

Mozambique political process bulletin



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Frelimo wins 41 of 43 Second round in Nacala

Misconduct in Ilha de Moçambique

Frelimo overwhelmed an ever weaker opposition on 19 November to win majorities in 42 of 43 municipal assemblies, and win the post of mayor (*presidente*) in 41. For the first time ever, there will be a second round – in Nacala – because no candidate there won more than half the vote.

The Constitutional Council still must approve the results and rule on Renamo protests, probably not until January. The Nacala election must be within 30 days of the CC ruling, so probably not until February.

Small groups lost ground

Four small parties and three citizens' lists won assembly seats, but in general the small players lost ground everywhere except in Beira.

The two parties with some national presence, PIMO which had single seats in three assemblies and PDD which (as IPADE) had single seats in two assemblies, were reduced to a single seat each in Beira. Two other small parties won single seats – Monamo (Cuamba) and Unamo (Milange).

Three citizen's lists won seats. A new group, GDB, won 7 seats in Beira. Juntos Pela Cidade (JPC) in Maputo – the only group to have won seats in all three municipal elections – has been reduced to a marginal position – from 15 seats in 1999 to 5 seats in 2003 to only 2 now. Naturma, which won 5 seats in Manhiça in 1999 and did not stand in 2003, won a single seat this year

Turnout was high for a local election, at 46%, compared to 28% in 2003 municipal elections and 43% in 2004 national elections. There were long queues everywhere. Polls are supposed to close at 6pm (18:00) but everyone in the queue then is allowed to vote. Voting continued until midnight in Monapo and Beira, and after 23:00 in Nacala, Mocimboa da Praia, and other places. Procedural changes will clearly be needed for 2009 national elections (see page 5).

The election was generally well run everywhere except Ilha de Moçambique (see page 8). Transparency was significantly improved over the much criticised 2004 national elections, but many problems remain (see page 2).

There were 1124 national observers and 130 foreign observers, and a parallel count was conducted in 13 of the most sensitive municipalities. This helped to keep the process honest, especially when city elections commissions in Nacala and Beira seemed to be bending under political pressure (see page 3).

Beira was the focus of attention. At the last minute, Renamo decided not to put forward the highly respected mayor, Daviz Simango, for re-election. Simango supporters were outraged, and an independent candidacy was put together in less than

a week. Meanwhile, Frelimo had given its highest priority to winning back the country's third largest city. Simango campaigned largely with volunteers, while Frelimo threw ministers and substantial amounts of money into the battle. Turnout was 57% and Daviz Simango won 62% of the vote, compared to just 34% for Frelimo's Lourenço Bulha. Simango did not have time to put together a list of candidates for assembly, and no party has a majority. The assembly has 19 Frelimo, 17 Renamo, 7 from a new citizen's list (Group for Democracy in Beira, which did not support Daviz), and 1 each for PIMO and PDD. This means Simango faces a very turbulent administration.

Meanwhile, Frelimo also refused to support its successful, honest and somewhat independent mayor of Maputo, Eneas Comiche, for re-election, and instead selected Youth Minister David Simango who is seen as closer to party structures. Frelimo discipline held and Comiche went quietly. But this means the country's first and third largest cities are headed by people whose names only differ by one letter – which is already causing huge confusion.

Increased transparency – in theory, but less change in practice

This election process has been much more open and transparent than in the past. STAE has a website on which it posted a summary of the results and some CNE rulings. The *Bulletin* and observers watched the requalification of nullos in an open and friendly atmosphere.

Also, in a very important change of policy, STAE carried out a rapid provisional count, which was announced to the press and on television in the days after the election. Done hastily to try to compete with Radio Mozambique and the Electoral Observatory, it had inevitable errors, but for first time it gave a good and rapid picture of the outcome.

This is in sharp contrast to the 2003 and 2004 elections where the CNE and STAE were strongly attacked for a level of secrecy which former US President Jimmy Carter said was worse than in any other election he had observed. After an initial reluctance to be more open, this year the CNE issued regulations which allow observers to: "Consult the deliberations, directives, regulations, and instructions issued by the National Elections Commission and STAE on material relating to the voting" and to "Observe the operations following the voting at all levels, namely the centralisation and summation of electoral results at district, city, provincial and central level."

So far, results have been mixed. A strong culture of secrecy remains, and access often depends on individuals and personal contacts.

Officially, access to CNE deliberations is via the website, but the delay in posting them on the web is about three months. Thus decisions subject to protests by Renamo, such as 125 and 129 about voters not on the register (see page 4), made the week before the election, have not yet been posted.

A summary of results by municipality is posted on the STAE website: <http://www.stae.org.mz/media/summaryElectoralResult.pdf>

Opposition in turmoil

In the ballot for mayor (*presidente*), Frelimo had more than two-thirds of the votes in 33 of the 43 cities. There are now 9 municipalities with no Renamo assembly member and 8 with only one.

But there is still an opposition. Frelimo lost in Beira, and races were close in Nacala, Gurué, Quelimane and Marromeu. But campaigning was largely without involvement of the Renamo central office, which left candidates for mayor to run their own campaign.

In Beira the Renamo candidate for mayor, Manuel Pereira, received only a derisory 3% of the vote – a direct slap in the face of Renamo leader Afonso Dhlakama, who imposed Pereira in place of Daviz. Renamo remains the only real opposition party, but it is now in turmoil as its activists assess the disaster of this election.

A kindly STAE press officer was prepared to search them out, but there was no system to make them regularly available.

Even more serious, the approved candidates lists were never made easily available. They were, as required by law, posted on notice boards as the CNE headquarters, but never more widely distributed or put on the web. So people went to the polls not knowing the names of people on the party lists of assembly candidates.

