

**MOZAMBIQUE:  
PRESIDENTIAL- AND PARLIAMENTARY ELECTIONS  
DECEMBER 2004**

Report  
by  
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## **Preface**

The European Union Election Observation Mission to Mozambique (EUEOMM) was established in October 2004 to monitor the presidential- and parliamentary elections in the country on 1 and 2 December. The mission was headed by Mr. José Javier Pomés Ruiz (Spain) and the core team consisted of six mission members. On October 16, 26 long-term observers (LTOs) arrived in Maputo and were deployed in 13 teams throughout Mozambique. A total of 82 short-term observers (STOs) were monitoring the election days.

NORDEM, The Norwegian Resource Bank for Democracy and Human Rights, was asked by the Norwegian Ministry of Foreign Affairs to second two LTOs. They were Gunnar Johannessen, who covered Maputo Province, and Kenneth de Figueiredo who was deployed to the province of Cabo Delgado.

This report draws on the LTOs' observations in Cabo Delgado and Maputo Province, general findings by the core team and other LTOs during the pre-election period and STOs on election days. Other sources are legal documents and news web-sites.

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## Summary

The EU Election Observation Mission to Mozambique (EUEOMM) was established in October 2004 to monitor the presidential- and parliamentary elections 1 and 2 December the same year.

Five candidates contested the presidential election, with Armando Guebuza from the governing party Frelimo as the clear favourite. Frelimo has been in power since Mozambique's independence in 1975. This was the third multi-party election since the peace settlement between Frelimo and RENAMO, the armed opposition in the civil war in 1992.

As expected, Guebuza won the presidential election with a clear majority and Frelimo increased their majority in the parliament. In the parliamentary elections, only Frelimo and RENAMO passed the 5% threshold.

The election campaign was conducted in a generally peaceful atmosphere, although some incidents did occur, sometimes leading to minor injuries. In some areas there were also some arrests of opposition politicians. The media's coverage of the election was considered relatively balanced by the EUEOMM.

The election process was well administrated, taking into consideration the huge logistical challenges it represented. The EUEOMM assessed that the elections met most international standards. However, some shortcomings and irregularities were observed.

The conflict between the EUEOMM and National Election Commission, where the latter did not guarantee observers' access to the final stages of the counting/tabulation process, was partially resolved.

## Political background

When Mozambique became independent from Portugal in 1975, it was Frelimo (Frente de Libertação de Moçambique), the resistance movement that had been fighting the colonizers for more than ten years, which came into power. They introduced a single-party system and soon turned into a socialist direction, becoming a close ally of the Soviet Union. In the end of the seventies and early eighties a bloody civil war was under development. The rebels, RENAMO (Resistencia Nacional de Moçambicana), were initially supported by the Rhodesian government and later by South Africa in an attempt to destabilize the black, socialist regime. In the eighties, RENAMO increasingly gained support and the war became more brutal leading to approximately 1.7 million Mozambicans taking refuge in the neighbouring states and leaving 800,000 to 1,000,000 dead.

In 1990, when socialist regimes all over the world were trembling, Mozambique adopted a new constitution allowing for a multiparty system. State companies were once again privatised and freedom of speech and freedom to form political parties were now part of the Mozambican constitution. In 1992, peace negotiations between Frelimo and RENAMO finally ended in a cease-fire and a peace treaty. As a part of the peace treaty, Frelimo had to acknowledge the existence of RENAMO as a political party in Mozambique.

The country's first democratic elections were held in 1994. The incumbent President Joaquim Chissano won and Frelimo got the majority of seats in the parliament, but RENAMO performed well in the election and was rewarded with 112 deputies to Frelimo's 129 (9 came from a coalition of three smaller parties). In the 1999 elections, Mr. Chissano won his second term and Frelimo increased its majority in Parliament (Frelimo – 133, RENAMO-Electoral Union – 116 and one independent). Both these general elections were described by international and domestic observers as smooth and well organised.

