

# 2019 General Elections - 39

## Mozambique Political Process Bulletin

27 August 2019

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## Gaza audit rejected by CNE

Our request to carry out an audit of the Gaza registration was rejected yesterday (26 August) by the National Elections Commission (Comissão Nacional de Eleições - CNE). It said the information requires was a "secret of justice" ("segredo de justiça"), because false registration is a crime which is already being investigated by attorney general's office on the basis of an allegation by Renamo. Once there is a criminal investigation, to make the information available to anyone else would be an obstruction of justice, the CNE argues.

But the CNE gives no legal justification or arguments. Article 75 of the Criminal Procedure Code makes a specific allowance for external expert evidence, which such an audit would clearly provide.

Any court decision is likely to be after the 2019 Elections and thus before it is known if there are more than 300,000 ghost voters in Gaza. An audit still could be carried out before the 2014 elections, and without disrupting the electoral schedule.

The CNE decision clearly benefits Frelimo, because Gaza province traditionally votes overwhelmingly for Frelimo. The unexpected jump in the number of Gaza voters will give Gaza (and thus Frelimo) 8 extra parliament seats and Frelimo's candidate Nyusi 300,000 extra votes. Even if there were a court ruling next year, this year's elections would probably not be reversed and the illegally gained seats and votes would be retained.

The Public Integrity Centre (Centro de Integridade Publica, CIP), publishers of this bulletin, made the request to do the audit on 12 August. CIP and the Bulletin are domestic election observers and the electoral law gives observers wide access to information.

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There are two archives of historic elections data, at IESE on <http://www.iese.ac.mz/eleicoes-resultados/> and at London School of Economics on <http://bit.ly/MozEIData> The LSE archive now has detailed 2013 and 2014 results, by polling station.

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