Computer secrecy remains

The overriding paranoia and obsessive secrecy about computer systems remains the biggest lack of transparency.

A new and seemingly much better system has been created for input of the polling station results sheets (*editais*) and their tabulation and analysis. But STAE and CNE have rejected repeated requests to allow computer technicians to discuss the system with the *Bulletin*.

Sensibly, data input has been decentralised to the provincial election commissions, and each provincial computer has a special terminal to allow party delegates, observers and press to check the version of the edital in the computer and compare it to parallel counts and copies of editais given to parties after the polling station count. But access to the terminal is not open.

In Nampula, our correspondents (both well known local journalists) wanted to look at the Nacala data. They were told that only the president of the provincial election commission or director of provincial STAE could allow them access, and for more than a week both were too busy in meetings to do so. Access was never granted.

In Maputo, it was necessary to sit and wait for the STAE director, who, after a friendly chat, granted

access because he recognised the *Bulletin* editor.

A similar problem is a consistent refusal of STAE to provide information in electronic form, even when it exists. For example, the list of polling centres (mainly schools) was published as a newspaper advertisement and must exist in electronic form. But STAE refused to give it to observers, who had to copy it from the newspaper. And no list of polling station numbers was ever provided.

COMMENT

CNE is more open, but secrecy and mistrust remains

The increased openness of CNE and STAE is real and welcome, and the commitment at the top seems genuine. But transparency must be implemented in a systematic way. It cannot depend on the whim and good will of individuals, because this can always be withdrawn.

Daviz Simango's supporters in Beira claim that the failure to publish the candidates lists was because this allowed the CNE to make later improper changes. Similarly, the Constitution Council rejected a series of CNE decisions which were contradictory and poorly written. Critics say these and other key decisions were never posted on the web because the CNE was embarrassed about the poor quality of its legal drafting.

Secrecy means these claims cannot be challenged, and many people come to believe the

worst about the CNE and increasingly distrust it. They believe the CNE keeps its computer system secret because it has something to hide. Secrecy creates the conditions on which rumour and distortion feed.

Integrity and faith in the electoral system require automatic openness and rapid release of documents. Only transparency that does not depend on contacts and individual whim will show the parties and public that the CNE has nothing to hide.

Joseph Hanlon

Observation and parallel count kept the system honest

Observers and a parallel count provided an important check on the electoral process, and helped to deflect heavy political pressure over Nacala and Beira.

There were 1124 national observers and 130 foreign observers, as well as 594 journalists. Foreign observers were diplomats in embassies in Maputo. The Electoral Observatory (*Observatório Eleitoral*) had 1000 observers, and carried out a parallel count in 13 key municipalities.

The parallel count proved to be highly accurate and was published. The count confirmed the high turnout and the Frelimo victories in 11 of the municipalities, but it was particularly important in the two key battle grounds, Nacala and Beira. In both cities, senior Frelimo officials claimed victory – saying there would be no second round in Nacala and that Frelimo has won a majority in the Beira assembly. Apparently feeling under heavy pressure and unwilling to say no to important people, the city elections commissions backed this in their intermediate results. It was announced that the Frelimo candidate in Nacala, Chalé Ossufo, had won 50.3%, thus avoiding a second round, while Frelimo had won 52.7% of the assembly vote in Beira.

The parallel counts showed these official intermediate counts were not correct, and were published in the *Bulletin* and the independent press. When the CNE published the final results on 4 December, they were very close to the parallel count, and the official intermediate results were rejected. Provincial elections commissions might

bend under strong political wind, but backed by widely publicised parallel counts, the CNE did not.

The Electoral Observatory is the most experienced local organisation and has observed several past elections as well as the most recent registration process. It is a joint initiative of AMODE (Mozambique Association for the Development of Democracy), CEDE (Centre for the Study of Democracy and Development), CCM (Christian Council), CISLAMO (Islamic Council), Catholic church, FECIV (Institute of Civil Education), LDH (Human Rights League) and OREC (Conflict Resolution Organisation).

FOMOE (Forum Moçambicano de Observação Eleitoral; Mozambique Election Observation Forum), which first observed elections in 2004, had observers in six provinces. It is an association of NGOs in the National NGO Forum (Forum dos ONGs Nacional, FON) seen as being close to Frelimo, as well as individuals, particularly university students and academics.

There was initially some difficulty in registering observers. The CNE changed the application procedure at the last minute, forcing the Electoral Observatory to resubmit many of its forms. And some provinces were very slow in issuing credentials, only handing some out on the day before voting.

Central role for editais

Mozambique's election system is at its best at local level. Each polling station serves up to 1000 voters and is usually in a school classroom. Each polling station has its own staff (the *mesa*). As soon as the polling station closes, the count is done in the polling station, in the presence of party delegates, observers and journalists.

When the count is complete, the mesa writes a summary results sheet (*edital*). This is submitted to the district and provincial election commissions for their counts. But most importantly, by law, signed copies are given to party delegates present and a copy is posted on the door of the polling station. This allows parallel counts.

The Electoral Observatory for its parallel counts and Radio Mozambique for its results reports then read the numbers from the posted editais. This should prevent any manipulation after the initial count.

Indeed, after the Nacala city elections commission announced the intermediate count with 50.3% for Frelimo, Renamo brought copies of its official copies of all 99 editais to the *Bulletin* and the Electoral Observatory, to back up its claim that a second round was required – as proved to be the case.

Without copies of the editais, candidates are reduced to saying I know I must have won because

Catch 22

Only false protests can be accepted

In its own version of "Catch 22", the CNE has ruled that some Renamo protests can only be accepted if they are not true. In Deliberação 135 on 29 November, the CNE ruled that it can only accept protests about election day if they are first submitted to the polling station staff.