Even though the Constitution permits the president to run for a third term, Joaquim Chissano chose not to run for the 2004 elections. Therefore, Frelimo nominated the party veteran and presumed hardliner, Armando Guebuza, as their candidate. RENAMO nominated for the third time their veteran leader, Afonso Dhlakama, as their presidential candidate. The other presidential candidates were Raul Domingos<sup>1</sup> from PDD (The Party for Peace, Democracy and Development), Yá-Qub Sibindy from PIMO (The Independent Party of Mozambique) and Carlos Reis from MBG (Movement for Change and Good Governance).

21 parties and coalitions ran in the parliamentary elections. Only Frelimo and RENAMO, however, cleared the 5% threshold.

It was clear from early on that these elections would be a battle between the ruling Frelimo, and RENAMO, although some observers believed PDD could establish themselves as an influential opposition party, stealing votes from the two major parties. However, in spite of being a reasonably well-structured party with many local branches, PDD never appealed to the masses and were not even close to get into parliament. PIMO, sometimes referred to as an Islamic party, though this is denied by their leaders, was also disappointed with their results. The other parties bore less significance.

The outcome of these elections was that Frelimo strengthened its position in parliament while RENAMO loosed votes, also in their traditional strongholds in central Mozambique.

## The Legislative Framework

The general elections in Mozambique are regulated by The Constitution of the Republic of Mozambique, The Electoral Law – Law 07/04, 17 June 2004, The Law on Creating the National Election Commission – Law 20/02, 10 October 2002, the Law Regulating the Electoral Census – Law 18/02, 10 October 2002 and The Law on Political Parties – Laws 7/91 and 14/92.

A new electoral law (EL) was passed in June 2004. It is similar to the previous law, but contains some significant changes. After widespread complaints about Frelimo using government vehicles and facilities, the new law bans the use goods or property in the electoral campaign by a party of any government. Polling station staff, police and journalists can now vote at any polling station; in past years they had been effectively disenfranchised because they were only allowed to vote at the polling station where they were registered.

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<sup>1</sup> Domingos was earlier RENAMO's leader in parliament, and was one of the architects behind the peace accord. However, he was excluded from RENAMO in 2000 and founded his own party, PDD three years later.

The EL regulates the work of the electoral bodies, the polling procedures and counting and the electoral campaign. It furthermore defines the electoral eligibility and organisation of electoral constituencies.

The EL retains the 5% threshold for parties to enter parliament, i.e. a party or coalition must obtain at least 5% of the *national* vote to have MPs elected from any of the constituencies.

The constituencies coincide with the administrative areas of the provinces and Maputo city (altogether 11 constituencies). In addition, voters residing abroad have two electoral constituencies; one for Africa and one for the rest of the world. The number of deputies to parliament for each electoral constituency of the national territory is proportionally distributed to the number of the voters in each constituency. The out-of-country constituencies correspond to one deputy each. In all 250 deputies were elected to parliament.

The presidential election is direct and the whole country and voters abroad are considered one constituency.

A presidential candidate must receive more than 50% of the valid votes cast to be elected. If none of the candidates obtains this number of votes, a second round shall be held, in which the two candidates with the most votes shall contest each other.

The law allows political parties to have their agents in the polling station at all times during the election period, i.e. during the election days and keep vigil beside the ballot boxes during the night between the two election days. During the counting in the PSs, the party agents also have the right to scrutinise each and every ballot paper and challenge the ones they think are wrongly assessed by the polling board. These challenged ballots together with all invalid ballots (blank ballots excluded) are then sent to the National Election Commission, which will make a final verdict on them. The agents are also insured the right to receive copies of the protocols and result sheets.

Observers also have the right to be present in the polling stations during the election days and the counting.

The counting procedures are very meticulous and described in detail in the law. The voting shall be annulled if the number of ballot papers in the ballot box is higher than the number of *registered voters*.

