

Mozambique political process bulletin

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MDM in AR: mute & powerless

Under present regulations, MDM is too small to have an official party group or “bench” (*bancada*) in parliament, which will make it mute and powerless.

As in most parliaments in the world, Mozambique’s is structured around party groups. In Mozambique, to create a formal group or *bancada*, a party must have 11 seats in parliament (Assembleia da República). But MDM will have only 8.

In parliament, time for debate on an issue is normally set by the Permanent Commission, and then divided by *bancadas* in proportion to the number of members. Those who are not members of *bancadas* can only speak if the Permanent Commission allows them to. (Regimento da AR, lei 6/2001, art 39, 77).

Only members of *bancadas* can be members of the permanent commission, and parliamentary commission members are nominated by *bancadas*. In addition, only members of *bancadas* can ask formal questions of government, and have a right to office space and technical and administrative staff of their choice (art 37, 43).

The number of members needed to create a *bancada* was set at 9 for the 1994 parliament, because that was the number of members of the smallest group, the UD coalition. With no small parties in parliament, the number was raised to 11 in 2001. Also, in the past there was a threshold which required that a party gain more than 5% of the total votes before it could gain a place in parliament, which meant that any party in parliament would have 9 seats or more. The removal of the 5% barrier allows small parties into parliament.

Meanwhile, some questions have been raised that the restrictions imposed on members of parliament who are not members of *bancadas* may be unconstitutional. The concept of *bancadas* is set out in article 197 of the constitution, but article 173 could be seen to give broad rights to those not in *bancadas*.

COMMENT: The AR approves its own regulations, and there is nothing to stop the Frelimo majority changing the regulations to reduce the *bancada* size to 8.

In an environment in which there is considerable disquiet about MDM not being able to stand, it would surely be seen by Mozambican civil society and by the international community as a magnanimous and inclusive gesture to simply lower the size of a *bancada* to 8.

jh

Provincial final results

These are the official provincial results as announced by provincial elections commissions. By law, results had to be announced on Monday, but it appears that only Maputo city met the deadline. By Wednesday morning, however, only two provinces had failed to declare results: Tete and Niassa.

Presidentias

4 Nov 2009 -									
Provincia	Total de Eleitores	Total	Votos válidos			%			Afluência Turnout
			Simango	Guebuza	Dhlakama	Sim	Gueb	Dhla	
Niassa	554 770								
Cabo Delgado	888 197	356 141	20 097	285 423	50 621	6%	80%	14%	
Nampula	1 801 249	574 307	31 494	386 375	156 438	5%	67%	27%	39%
Zambezia	1 770 910	498 567	33 719	270 892	193 956	7%	54%	39%	33%
Tete	796 257								
Manica	648 969	259 856	19 621	182 306	57 929	8%	70%	22%	
Sofala	772 630	325 387	84 127	168 282	72 978	26%	52%	22%	
Inhambane	641 387	269 425	20 809	233 090	15 526	8%	87%	6%	47%
Gaza	639 658	371 950	12 278	356 221	3 451	3%	96%	1%	
Maputo Prov	616 208	280 209	27 078	241 308	11 823	7%	65%	21%	
Maputo Cidade	695 354	356 825	54 020	285 947	16 858	15%	80%	5%	
Total	9 825 589	3 292 667	303 243	2 409 844	579 580	9%	73%	18%	

4 Nov 2009							
Provincia	total de Eleitores	Votos válidos			Assentos - Seats		
		Frelimo	Renamo	MDM	Frelimo	Renamo	MDM
Niassa	554 770						
Cabo Delgado	888 197	276 423	50 165		19	3	
Nampula	1 801 249	382 812	197 518		32	13	
Zambezia	1 770 910	278 908	197 518		26	19	
Tete	796 257						
Manica	648 969	180 698	64 206		12	4	
Sofala	772 630	164 415	72 482	75 306	11	4	5
Inhambane	641 387	207 989	18 991	4 780	15	1	
Gaza	639 658	352 896	5 106		16		
Maputo Prov	616 208	242 257	21 250		15	1	
Maputo Cidade	695 354	268 854	18 511	57 017	14	1	3
Total	9 825 589	2 355 252	645 747	137 103			

District final results

The first official tabulation is done a district level. Results should have been completed by Saturday and it does seem that districts finished by Monday.

Surprisingly, there seems to be no national system to collect together the district results. From our correspondents and other sources, we have collected results from 110 districts. There may be a few errors as these results were largely reported by telephone. They are posted on our websites:

www.eleicoes2009.cip.org.mz
www.elections2009.cip.org.mz

High level of blank votes

There is a surprisingly high levels of blank votes in this election. In the 2004 presidential election there were 2.9% blank votes – ballot papers put into the ballot box without any mark. But this year it appears the level will be close to 7%.

Mossurize. Manica, has 24% blank votes and Cuamba, Niassa has 23% blank ballot papers. For some other entire districts, the levels are very high such as 19% in Mecuburi and 18% in Erati, both Nampula.

And there are individual polling stations with more than 20% blank votes across many districts in Nampula, including Mecuburi, Moma and Murrupula, and in Zambezia, including Milange and Alto Molócuè. There are polling stations with blank votes over 20% in Chiure and Namuno, Cabo Delgado, and Chibabava, Sofala

Ballot box stuffing in 4 districts – at least

Four districts show improbably high turnouts with nearly everyone voting for Armando Guebuza. Thus it is very likely that there has been extensive ballot box stuffing there. These are the same areas where there was ballot box stuffing in 1999 and 2004. The four districts are:

- Chicualacula, Gaza: 97% turnout, 98% for Guebuza.
- Massagena, Gaza: 90% turnout, 98% for Guebuza.
- Massingir, Gaza: 86% turnout, 97% for Guebuza.
- Changara, Tete: 95% turnout, 98% for Guebuza.