But one of Renamo's most common protests is that polling station staff refuse to accept their formal protests, and call the police and expel them from the polling station if they insist.

Thus, if the protest is valid, then the CNE says it cannot consider it because it was not first accepted by the polling station. But if the protest was accepted and the CNE can consider it, then, by definition it is not true.

everyone said the voted for me – as Renamo candidates in Cuamba and Montepuez claimed.

But both our correspondents and Renamo reported that in some places such as Mocuba results sheets were not posted and copies not given to party delegates. Polling station presidents claimed that had been "instructed" not to post and hand out copies. This is in direct violation of the law and it critical, because it makes it impossible to complain.

Widely reported problems

Although the election was generally very well run, four sets of problems surfaced in at least a few polling stations in most municipalities: early closing, missing names on register books, presidents failing to post results or accept protests, and police too close to the polling stations.

Early closing

Voting is supposed to stop at 6 pm (18.00), but the law specifies that anyone in the queue at 18.00 must be allowed to vote. The huge turnout meant many polling stations had to stay open. The polling station kit contains a book of numbered tickets (*senhas*) to give to everyone in the queue to prove they were there at 18.00.

In most places this was carried out correctly. But there were quite wide-ranging reports, including from Maputo and Matola, of polling stations that closed with people still in the queues. In Tete and Beira voters in the queue rioted, demanding their right to vote, and police were called.

Missing names

The computer-printed register books are quite neat, in alphabetical order with small pictures of the voter. But it was widely reported that names were missing from the computer-printed register. At the time of registering, a hand-written book is also made, and

most polling stations also had the hand-written book. Thus the names of many voters not in the computer-printed register were found in the hand-written book, and they could vote. The Renamo candidate for mayor of Montepuez, Tomé Fernando, for example, was not in the computer-printed register but could vote because he was in the manual register.

But in some places, notably Nampula, polling stations did not have the hand-written book, and many voters with valid voting cards were not allowed to cast their ballot.

The issue was confused by a pair of contradictory decisions by the National Elections Commission (CNE). On 12 November in Deliberação 125, the CNE ruled that anyone who appeared at a polling station with a voter's card but was not in the register book should still be allowed to vote, with their name and card number written in at the end of the register. But this decision was actually very badly written – it was probably intended that people should only be able to vote in the polling station for which the card was issued (voters cards contain the register number, which is the polling station number). But in

fact it did not contain any restriction, and could be seen to allow voting anywhere. So on 18 November, the day before polling day, the CNE in Deliberação 129 revoked that part of Deliberação 125.

Renamo also claims that the computer-printed register books contain people not listed in the manual register, and thus people improperly added to the list after registration closed. And it gives some data to back up its claim. It says that in Gúruè, five register books had more voters in the computer-printed version than in the manual one – for book 564 there were 100 extra names.

At polling station 197 in Angoche, Renamo claims there were 1000 names on the handwritten register but only 986 on the computerised one – 14 names left off the list. But the surprising claim is that 58 people were able to vote after finding their name on the manual list but not on the computerised list. But this is more than the 14 names left off the list – suggesting that there are at least 44 names on the computerised list which were not on the hand-written list done at the time of registration. Renamo alleges that these are people from outside the municipality who were improperly added to the list after registration closed.

- Mocuba had the lowest turnout, at 31%. Renamo said this is because seven polling stations at Escola Basica Agraria had wrong registers and few people could vote. This is confirmed by our local journalists.

Police too close

There have been many more complaints than in the past about police being too close to polling stations. The law requires police to be more than 300 metres from polling stations, but CNE regulations say they must also be in a position to easily see the polling stations. This can be impossible, so good sense means police were often closer than 300 metres.

But many correspondents and observers said police were much closer than necessary. In polling

Looking to 2009

Can polling stations cope?

The high turnout led to huge and sometimes discontented queues and some polling stations remaining open after midnight, six hours after the normal closing time. This raises serious questions for national elections in 2009 – something will have to be changed.

The problems will be worse in 2009, because there will be three ballot papers and ballot boxes instead of two. As well as voting for national president and assembly (parliament), voters will also cast a ballot for new provincial assemblies.

At present, each polling station has a register of up to 1000 voters. With turnouts running up to 75%, that means 750 voters must be processed in 11 hours, which means less than one minute per voter.

stations in Macia and Monapo, they were actually sitting beside the polling station staff, which our correspondents said intimidated voters. In Nacala, police were standing next to the polling station door.

Not following rules

In various parts of the country, it was reported that some polling station presidents failed to post the edital (results sheet) and/or refused to give copies to observers and party delegates as required by law.

And there were a number of reports, including from observers, of polling station presidents refusing to accept official protests from Renamo.

Looking over shoulders

Party delegates have the right to be close enough to the mesa – the polling station table – to follow what happens. This proved to be contentious. For example, to see if names are being ticked off correctly, it is necessary to stand relatively close to the polling station secretary. But mesa members sometimes complained about Renamo delegates hanging over their heads and slowing their work, and presidents and police sometimes asked Renamo delegates to step back. But Renamo claimed they were pushed too far away. In Cuamba, they say, STAE insisted party delegates must be 4 metres from the mesa – too far away to really follow what is happening.

Renamo has complained about a Frelimo bias in many polling stations, and claimed that in some municipalities, local Frelimo party officials compiled lists of party members to be polling station staff and gave this to the local STAE. In at least one city, this was confirmed by our local journalist.

Another very common Renamo complaint was that with the large and slow queues, in many polling stations known Frelimo voters were allowed to form a separate queue and to vote first.