## The Electoral Administration

The National Election Commission (CNE) is a permanent and autonomous body, independent of all state bodies. It is responsible for management and administration of national registration, elections and referenda. The commission has 19 members; the president is recruited from civil society and 18 members proportionally represent the parties holding seats in the parliament. As such, Frelimo currently has the majority of the CNE members. Members of the CNE are appointed for a five-year term.

The CNE's duties are defined in article 7 of The Law Creating the National Election Commission (Law 20/02, 10 October 2002). The commission has a duty to organise elections in conditions of full freedom, justice and transparency and to assure equal opportunities and treatment of all political parties in the electoral procedures. In addition, it is responsible for several tasks concerning the practical arrangements of an election.

The eleven Provincial Election Commissions (CPEs) are of a similar structure. The president is from the civil society, while the eight members are from the parliamentary parties.<sup>2</sup> However, these bodies are not permanent, but begin functioning 45 days prior to the commencement of registration or election and cease to function as soon as they have presented their final report to the CNE.

There are altogether 148 District Election Commissions (CDEs). They are identical to the CPEs in their structure. The time of functioning of the CDEs is shorter than for their provincial counterparts; from 30 days before the initial date of registration or election to the moment they have submitted their final report to the CPE. The CDEs play only a logistical role after the counting, collecting election material from the polling stations. The protocols are sent to the Provincial Election Commission (CPE) for aggregation.

The duties and powers of the CPEs and CDEs are described in article 26 in The Law Creating the National Election Commission. The two bodies must implement all instructions from the CNE.

Parallel to all three levels of the election administration one finds the Technical Secretariat for the Administration of Elections (STAE). STAE is a state body for electoral administration and organises, implements and ensures activities related to the technical administration of electoral census, electoral processes and referenda (article 27). STAE is subordinate to the CNE. It is a non-political body composed of permanent officials, but supplemented by representatives from the parties in parliament within 45 days before the beginning of elections, registration or referendum.

STAE is mainly an administrative organ. However, it is responsible for recruiting members to the polling boards. There are five members in each polling board, recruited through an assessment of their skills. The composition of the polling boards should in other words not be determined by the polling staff's political affiliation.

## Voter and Civic Education

The official voter education campaign was carried out by several local organisations under the supervision of STAE, and ended on 16 October - the day before the election campaign started. As the LTOs only arrived on 17 October the voter education programme was not observed. However, during the election campaign period, the different parties all conducted their own "voter education", explaining people in the towns and villages how to vote for their parties. Furthermore, when voters came to the polling stations during the election days, the chairmen of the PSs thoroughly explained each and one of them how to mark and fold the ballots and in which ballot box the different ballots should be dropped. The detailed explanations were of utter importance in a country where illiteracy is widespread and it contributed to the reduction of invalid votes.

The good performance by the polling board members throughout the country shows that the training of polling station staff was successfully undertaken. This was done under the supervision of STAE.

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<sup>2</sup> For the 2004 elections five CPE members were from Frelimo and three from RENAMO, including one vice president from each party.

However, the information about the transcripts of voter lists<sup>3</sup> did not seem to have reached the voters. In some of the polling stations with such voter lists, there were hardly any voters at all. In some cases only the polling board and maybe one or two other persons voted. It appeared that voters went to the polling station where they had voted previously and had no idea that they also were included on a voter list at a polling station closer to their home.

## Voter Registration

The lack of accurate voter lists was one of the major concerns in front of these elections. In Mozambique, the registration of voters takes place before each election, thus in the 2004 elections three different voter registers were used; one from the 1999 general elections, one from the 2003 municipal elections and one updated in June/July 2004. It sometimes happened that voter lists from all three years were found in the same polling station.

The voter registers are not based on a single database and are not linked to any civil register recording births and deaths or movements of persons. Since there are no special procedures for updating the registers, there were large numbers of “dead souls” in the registers, especially in those from 1999. However, the EUEOMM gave credit to STAE for drastically reducing the number of databases on which the register is based and providing all polling stations with computer printed voter lists.

