in their area. But the increased powers come with an increased role for government officials within the CCs.

There will be CCs at four levels, from Distrito down through Posto Administrativo, Localidade to Povoação. At each level, they are chaired by the senior government official (district administrator, chefe do posto, etc) and administered by the government.

Selection of members starts at the bottom where members are chosen to represent local forums, community committees, and economic, social and cultural groups. The chefe da povoação is expected to have meetings with each group to choose their representative.

Then each CC selects members to represent it at the next higher level, up to the district CC. In addition, the local government can invite “influential people from civil society” to be members of the CCs. At each level the CCs are supposed to be broadly representative; at least 40% must be “community leaders” and 30% women.

After each CC has been selected its members must be presented to a public meeting. This is similar to the elections of the 1970s and 1980s.

(COMMENT: This may not be fully democratic, but it does assure that those chosen are seen as acceptable and representative. At meetings in the early 1980s, I saw communities reject candidates. *jh*)

Each CC meets twice a year for no more than two days each time. All CC sessions are public and all decisions must be publicised locally.

All CC sessions must be in Portuguese, but there must always be a translator for the local language.

Although the draft regulations give the CCs a broad role, their power is clearly limited. The draft regulations say that CCs are institutions “by which citizens can influence decisions that affect them.”



From fighting apartheid to supporting parliaments

Apartheid and the attacks of white-ruled South Africa now seem a long time ago. Two decades ago AWEPA (then the Association of West-European Parliamentarians for Action against Apartheid) was supporting the “Front Line States”, taking Mozambican and other ministers to Europe and bringing European MPs to Mozambique to understand the harsh reality of apartheid destabilisation.

With the defeat of apartheid and the end of the war in Mozambique, AWEPA changed its name to European Parliamentarians for Africa and took on a new role of supporting parliaments and democracy. The Mozambique office opened 15 years ago, the year of the peace accord, and the first issue of the *Mozambique Peace Process Bulletin* was published that year. AWEPA initially supported the peace process and elections, training political parties and observers.

It then turned to capacity building in the new parliament, with a special stress on helping former foes to work together. Capacity building helped both members and parliamentary staff. This has continued until today, and AWEPA is the only organisation which has maintained a consistent programme of parliamentary support.

With the creation of municipalities in 1998, AWEPA expanded its work to their elected officials and staff, and looked to links with local civil society. Observer and party training also continued for 1999, 2003 and 2004 elections. The programme has expanded into capacity building on gender, HIV/AIDS and child rights.

AWEPA's head office is in Amsterdam. The Mozambique office is AWEPA's biggest in Africa, with 11 staff members – all Mozambican.

On 24-25 April AWEPA celebrated the 15th anniversary of its Maputo office with a joint conference with UNICEF on child rights. Parliament Speaker Eduardo Mulémbwe opened the event. First Lady Maria da Luz Guebuza and Graça Machel, a member of the AWEPA Eminent Advisory Board, were among those who attended.

For elections in 2007, 2008 and 2009, AWEPA is organising a three year programme for political parties to contribute to free, fair and transparent elections, through improving the political parties own election monitoring capacity. The programme with parliament will continue, with an emphasis on the new Women's Parliamentary Association and the strengthening of parliament's committee staffs.

AWEPA will continue its local government programme, which will be extended to the new provincial assemblies.

In cooperation with UNICEF, AWEPA will also work on child rights advocacy and capacity building in Parliament and the Municipalities, with the goal of increasing parliamentary and local government action for children.

Angelo Matusse, AWEPA Resident Representative for Mozambique

On the web

AWEPA Mozambique activities are on the main AWEPA website, www.awepa.org.

Not the easiest website to use, go to “about us”, then “offices”, then “Mozambique”. Within that, “projects” lists the projects, and “resources” has a complete archive of the *Mozambique Political Process Bulletin*.

Jan Nico Scholten retires (partly)

On his 75th birthday, Dr. Jan Nico Scholten, stood down as AWEPA Executive President. A founder of AWEPA, he held the post since 1984. He will continue as AWEPA President.

At a reception for Dr Scholten in the Dutch Senate on 15 June, Archbishop Desmond Tutu, Honorary Chair of the AWEPA Eminent Advisory Board, spoke of the value for Dr. Scholten and AWEPA for their support when South Africa was throwing off the chains of apartheid. He told Dr. Scholten: "It has been an honour and a pleasure to work alongside you and to be a member of the AWEPA Eminent Advisory Board. I would suggest that your contribution to the African continent far outweighs the significance of your contribution even to your own country."

Pär Granstedt, another founding member and former treasurer, was named AWEPA's secretary-general in December 2006.