In particular, the Observatory and many of its observers cited the huge variation in time taken to deal with voters. In Xai Xai, for example, one polling station was open well after 18:00 and the count continued until 05:45 the next morning, while its two neighbouring polling stations were able to close at 18:00 with no queues and finish counting by 21:00. In a heartfelt comment an observer in Dondo praised one polling station staff and asked why all could not be so efficient, and said the neighbouring polling station staff was “awful”.

Sheik Abdul Carimo, spokesman for the Electoral Observatory, said the very slow processing of voters was partly due to inadequate training of polling station staff, particularly the lack of practical training and simulations.

The very slow movement of voters through polling stations is not just about poor training, however. The longest task in the process is where the president of the polling station explains the

voting procedure, individually, to each voter. *Savana* (21 November) cited the example of a Maputo polling station president who did the explanation to four voters at a time. This may be a violation of the rules, but it seemed to work and people voted more quickly. Changing the rules to allow this could speed up the voting process.

No one wants a return to the old system of spreading voting over two days, but it did prove impossible for most polling stations to handle the turnout in a single day. It would be possible to double the number of polling stations by splitting the register books in half – the computerised books are in alphabetical order by first name, so they could be split, for example, as A-M and N-Z.

But doubling the number of polling stations would almost double the cost of the election. It might be cheaper to revise the rules and give polling station staff much more intensive, longer, and more practical training – which might include a simulation day in which they actually practiced dealing with voters and counting ballots.

Mozambique Political Process Bulletin

Boletim sobre o processo político em Moçambique

Our local elections coverage was produced by a team of 50 people, including journalists in all 43 municipalities. During the electoral process, we published 21 special *Bulletins*. This issue of the *Bulletin* summarises our reporting, and also contains the final results.

Our correspondents in the municipalities included: Alves Alexandre, André Catueira, Ângelo Chipanga, Antonio Adiosse, Antonio Mucale, Armando Junior, Aurélio Argentino, Carlos Muhla, Faruco Sadique, Jonas Wazir, Julio Paulino, Luis Rodrigues, Maria Sarmento, Nelito Ibraimo, Nordino Manhique, Otilia Benedito, Rafael Quive, and Stevem Mapira.

This year, our expanded election coverage included two innovations. We now have a website: In English:

http://www.cip.org.mz/pub2008/index_en.asp
Em Português: <http://www.cip.org.mz/pub2008/>

And, for the first time, “citizen correspondents” were able to send us text messages (SMS), with information on the conduct of the elections.

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Which way should booths face?

A question which comes up in every election in Mozambique is the placement of voter’s booths, the cardboard structures in which voters actually mark their ballot papers. The manual for polling station staff this year uses drawings similar to past manuals, which show the booth with the open side facing the table with the polling station staff, and the drawing on page 7 of the manual shows the booths quite close to the table.

This year, as in past years, many observers and our correspondents have criticised this. They say it is possible for polling station staff and party delegates to see how people vote. Particularly when the voter holds up the ballot paper to fold, it is often quite easy to see how they voted.

Some polling station presidents agree, and turn the booths so that the open side faces a wall. CNE might wish to consider a change in policy on this.

A single lamp is not enough

The single lamp included in the kit of voting materials was not enough for voting and counting after dark in schools which had no electricity. Often staff brought their own lamps and flashlights, or used car or motorcycle headlamps. One polling station in Nacala decided to close and open at first light. Voters and staff slept in the polling station. Voting resumed and only finished at 11 am, at which point the count started.

International praise for elections – but with reservations

“The International Observer Mission found that, in general, the elections on 19 November were conducted well” reported the group of 89 foreign

diplomats who observed the local elections in 18 municipalities. "In general, the electoral rules were followed and the process was transparent."

But the observers did raise some criticisms:

- Some people could not vote because polling stations closed with people still in the queues.

- There were "specific problems" in Ilha de Moçambique.

The full statement from the International Observer Mission is on: http://www.cip.org.mz/pub2008/ndoc2008/125_International%20Observer%20Mission%20Statement%20-%2027%20Nov%2008.pdf

Nulos important in close races and for fraud

Invalid votes (*nulos*) can influence the outcome of the election. This year they determined the result in Gúruè and in 2003 they determined the result in Marromeu. And nulos have become one of the important routes of fraudulent conduct in Mozambican elections. This year they point to misconduct in Ilha de Moçambique, Monapo, Nacala, and Beira.

Nationally, 2.7% of ballot papers for mayor (*presidente*) were left blank and another 3.2% were considered by polling stations to be invalid, usually because they appeared to have marks for more than one candidate. In all, 41,071 invalid ballot papers for mayor (and a similar number for assembly) were sent to the CNE in Maputo for reconsideration. Of those, 18% (roughly one in six) were considered valid by the CNE – "requalified" – and included in the final totals.

Deciding if a nulo is really valid can be judgement – is a squiggle in the square a "drawing" and thus invalid, or simply the mark of an illiterate voter, and thus valid? Requalification can simply be an indication of poorly trained polling station staff. For instance, Catandica staff made the correct judgements and only 1% of their nulos were

considered valid. But some polling stations took too hard a line, and sometimes more than one-quarter of nulos were accepted because the intention of the voter was clear.

However, nulos can also be a route to fraud. Only two municipalities had levels of nulos of over 8% compared to the national average of 3.3% – Ilha de Moçambique (8.6% for mayor and 7.7% for assembly) and Monapo (8.8% and 8.7%). The requalification of nulos at the CNE is open to press and observers, and the *Bulletin* watched the process for Ilha de Moçambique, Monapo and Nacala.