Another problem was that the registers are arranged in sequence and not alphabetically by names. In practice, this means that if a voter has lost her voter card with the sequence number it would be very difficult to find her in the voter register (even though this card is not required if other ID is presented). As a voter centre can consist of 10-20 polling stations with a maximum of 1,000 voters registered in each PS, one might have to look through thousands of names before finding the voter’s name. The registers consist only of name and voter card number; no information on age or address is included. The latter could also lead to confusion between voters bearing identical names.

The voter registration took place between 28 June and 15 July 2004 and nearly 2,500 registration brigades were working throughout the country. According to interlocutors in Cabo Delgado, the registration this time was conducted better compared to previous years, although many stated the registration period was too short. The more thorough registration process in 2004 also contributed to a dramatic increase in the number of polling stations in some of the province’s districts. Previously, the opposition claimed that the registration of voters in areas considered their strongholds had to a certain degree been neglected, but they were more content with the registration this time.

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<sup>3</sup> The idea behind transcripts of voter lists is to give voters living between two polling stations the possibility to choose among two or three polling stations to vote in.

## Candidate registration

The registration of presidential candidates and parties/coalitions for the parliamentary election is regulated in the election law. A presidential candidate can either be nominated by legally established political parties or coalitions supported by a minimum of 10,000 registered voters or by a group of citizens backed by minimum of 10,000 signatures. The deadline for the nomination of the presidential candidates to the Constitutional Council is 60 days prior to election day. In the 2004 elections, five presidential candidates were accepted by the Constitutional Council.

For the parliamentary elections 21 parties or coalitions were accepted. The parties/coalitions have to be approved by the National Electoral Commission and must register themselves in the presence of the commission between 75 and 55 days prior to election day.

The order of the presidential candidates and the parties/coalitions on the ballot is determined through lottery.

## The Election Campaign

The election campaign lasted for 45 days, from 17 October to 28 November, when election silence commenced. The campaign was massive, well attended and a variety of means were used; commercials in the electronic media, street marches and convoys of cars, door-to-door campaigning, campaign posters, concerts and dances and speeches. The campaign was conducted in an overall peaceful way and the political parties appealed to their supporters to refrain from provocations.

However, some incidents did occur. In some areas there were tensions between the traditional protagonists Frelimo and RENAMO, and also sometimes between Frelimo and PDD. In general, the police tended to remain passive towards provocations from Frelimo supporters, but acted on provocations by supporters of other parties. Damage of rivaling parties' campaign material by several contestants was observed.

In Cabo Delgado the campaign was generally peaceful with Frelimo as the dominant party. Outside the administrative centre Pemba (with the exception of Palma), other parties were virtually invisible. Only Frelimo was able to demonstrate political strength on various occasions by gathering people in the main square of the city and organising caravans of cars and motorcycles. Mr. Guebuza from Frelimo only visited Pemba once at the very beginning of the campaign. RENAMO's candidate visited Pemba and the province twice, but did not attract massive crowds. The candidates for PIMO and PDD also visited Pemba and some districts, but their visits were short and superficial. Generally speaking, the major candidates did not conduct an active campaign in Cabo Delgado and hardly spent time in the province. The local brigades left to conduct the provincial campaign claimed to be covering the countryside, but the LTOs hardly noticed any sign of their presence when they visited the districts. In general, local campaign offices received little support and few instructions from the provincial level. The smaller parties were virtually non-existent.

Regarding incidents, it should be mentioned that four RENAMO representatives in the districts were arrested during the campaign. There were also reports of stone-throwing and party buildings that were set on fire.

## The Media

Mozambique has a relatively high number of media outlets, although most are based in Maputo. The 2004 elections were extensively covered by the Mozambican media.

