

### Municipal Elections 6 - 12 October 2022

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## CNE cites "public interest" to install STAE's Director-General on Friday

In the fifth episode of the soap opera, a rejected candidate for STAE Director-General appealed to the Administrative Court (AT), which prevented the selected candidate from being sworn in as scheduled on 7 October. The CNE filed a counter-argument with the same court and will proceed with the inauguration Friday 14 October.

Loló Correia should have been sworn in last Friday 7 October, but this was not possible due to logistical issues. On the same Friday, the CNE met in an ordinary session and scheduled the swearing in for today, Wednesday 12 October. However, in the late afternoon after the CNE meeting, the President of CNE received an [order from the Administrative Court](#) of Maputo (TACM) suspending the inauguration of the new Director General (DG) of STAE. (<https://bit.ly/3VwXXVg>) In the order dated 3 October, TACM judge José Ibraimo Abudo Junior, ordered the CNE to refrain from swearing in Loló Correia, and gave the CNE five days to respond.

Rejected candidate José Grachane initially submitted his letter on 19 September to the CNE to [challenge the procedure](#) of the public competition for the selection of the STAE DG. (<https://bit.ly/3rPb9He>) On 29 September he received a response from CNE informing him that his complaint could not proceed due to lack of legal grounds, so he appealed to the TACM.

### Agitated weekend

At the session last Friday, 7 October, the CNE directed its spokesperson, Paulo Cuinica, to communicate to the public the information that the new STAE DG would be sworn in on Wednesday 12 October. In that press release, Cuinica was directed to also announce that the Government had at the end of September transferred the first tranche of 1.9 billion meticaís for the preparation of the next electoral cycle. On Saturday, Cuinica unexpectedly announced the suspension of Loló's inauguration, contrary to the decision taken by the plenary.

An extraordinary CNE session on Monday 10 October decided that Loló would be sworn in today (12 October), at 10am, so that at 11am he could participate in the CNE session. But, at Loló's request, the event was rescheduled for Friday. There are also logistical issues that still need to be overcome, such as the completion of the renting process of the house where he will reside.

## CNE counter-arguments

The taking of office of the new director-general of STAE, against the order of the Administrative Court, is justified by the president of CNE because "there is serious urgency for the public interest" (article 138, no. 2, of Law No. 7/2014). According to the application of the president of the CNE (National Elections Commission), Dom Carlos Matsinhe, to the Maputo Administrative Court (TACM), the suspension of induction is "affecting the normal functioning of the electoral bodies" and puts at risk the fulfilment of the electoral calendar.

Law No. 7/2014 (Regulating the procedures pertaining to contentious administrative proceedings) defines that the effect of decisions of an Administrative Court on administrative acts may be provisionally suspended "for cases in which the administrative body recognises, on grounds of serious urgency for the public interest in the immediate execution". To this end, the body affected by the suspension of administrative acts must only notify the competent court immediately, which the CNE did.

## CNE to move to former US embassy - after the mess is cleaned up

The former premises of the United States Embassy will become the headquarters of the CNE. But they need major refurbishment because they are in disrepair: they have no lighting, the false ceiling and the floor are destroyed, and the air-conditioning pipes are blocked, among other problems.

The buildings were given by the Mozambican government to CNE. The CNE hopes to launch a public tender soon to hire a contractor to refurbish the premises.

Initially the government had two options of buildings to offer to CNE for its headquarters, in the neighbourhoods of Triunfo and Costa do Sol. These are premises that were seized as part of the hidden debts, the ruling for which will be read out on 30 November.

## Contract for census material signed

STAE this week signed the contract for the importation of voter registration equipment and material with Artes Gráficas, a company of Grupo Académica of brothers Feizal and Rafik Sidat, which has subcontracted Laxton, a Dutch company with representations in several countries. The contract was awarded by public tender

The contract should have been signed in September, but this did not happen because the government had not yet transferred the money to STAE. The signing just met the 10 October deadline set by the consortium, to allow an immediate start to production. Even so, importing the material can only begin by 20 April or 20 July, depending on the means of transport to be used (air or sea), which will force a delay in the registration process. (See Bulletin 5, 5 Oct).

We tried to confirm this with the CNE spokesman, but without success. He replied that everything will be communicated "in due course".

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