For both Ilha de Moçambique and Monapo, there were obvious examples where entire groups of votes for Renamo had been invalidated. Someone in the polling station had put an additional ink finger mark on the ballot papers to invalidate them. And the extra mark was obvious because it was usually made in the same way and in the same place on a whole set of ballot papers – probably done quickly when the Renamo delegate was not watching.

In polling stations in a number of cities Renamo made formal protests about polling station staff using ink to invalidate Renamo votes. These include Marromeu, Beira, Mocimboa da Praia and Angoche.

Vigilance during the count remains the key safeguard, but it is also possible to use the final statistics to look for anomalies which suggest fraud, as we do here.

Nulos push Aniceto over the line in Gúruè

A second round in Gúruè was avoided by just 6 requalified nulos. As in Nacala, the race between Frelimo and Renamo was very close, and the few votes for two minor candidates meant that the Frelimo candidate seemed unlikely to gain more than half the votes – requiring a second round between the two candidates with most votes.

In Gúruè, Frelimo candidate José Aniceto had 4934 votes (48.84%) and Renamo candidate Latino Ligonha had 4686 (47.34%). But when the nulos were reconsidered by the CNE, one-third were considered valid, and nearly all of those went to Aniceto – 66 compared to 28 for Ligonha. The final tally gave Aniceto exactly 5000 (50.03%) and Ligonha 4714 (47.17%).

But it was very close. If Aniceto had received only 60 instead of 66 requalified nulos, a second round would have been necessary in Gúruè as well as Nacala.

This is the second time requalified nulos have made the difference. In 2003 the Frelimo candidate in Marromeu had a tiny majority, 1942, compared to 1938 for his Renamo opponent. But when nulos were requalified, the CNE gave 14 to the Frelimo candidate and 19 to the Renamo candidate, meaning he won by a single vote.

Half of nulos accepted in Beira and Nacala

In Beira for assembly and Nacala for mayor, more than half of nulos were considered valid. These are high percentages which hint at more than poorly trained polling station staff.

In Nacala, for mayor, there were 2613 nulos – at 5.3% this is double the national average. Of those, 1410 (54%) were considered valid, and of those, roughly two-thirds went to Frelimo. The *Bulletin* watched the requalification at the CNE. What was odd about those nulos was that no normal polling station staff would have considered the ballot papers invalid – they were clearly and correctly marked for Frelimo. How did they get into the nulos pile?

By contrast, for Nacala municipal assembly, there were only 2318 nulos (4.7%), of which 36% were considered valid – more for Frelimo but not as many.

The number of votes for the Frelimo candidate and assembly list and the Renamo candidate and assembly list were all very similar and close to 21,500 before requalification. Yet there seem to have been 400 extra Frelimo votes in the mayor nulos pile. Where did they come from? One hint is that there were 450 fewer blank ballot papers for mayor than for assembly. Did someone during the count secretly take blank votes, mark them for

Frelimo, and throw them in the nulos pile knowing they would be validated by the CNE?

Beira shows a similar disturbing pattern for municipal assembly. For mayor, 26% of nulos were accepted as valid – within the range of possibility. Of those nulos, 750 went to Daviz Simango, 134 to the Frelimo candidate Lourenço Bulha, 50 to the Renamo candidate Manuel Pereira, and 25 to others. But for assembly, an incredible 59% of nulos were accepted as valid, and of those 1400 went to Frelimo, only 88 to Renamo, and 84 to others. That 1400 ballot papers were accepted by the CNE seems very strange indeed.

Island of misconduct

Ilha de Moçambique became the island of misconduct in an otherwise generally well conducted election. Most polling stations on the island were affected by at least one of four kinds of misconduct:

- Invalidating ballot papers with votes for Renamo,
- Ballot box stuffing,
- Closing polling stations while people were still in the queue, and
- An organised effort to prevent Renamo supporters from voting.

Some of the fraud was both gross and obvious. In watching the requalification of the invalid votes (nulos), we saw a whole series of ballots which had a smear of purple ink (probably the indelible ink used to stain voters' fingers), typically in the PDD square, on ballot papers which had either an X or a finger print in the normal brown ink in the Renamo square. There is no conceivable way that the voters could have cast such an invalid vote, since they only put their finger in the purple ink after putting the ballot papers in the ballot box. It must have been done later by someone in the polling station.

And in polling station 528 at EPC (primary school) 16 de Junho, after the polling station had closed, but before the count, in front of 8 observers, the polling station secretary sat quietly ticking off names from the register of people – marking people who had not voted during the day as, in fact, having voted. One observer noted 50 names being ticked off. An examination of the final results showed that the polling station had nearly 90 more ballot papers than average for the Ilha and the Frelimo candidate also had 90 more votes than average. Blatant ballot box stuffing. Two other polling stations at the same school, 505 and 506, also had suspiciously high turnouts – 86% and 83% compared to 51% for the Ilha as a whole.

It was so extreme that it seemed that some people did not care if they were seen to be rigging the results.

In articles below, we look more closely at attempts to exclude Renamo voters, and at how ballot papers are invalidated, and we also look more closely at two schools.

Organised youth stopping elderly voters

Observers in Ilha de Moçambique noticed a very strange phenomenon – a large number of apparently well organised young men in the queues of voters talking to older people. Friendly and seemingly trying to be helpful, they would look at the voters card and tell the elderly voter that they were in the wrong place, and should be voting at another polling station some distance away, on the other side of the island. In fact, these voters were in the right place. But they went away, queued for hours at the other polling station, only to be told to return to the first one. Many simply did not bother to vote. But a large number returned.