There are only two daily newspapers in Mozambique; the national paper *Notícias*, with a circulation of about 20,000 copies, and *Diário de Moçambique*, published in Beira but distributed also elsewhere in the country. The papers are private, but the main shareholders of *Notícias* are state controlled entities, while the owners of the Beira newspaper are closely linked to the Frelimo candidate Guebuza. The weekly newspaper *Zambeze* stands close to RENAMO-UE.

TV is dominated by the public television TVM, while the Portuguese public broadcaster RTP is also accessible to many viewers. However, the most important source of information for the Mozambican people is the public broadcaster *Rádio Moçambique*, covering almost the entire country. The media outlet has local offices in the provinces and in addition to Portuguese; they also transmit in English and 19 national languages.

The EUEOMM stated that the tone of the coverage in the media was generally neutral or positive. The mission also concluded that the election coverage from the public media was reasonably balanced and election activities from all over the country were covered. However, the mission did criticise the lack of critical analysis and the absence of any public debate between the main presidential candidates.

## Observation on the Polling Day<sup>4</sup>

**Maputo Province** consists of eight districts: Matola, Manhica, Marracuene, Magude, Moamba, Namaacha, Boane and Matutuine. On election day, five observer teams covered Matola, Manhica, Marracuene, Namaacha and Boane. Since none of the districts in the province were of any specific political significance, the districts with the best infrastructure were chosen to conduct observation in.

Jurg Nussbaumer, Switzerland, and Gunnar Johannessen, Norway, observed the elections in Matola district. During the two days the voting took place, they visited 30 polling stations. In general, the voting and the counting were conducted in a very efficient and orderly manner. The polling station staff was experienced and highly devoted and they took their task very seriously. All procedures were followed in accordance with the electoral laws.

The province of **Cabo Delgado** consists of seventeen districts. The EUEOMM had four teams, including the LTO team, covering the districts of Pemba City, Montepuez, Pemba Metuge, Ancuabe, Moçimboa da Praia and Mueda. The election days were peaceful throughout the province and no major incidents were reported. Neither were there any reports of intimidation. The police did generally not interfere in the process. Political propaganda in the vicinity of

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<sup>4</sup> The sections concerning Maputo Province are written by the Norwegian LTO, Gunnar Johannessen.

polling stations had been taken down and voters did not wear party symbols. The turnout was low.

## Observation of the opening

During both election days the polling stations visited in **Maputo** province opened at 7 am with no delay. The polling staff was present in due time. The ballot boxes were properly sealed, and all the material was there except for two ink pads for illiterate voters. It turned out later that the ink pads were in fact lacking in quite a number of polling stations.

In **Cabo Delgado** opening procedures were generally properly followed and most polling stations opened on time. However, on 2 December some polling stations in remote areas of Chiure opened only at 10 am. Furthermore, approximately 13 polling stations did not open at all because the voting material had not been delivered due to the late arrival of the helicopter from Nampula. In general, the material was complete. In some cases, the inkpad, the battery for the calculator, some lamps and copies of the protocols were missing, but no essential material was missing.

## Observation of the polling

In **Maputo** province the general atmosphere during the elections was good. The turnout was low, however. The voters seemed quite well aware of the voting procedures. In addition, they were given a thorough explanation of the ballots handed out by the President of the polling station. The number of voter registers in the polling stations differed. Some had three registers, - from 1999, 2003, 2004, - some had two, and some had only one. This did not create any big problems when it came to the voting itself. Only a few voters turned up at the wrong polling station. Nobody was turned away for lack of a proper ID. There was, however, a tendency towards a lower turnout in the polling stations using the 1999 register, which most likely had not been properly revised. During the two days of voting no incidents or any kind of intimidation were reported. Neither family voting nor unauthorized persons in the premises was observed. The procedure with the indelible ink worked fine. All in all, the polling station staff was in full control and the voters could cast their votes in a free manner. In all polling stations party agents from Frelimo and RENAMO were present, and in some, PDD as well. No other parties showed up. There were a few domestic observers from *Observatorio Eleitoral* present, but no international observers were seen.<sup>5</sup>

In **Cabo Delgado** all chairmen in the polling stations visited took their time to thoroughly explain the voting process, how to mark and fold the ballots, to every voter and to check fingers for indelible ink. Only one or two voters were in the PS at the same time, so there were never any concerns about group voting. The inking seemed to be a problem at the beginning of the process; some tables were paralysed for some twenty minutes in Pemba City because polling officials thought the ink was not efficient.