Two other districts look suspect:

- Chiuta, Tete: 80% turnout, 88% for Guebuza.
- Mabalane, Gaza: 78% turnout, 97% for Guebuza.

In these districts alone, there are probably at least 50,000 extra votes for Guebuza.

Again, polling station staff are invalidating votes

Despite the strong statements from CNE and in the polling station manual saying that polling station staff can be jailed for falsely invalidating ballot papers, this appears to be occurring again this year. Typically, this happens when polling station staff put an extra ink mark on a vote for Afonso Dhlakama or Daviz Simango.

This is obvious when a whole stack of invalid ballot papers (nulos) have an ink fingerprint in exactly the same place. But the method for re-qualifying nulos at the CNE makes it impossible to check, because all the nulos from an entire district are dumped together into a single pile, and it is no longer possible to identify the polling station. So prosecution will be difficult.

In 2004 there were 3.9% nulos and this year the average appears to be 4.3%. We argue that any district which has more than 10% nulos must be suspect, and from the district results we identify the following over 10%:

- Sofala: Buzi, Chemba, Marringue
- Nampula: Errati, Memba, Mogovolvas, Moma, Nacala a velha, Nacaroa
- Cabo Delgado: Pemba Metuge
- Zambézia: Chinde, Ile, Maganja da Costa, Mocuba, Pebane

A few individual polling stations show nulos of over 20%, and they are highly suspicious.

Requalification of invalid votes

All invalid ballot papers (nullos) are sent to Maputo where they are now being assessed by the National Elections Commission, in a process that is open to observers and journalists.

In 2004, 3.9% of presidential ballot papers were considered invalid at the polling stations. But the law says that if the intent of the voter is clear, the vote should be accepted. In 2004, one-third of these ballot papers were accepted by the CNE as valid – of those, 51% went to Dhlakama and 32% to Guebuza.

This year, it appears that invalid ballot papers are running at a similar level, about 4.3%.

Arrests and other violations detailed by Renamo

Concrete examples of misconduct were cited by Renamo at its press conference in Maputo yesterday. These include:

- Renamo says that in at least 10 polling stations Renamo delegates were detained and not allowed to stay in the polling station. This occurred in Mopeia (3 polling stations), Jembesse, Lumbo, Ilha de Moçambique (2), Maringué sede (3), and Mamusse, Mossurize (2).
- In Doa-Sinjal, Mutarara, Tete, Renamo delegates were forced to leave 3 polling station. At Escola Secundária de Guijá, Gaza, delegates were refused entry to 4 polling stations.
- The Renamo member of the Sussendenga elections commission, João Cussaia, was arrested and detained.
- Using the indelible ink to invalidate ballot papers for Renamo in 4 polling stations in Macuo, Mossurize.
- Ballot box stuffing at EP1 de Marambanjane, Chókuè; EPC Majangue; EP1 25 Setembro, Punguine, all in Gaza, and in Machaze EP1 Tchetchene and Mavende EP1 Banguwango, both Manica.
- Refusing to give copies of results sheets (*editais*) to Renamo delegates in bairro 2, Chibuto, Gaza; Mamusse, Mussorize, Manica (2 polling stations), and Caia, Sofala.
- Police “invaded” 5 polling stations in Maringue, Sofala.

Renamo also cites 7 polling stations in Zambezia which had the wrong register book, saying this occurred in areas where it had strong support and thus it lost votes: Alto Molócuè (4 polling stations), Milange (1), Namacurra (2).

Finally, Renamo cites widespread ballot box stuffing, and claims that in violation of the law and the new polling station staff code, polling station presidents are refusing to accept Renamo protests. But no details were given.

MDM giving no details

MDM also claims fraud at some polling stations, but has so far declined to give further details.

It is known, however, that in some places MDM delegates were excluded from the count by what they saw as a trick. They were told that parliament votes would be counted first and that they could not stay because they did not stand in that election, and they were never invited back into the count when the presidential vote was counted.

Comment: Perhaps why Renamo does badly:

Good organisation seen as evil

At a press conference yesterday in Maputo, Renamo distributed a copy of what appears to be a Frelimo internal campaign document issued 13 October by Luisa Diogo in Zambézia. Renamo apparently handed out the document to claim misconduct by Frelimo, but it might have been more useful to have handed it out to Renamo’s own campaign teams.

The document tells Frelimo local party campaign brigades to:

- Keep records of which houses have been covered by canvassers so that they can be sure they have not missed anyone. Local parties are to organise support for Frelimo campaign teams.
- Meet with polling station delegates to ensure they know their job and provide them with support.
- Monitor the selection of polling station staff.
- Check to ensure that light and security have been provided for polling stations.
- Not campaign publicly on the two days before voting when campaigning is not permitted, but instead to chat with local traditional leaders.
- Ensure that the telephone and e-mail is working in the party office so that results can be sent.
- On polling day, help and encourage people to go to vote, and provide transport if necessary. Ensure that Frelimo supporters go to the polls early and are the first in the queue.

And at the end there is a list of priority districts, where extra campaign effort is needed.

This is precisely what is done by well-organised political parties everywhere in the world. Such strong organisation is surely one reason why the number of Frelimo voters increased by a million this year, compared to 2004.

What is striking is that Renamo apparently sees good party organisation as misconduct, or somehow improper. Renamo has always been plagued by weak organisation, and in local elections last year and national elections this year, it was clear that Renamo was not organised locally to ensure that its own supporters voted.

Instead of seeing Frelimo's good party organisation as a bad thing, the opposition would do better to learn some lessons from Frelimo and build a party structure that can get across its message and ensure its supporters vote.

Joseph Hanlon

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