That meant that at some polling stations, the queues of people waiting to vote at 18:00, the normal polling station closing time, were predominantly elderly and who had gone to another polling station and returned, rejoining the queue quite late in the day. By law, anyone in the queue at 18:00 has the right to vote and the polling station must remain open for the queue to vote.

But then another strange thing happened. The Electoral Observatory reported that at EP1 Jembesse with 7 polling stations and Nalia with 5, organised groups of youth went into the polling centres just after 18:00, yelling, pushing and demanding that the polling stations close. Faced with the disruption, all 12 polling stations closed, depriving hundreds of older people of their right to vote.

This appears to be an organised attempt to prevent older people from voting. But why? One explanation is that it is believed that on the Ilha that younger people vote for Frelimo, while older people vote for Renamo.

Making Renamo votes invalid

Ilha de Moçambique has a relatively high percentage of invalid votes (*nulos*) – 8.5% for mayor (*presidente*) and 7.7% for municipal assembly. We watched the requalification of the *nulos* by the CNE and saw several large groups of ballot papers for Renamo which we believe had been improperly marked with ink to invalidate them. We therefore think that several hundred votes for Renamo had been improperly made invalid.

People vote with either an X or a finger print, and a vote is invalid (*nulo*) if there are marks for two candidates or if the intent of the voter is not clear. In some cases polling station staff are too strict in interpreting the rules, for example calling a ballot invalid when there is a cross on the picture of the candidate instead of in the box. Thus there is a variation in the percentage of ballots considered invalid. Because of this, the National Elections Commission (CNE) reconsiders every single invalid ballot paper – and normally accepts some as valid.

There are, however, two ways that polling station staff can act improperly. The first is to simply consider ballots for one party to be invalid when they are not. This is improper, but does no long term harm, because they are later accepted by the CNE. The second, however, is explicitly fraudulent – someone during the counting process has concealed ink and puts an extra finger mark on ballot papers for another party, to invalidate them.

We saw evidence of this during the requalification of the *nulos* by the CNE, when several large groups of ballot papers for Renamo had been improperly marked with ink to invalidate them.

Comparing classrooms

The best way to look for indications of misconduct is to compare polling stations in the same school.

Consider polling stations 506 and 507, side by side in the primary school EPC 16 de Junho. Polling station 506 had an unusually high turnout of 83%, while 507 had a turnout of 58%, very similar to the 51% average turnout on the Ilha. In polling station 506, there were 250 extra votes cast compared to 507, and nearly all went to Frelimo. The voters at the two classrooms should be very similar – so one must ask why 250 more people on register 506 voted – and opted for Frelimo – than those on 507? It looks suspiciously like ballot box stuffing.

Similarly, side by side polling stations at EP1 Nalia, 511 and 512, had 135 and 19 *nulos*. Is it reasonable that so many more people in 511 marked the ballot papers improperly than in 512? It seems very unlikely.

Of course comparisons between classrooms do not provide proof of misconduct. and there will always be some differences between side-by-side classrooms. But classrooms should be similar because of the way people register. Voters are from

the same neighbourhood, with the first 1000 in the queue in one register book, which is one polling station, the next 1000 in the register book next door, etc. When the differences between them are very large, as in these cases, it at least points to a place where it is highly likely that fraud occurred. Sometimes comparisons like this back up allegations made by party delegates and observers.

Below, we look closely at two schools on Ilha de Moçambique.

EP1 Jembesse

In EP1 Jembesse, the 7 polling stations have already been noted for having closed early with people in the queue. And the data seems to show that, with a turnout of 43% compared to 51% for the Ilha as a whole. In addition, two specific polling stations, 527 and 542, were highlighted as problems by observers.

In 527 the Renamo delegate complained to observers that the president of the polling station had been adding votes to the ballot box after the observers left the room. Looking at the data, 527 had a turnout only slightly above average for the school – 51% compared to 43%. But the share of votes for Frelimo was very large – 75% of valid votes compared to 55% for the five “normal” polling stations in the school. This at least suggests that the Renamo delegate’s complaint was justified.

Polling station 542 was highlighted as suspicious by observers who arrived to find the classroom door closed and guarded by the Frelimo delegate. The *Bulletin’s* attention had separately been drawn to this polling station by its very high 140 *nulos*, compared to an average of 28 for the other polling stations in the school, and also a high turnout. This table compares polling station 542 to the average of five others in the school (excluding 527). The five each had between 985 and 999 registered voters.

	542	average
Total vote	561	423
Matata, Frelimo	338	199
Mamundo, Ren	82	160
Nulo	140	28

Polling station 542 has at least 112 *nulos* more than average and the Renamo candidate Gulamo Mamundo has 78 votes fewer than average. That looks very suspiciously like a large number of votes for Mamundo were invalidated.

In addition, this polling station had 138 more votes in the ballot box than average, while the Frelimo candidate Alfredo Matata has 139 more votes than average. That looks very suspiciously like ballot box stuffing, with an extra 138 votes being given to Frelimo.

The results for all 7 polling stations in Jembesse are posted on our website:

http://www.cip.org.mz/pub2008/ndoc2008/93_EP1_Jembesse-Ilha_de_Moçambique-2008votes.pdf

EP1 Tocolo

The polling station with the highest number of nulos in the Ilha was 522 at EP1 Tocolo, which had an incredible 189 nulos. Compare it to its neighbour station 521. Each has 993 registered voters.

	522	521
Total vote	540	443
Matata, Frelimo	251	205
Mamundo, Ren	74	181
Nulo	189	24

Here we see 97 extra voters and 46 extra voters for Frelimo, while there are a huge number of nulos and 107 fewer votes for Renamo. It does not seem reasonable.