Party agents from Frelimo and RENAMO covered most districts, except for the northern area (Mueda) where RENAMO had very few party agents. PDD and PIMO did not have much coverage. Polling staff allowed Frelimo to have more than two agents present at a time. Agents were generally active writing down names and voter card numbers of every voter and keeping

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<sup>5</sup> LTOs were informed that international observers from the *Carter Center* were also present in the province.

track of the number of voters. The EU observers encountered domestic observers from the following groups: Observatorio Eleitoral, *Forum Moçambicano de Observação Nacional* and FECIV. From the international community, Tanzanian observers were seen in Moçimboa, American Embassy observers in Montepuez and EFAIS in Pemba City.

In polling stations with transcripts of voter lists, attendance was very poor. Some of the polling staff did not seem to be aware of the special circumstances of these voter lists, which shows that the electoral authorities had not done its proper job spreading information about these transcripts.

## Observation of the closing and counting

In **Maputo** province the counting procedures were conducted very thoroughly and effectively. The polling stations closed at 6 pm. Apart from the polling station staff, the EU observers and party agents from Frelimo, RENAMO and PDD were present. During the whole counting process everybody was able to observe and check on the counting and the numbers. Due to human errors, the vote for the presidential election had to be recounted, but after five hours everything was correct. There were no complaints from any party. From the observers' point of view, though, it seemed that the rules for accepting a ballot were a bit strict. Some ballots where the intention was clear would be rejected for some small scribble marks on it. The counting process was transparent, thorough, but rather slow. There were remarkably few invalid or blank votes.

Closing and counting procedures in **Cabo Delgado** were meticulously followed. Only a few minor problems were detected. In Montepuez, for example, votes cast by the polling staff were not mixed up with the rest. Counting took up to seven hours in some polling stations. Party agents did not interfere too much in the counting process and did not challenge many votes.

## Observation of the tabulation

The tabulation process in **Maputo** province started on 8 December - three days too late, due to the fact that the computer programme at STAE had initially not been properly installed. The observers were not given access to the restricted area of the computer room where all the data was being processed, but were sitting in a room nearby with their own computer. The observers were thus able to follow and compare the results for each polling station with their own notes. In Maputo province, the LTOs had the results from about 75 polling stations - posted on the walls outside the polling stations - and they all coincided with the official results. Difficulties with the database system did not allow the observers to follow the results for the parliamentary election, only for the presidential election. On 11 December, the results for Maputo province were officially announced by the CPE. During the whole tabulation process the electoral bodies, STAE and CPE, were very helpful, friendly and forthcoming.

Matola district seemed to have been quite representative for the whole Maputo Province. The province was Frelimo-land, and remained so - giving Guebuza about 90% of the votes. The election process in the province was well organised with only minor incidents and no formal complaints.

In **Cabo Delgado** the provincial tabulation started on 7 December. Districts were processed in alphabetical order. A computer was set up in a room next to the operation room, where observers and party agents gained access with their own password. The LTOs had no access to CPE deliberations on problematic protocols. The tabulation was not organised by district, which contradicts Regulation N. 77/2004, and the observers did not get any overview per district in any stage of the consolidation process. According to the computer supervisor, the software does not allow such an operation.