Other incidents on the Ilha

As well as those already cited, observers mentioned several other incidents on the Ilha. Polling station staff and party delegates vote first, before the polling station opens to the public. In a polling station at EP1 Entete, the president gave extra ballot papers to the Frelimo delegate. This was seen by the Renamo delegate, who objected. The police were called, and the president claimed it was simply a mistake, because the ballot paper is thin.

At EP1 Maciate, observers reported total chaos with up to 50 voters inside the classroom to get out of the hot sun, and voters having to leave by a classroom window because it was impossible to get out the door.

At EP1 Jembesse (544), observers saw a voter being allowed to leave without inking her finger. At EP1 Jembesse and EP1 Maciate some voters were not required to show their finger.

There were complaints of polling station

Who runs the election

The election is run by the **CNE** (Comissão Nacional de Eleições, National Elections Commission). It has 13 members, of whom five are nominated by the parties in parliament (3 Frelimo, 2 Renamo) who then choose the others and the chair from nominations submitted by civil society. The CNE is permanent and serves for five years.

Below that there are provincial and then city or district election commissions, with 11 members – five from the parties and six co-opted from civil society. Again they serve for five years, but only during election and registration periods.

The actual work of running the elections is done by **STAE** (Secretariado Técnico da Administração Eleitoral, Technical Secretariat for Electoral Administration) which exists at all three levels – national, province and district/city – and reports to the elections commission.

presidents refusing to accept Renamo formal protests. Observers also noted a reduction in impartiality as the counting continued. There was a big demonstration going around the island celebrating the Frelimo victory from about 9 pm, and some polling station presidents began to openly cheer Frelimo votes.

Not just the Ilha

Isolated example of misconduct similar to that on the Ilha have been reported in various parts of the country.

In Lichinga (polling station 802, EP de N'siomba) the Renamo delegate protested that a second finger print had been added to invalidate votes, and stressed that the new ink was of a different colour. The polling station had 120 invalid votes, with only 412 people on the register.

During the requalification of nulos, the *Bulletin* saw obviously improperly invalidated Renamo votes from Monapo and Gondola. (In Gondola, polling station 926 had 13% nulos compared to 3% for the municipality as a whole, and also had an unusually low number of Renamo votes.)

In Metangula (697) the president and vice president of the polling station, who vote first, were each accused of putting six ballot papers in each box. The Renamo delegate was initially excluded from the polling station.

There were a number of reports from observers of more ballot papers in the ballot box than people who voted.

And in Beira and Gondola there were reports of organised young men telling older voters to go to the wrong polling stations.

When delegates fail to watch

The proper conduct of an election depends on party delegates in the polling stations keeping a close watch on events – and we report in the *Bulletin* incidents of improper conduct caught by delegates.

But some complaints show that delegates were not watching. For example, there were repeated complaints of under age voting. But these people all had voters cards, which means that party delegates at the registration had not protested at the time that these people were under 18.

Similarly, there were complaints about people voting more than once. But that means the voter did not dip their finger in the indelible ink, or the polling station president did not check the finger of the voter. Why was the delegate not watching for this?

Ballot box stuffing and nullifying valid votes with ink should be obvious to a delegate who is watching.

In part it is that opposition delegates were not well trained as to what to look for. And they were not well organised in terms of breaks and food, in order to ensure that a delegate was always present.

CNE ‘flagrantly’ violated law said Constitutional Council

“Flagrant” violation of the law by the National Elections Commission led the Constitutional Council to allow three Renamo candidates to stand for mayor, even though they are clearly ineligible.

“It is manifestly clear that the CNE observes neither the procedures and deadlines legally set, nor the priorities they impose,” said the Constitutional Council (CC, Conselho Constitucional) in a ruling that was unusually harsh and critical of the National Elections Commission (CNE).

Allowing ineligible candidates to stand “is the sad consequence of lack of rigour and inobservance of the law” by the CNE. “The strict observance of the law is one of the essential guarantees of the transparency of the electoral process.”

The CC ruling upheld a Renamo appeal against the disqualification of three candidates for mayor. They had been included on the list of candidates approved by CNE on 8 October and published on 16 October, but then on 30 October CNE ruled they were ineligible because they did not satisfy the requirement that they had lived in the municipality for six months.

The CC is particularly critical of the CNE for apparently failing to read a 2003 CC ruling in similar circumstances, which states explicitly that the CNE

cannot change the list once it is published. In any case, the 30 October ruling was well beyond the 20 October deadline for publishing candidates lists. And the CC notes that the CNE made three decisions on the same day, 8 October, which were contradictory, both accepting and rejecting the candidates.

In its defence, the CNE said that the 16 October list was “not definitive”. The CNE further claimed that in extending the deadlines, it was acting in a “spirit of collaboration” and “tolerance” to try to encourage maximum participation.

This view is totally rejected by the CC. The law has no provision for publishing provisional lists and that “the deadlines fixed by law are mandatory and not optional, and cannot be replaced by others set by the CNE.” Lists become definitive according to the law, “and not according to internal and informal procedures and understandings of the CNE which are outside the law”.

Because of the pending Constitutional Council ruling, STAE printed two sets of ballot papers for those three cities, with and without the Renamo candidates for mayor. Thus the elections went ahead on schedule.

The full ruling is available on the constitutional council website: <http://www.cconstitucional.org.mz/UserFiles/File/Tsave/Acordaos/Acordao9cc2008.pdf>

The Constitutional Council website (<http://www.cconstitucional.org.mz/>) also has the rulings relating to the 2003 and 2004 elections.

Election campaign

Organisation and mobilisation

Frelimo’s unprecedented local election campaign dominated the scene and stimulated the large turnout. Frelimo put organisational and financial resources behind this campaign to a much greater extent than the last local elections, in 2003.