When the observers compared their figures from the posted results at the polling stations, the numbers were generally the same. However, in many cases the numbers of voters in the registers were slightly lower in the computerized version as compared to the results posted at the polling stations. However, the numbers differed with only 1-5 voters, in rare cases more. What was more exceptional, was that in the few cases where the numbers in the posted results did not add up, i.e. when the number of invalid and valid ballots combined did not equal the number of ballots cast, there had been some slight alterations in the computer. Most likely the software rejected protocols where the figures did not add up. The LTOs did not find any pattern in this; usually the number of blank and invalid votes in the computer would be slightly higher, but the observers also saw votes for the different candidates being higher than the posted information. However, different candidates did seem to benefit from this practice; at times it could be Guebuza, other times Dhlakama or Reis.

The process of the provincial tabulation was very slow and it was not completed when the observers departed for Maputo. Apart from being slow, another reason for the delay was that on 10 December the RENAMO member of the CPE refused to open the doors to the computer room and the warehouse using his key. According to the CPE President, this was done as a protest against the practice of STAE not displaying the results district by district. In the end, the Director of STAE decided to break open the lock after getting permission from the CPE.

## The review of Complaints Process

The election law allows for the lodging of complaints about the election process to the CNE. Claims or appeals against any irregularities occurring during election or verification of the electoral results can be considered by the CNE, as long as they relate to protests that were submitted at the time at which the claimed irregularities occurred (Art. 173). Appeals against decisions made by the CNE can be lodged with the Constitutional Council. Their decision is final.

RENAMO-UE submitted an official complaint to the CNE after the election results had been announced, demanding the commission should annul the elections. The complaint consisted of numerous accusations, some more credible than others. In early January 2005, the CNE rejected the complaint, because it was sent to the CNE too late after the alleged irregularities had occurred. One of the grounds of the complaint was the fact that approximately 5% of the polling stations protocols were declared invalid by the CNE. Another cause of the complaint was the incredible high turnout in some polling stations, close to 100%, with Frelimo taking more than

90% of the vote in these polling stations<sup>6</sup>. In addition, RENAMO voiced some less credible claims, alleging that all polling station staffs “were linked to Frelimo” and that police switched the ballot boxes on the night between the two elections. The complaint was appealed to the Constitutional Council.

During the campaign, the opposition parties in the districts also submitted various complaints to the CPEs and CDEs. In some instances, conflicts were settled, in others nothing was done. Many of the party representatives complained to the observers without submitting an official complaint, stating that they had no faith in the system and just did not bother.

## Conclusions and recommendations

The EUEOMM stated that the general elections in Mozambique 2004 met most international and regional standards and even went so far as to characterise the elections as a “genuine political competition”.

The official results of the elections were announced on 21 December, four days after the legal deadline. Logistical problems were given as explanation for this delay. The results showed that Armando Guebuza (Frelimo) received 63.74% of the valid votes against Afonso Dhlakama’s (RENAMO-UE) 31.74%. The remaining 4.52% was divided between the other three candidates.

In the parliamentary elections, Frelimo took 62% of the valid votes, giving them 160 seats in the Parliament. RENAMO-UE won 90 seats with just under 30% of the votes. No other parties met the 5% threshold.

The turnout was low, with only about 36% of the eligible voters casting their ballots.

There can be many reasons for this low turnout. Firstly, the inaccuracy of the voter lists would keep the turnout percentage low, since the voter rolls included a high number of “dead souls” and double entries. Secondly, the elections were held in the beginning of the rainy season when many people were sowing their crops. Consequently, they did not have time to go (mainly by foot) to polling stations, which sometimes could be up to 15-20 kilometres away. Thirdly, it seemed like many of the traditional RENAMO voters stayed at home this time, maybe discouraged by two previous defeats. Furthermore, many voters, expecting Frelimo to win anyhow, could also have been so sure about Frelimo’s victory that they decided not to vote. In any case, the low voter turnout should be of concern for Mozambican authorities and political parties, especially after such an omnipresent election campaign.