The party mobilised its members to do very conventional campaigning, knocking on doors and talking to neighbours. This was backed up by ministers and high officials who were assigned to provinces and were on the campaign trail for much of the two week period. Frelimo also had big rallies (“showmícios”), many posters, and handed out caps and t-shirts. An important show of strength everywhere has been caravans with many cars and motorcycles driving around the cities and towns.

The difference with Renamo was stark. Renamo had no central campaign office and no central support, so the campaigns were being run by local party offices on their own resources. Lack of money made a difference. But even more important was the lack of organisation. Even where Renamo has a strong local base, members were not mobilised.

There were a few exceptions. In Nacala a respected Renamo mayor, Manuel dos Santos, organised a good campaign for re-election and the result was close. In Gurué, former priest Latino Ligonha raised Renamo’s share of the vote from 23% in 2003 to 47% this year.

Small parties and citizens lists had done no

organising over the past four years and failed to make an impression.

The big exception was in Beira, where the highly successful present mayor Daviz Simango at the last minute was not chosen as Renamo candidate. In a few days he organised an independent candidature and a huge campaign, at relatively low cost, based on enthusiastic supporters. He won 62% of the vote.

Simango’s victory was a lesson in how organisation is much more important than money.

By contrast, Raul Domingos’ party PDD, which has its main support base in Beira, had done little organising over the past four years and won a derisory 2% of the vote. In a newspaper interview Domingos blamed lack of money for his poor showing, but in reality it was lack of organisation and mobilisation.

Frelimo presence overwhelming

Frelimo’s campaign was designed to show it was the only party and thus the natural party of government. This was done, in part, by maintaining an overwhelming presence during the campaign and on

polling day. The huge caravans of cars, television advertising, and the showmícios were part of this.

The governing party always has an advantage in an election. In an electoral democracy, for example, it is correct and proper that ministers should campaign for the party during an election – and their higher profile will naturally attract more crowds and more publicity, and their promises of support have an implicit backing of the government.

But there has been substantial disquiet among observers and our correspondents that in some cases Frelimo is using its advantages unfairly. For example, in Quelimane, Chimoio and elsewhere, senior government and party officials were registered as “independent” national observers. This is allowed under the law, because they registered as members of NGOs. But it was seen as not quite proper because it gave senior party people free access to all polling stations.

In some cases, Frelimo activities did step over the line. There were widespread reports of Frelimo members campaigning in the queues. Typically a Frelimo neighbourhood secretary would vote but then, illegally, stay near the polling station and chat to people in the queue. One polling station president actually stopped the voting until Frelimo officials who had already voted left the area.

There are widespread reports from our local journalists of Frelimo’s use of state cars – from national, provincial and local government as well as state companies and projects. This has been particularly obvious because of the stress on large caravans of cars. For example, in Macia, not a large town, our correspondent listed registration numbers of 14 state cars in use.

There is a fine line between Frelimo using and abusing its position as predominant and governing party, and there is growing concern in this election that sometimes Frelimo members go too far.

Local issues dominated

The campaign stressed local issues such as markets, water, schools and roads. This was useful because it has forced all parties to look more closely at the huge needs in the towns and cities – and has probably opened the eyes of some ministers. But all candidates made grand promises that cannot possibly be fulfilled because of the very limited financial resources of the municipalities.

Nevertheless, the much higher profile given to these local elections by Frelimo, and the stress on local issues in the campaign, should have the effect of raising elected municipal government in the public consciousness – and of stressing that local elected officials are responsible for local development and can be held accountable.

Little violence

The campaign start was marked by sporadic violence, especially confrontations between young men of different parties. But after the first days, even this minor violence largely ended; all the campaigns appear to have reined in their young supporters.

The police recorded 145 cases of electoral offences during the campaign, including assaults, threats, and the destruction of election propaganda of rival political forces, according to the press officer for the General Command of the police, Raul Freia.

As always in Mozambique, the real danger is traffic accidents. Freia reported two people killed and 25 injured in a series of election related crashes. A vehicle driven by a Renamo MP hit and killed a pedestrian in Gurure, and a motorcyclist campaigning for Frelimo died when his bike hit an obstacle in the road in Nacala.

A Quelimane campaign diary

After the first day, when the candidates for mayor of Quelimane presented themselves with parades of cars and rallies in public squares, the Renamo and PDD candidates moved to personal contact with voters.

But Pio Matos, the Frelimo candidate running for a third term, was able to continue appearing in enormous parades of motorcycles, luxury cars, and lorries full of people. Simão Fernando, from the Frelimo electoral office, told me there were more than 63 cars in the parade. He claimed most of these – 90% – were from friends and party militants.

Prime Minister Luisa Diogo accompanied Pio Matos to some of his rallies and meetings with party militants. He also went to markets and door to door to contact voters. With caps and t-shirts and *capulanas*, he has resources his opponents cannot dream of.

Renamo candidate Latifo Ismael Xarifo had no t-shirts to give out, so instead he handed out pamphlets and posters with his picture. Although he could provide a display of cars and motorcycles, this tall, strong man with his prominent belly decided to walk the streets, going door to door to contact the suburban population.

In Aquima market on the edge of the city, where people live in very difficult conditions, he was met with applause, singing and dancing, and messages of warm support.

But he received a cool reception in Sangravera market, where people showed no interest in party politics. People refused to accept posters and children were warned to stay away from the campaign. Latifo Ismael talked to half a dozen people, but did not even wander through the stalls, because the stallholders made clear that they had other priorities than politics.

Pio Matos won his third term, but Latifo did well, gaining 44% of the vote. *Maria Isabel Sarmento*