The failure of PDD to establish itself as an important political force in Mozambique can possibly be explained by the solid dichotomy in the country’s political sphere. It would appear there is no space for other parties. Indeed, the whole campaign was characterised by parties displaying their colours and celebrating themselves. It was difficult to find any political debate or anyone actually discussing the political programmes of the different parties. The political campaign resembled more groups of football supporters chanting their songs and waving their flags. Everyone knows

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<sup>6</sup> This was also noticed by international observers from EU and the Carter Center, who concluded that parliamentary seats would probably have changed hands if the votes were correctly tallied, albeit the result of the presidential election would not be affected.

that it is impossible to convince supporters of one team to support another team by using intellectual arguments. As such, PDD has a long way to go.

The EUEOMM made calls for more transparency on part of the electoral authorities towards observers and the public in general (even though the issue of access of observers to the final stages of the election process was partly solved). The mission stated that a part of the problem is connected with the over-politicised structure and working mode of the CNE and STAE, where decisions are often taken by majority vote and not in the spirit of consensus.

The polling procedures went smoothly, with well-informed and hard working polling staff. The polling station presidents took the time to explain voting procedures to all voters and to check voters for ink. Usually, no more than one or two voters were inside the polling station at once, eliminating group voting and keeping the secrecy of the vote. Paradoxically, the secrecy of the vote can also be threatened by these scrupulous procedures. Since the ballots have a sequence number and the president reads out the name and voter card number for the party agents to write down, the agents can discern how a voter voted once the ballot box has been opened. This is especially of concern in areas where one dominant party gets most of the votes. The risk of someone producing fake ballots is so low that the practice with individually numbered ballots should be discontinued.

In some polling stations the total number of ballots cast exceeded the total number of voters who voted. In many countries this would lead to an annulment of the election results in those polling stations affected. Following the Mozambique election law, however, the total number of ballots cast must exceed the total number of registered voters in order to declare the election result invalid. Bearing in mind the low turnout for these elections, this could open up for major ballot box stuffing. However, changing this legal provision could lead to annulments in polling stations where the polling staff simply forgot to sign for one voter<sup>7</sup>, further increasing the number of protocols declared invalid, and in practice disenfranchising even more voters.

## Comments on the election observation mission

When the EUEOMM was established in October 2004, one of the mission's main concerns was getting access to all stages of the election process. The CNE did not grant observers the permission to monitor the tabulation process at the provincial- and national level. However, in the end the conflict was partially resolved when the observers were allowed to monitor most of the process at these levels.

The core team was rather small with only six members, some of them having double roles, such as election/legal officer and logistics/security officer. A larger core team could have made their work easier.

The reporting routines for the LTOs could have been simplified by leaving out the "Election Campaign Reports". These reports were supposed to be sent to the core team the same day rallies and other campaign events were observed. It is difficult to see the urgent nature of receiving information about these events and the access to Internet and printers/faxes in the field was not

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<sup>7</sup> In Mozambique a member of the polling board signs for the voter, and not the voter himself. This practice could also, of course, be reconsidered, but due to widespread illiteracy in the country it might be a good idea to continue with this procedure.

always readily available, to say the least. Also the mission's heavy dependency on information by e-mail in general caused problems for the LTOs in Mozambique.

The STOs in Cabo Delgado performed well, working long hours and reporting regularly during the election days.

However, the forms used by observers on election days have room for improvements. Furthermore, the STOs should have been instructed in detail how to fill out the forms, thus avoiding different interpretations and obtaining a uniform understanding, which is crucial when dealing with such data.

## Appendices

(NOT PUBLISHED IN THE WEB EDITION)

### **1. EUEOMM's Preliminary Statements**

EU EOM to Mozambique First Preliminary Statement, 4 December 2004

EU EOM to Mozambique Second Preliminary Statement, 20 December 2004

### **2. Carter Center's Post-election Statements**

Carter Center Post-election Statement on Mozambique Elections, 4 december 2004

Carter Center Post-election Statement on Mozambique Elections, 21 December 2004