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Election e-mail special issues 3 and 4

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CNE REJECTS EU  
DEMANDS FOR  
TRANSPARENCY

The National Election Commission (CNE) has again refused to make any concessions to European Union (EU) demands for further transparency of the vote counting process. In a statement issued Friday 22 October it said procedures will be "similar to what happened in the previous elections".

On the demand for access to the computer tabulation process, the CNE has promised that in the electoral computer centre "a window will be placed allowing observation of data processing at a distance, without the observers being able to contact or speak with the operators during their work, in line with the rules in force in the CNE". This facility has been available in past elections and is useless, because all an observer can see is people keying in data.

There also appears to be no change on the ban on observers watching the validation of spoiled ballot papers (nulos) and decisions on results sheets (editais) from polling stations which have problems. In 1999, the CNE reconsidered 500,000 spoiled ballot papers and accepted one quarter of them. Also that year, nearly 7 per cent of polling stations were excluded from the final count, reportedly because they contained irreconcilable errors (although no observer or journalist was ever allowed to see the excluded editais to check). The CNE has said in the past that

reconsiderations of nulos and editais takes place during CNE meetings, and in its Friday statement the CNE confirms that such meetings are "an activity which is not public in nature."

Finally, the CNE confirms that computerised results will be available only on a district by district basis.

At one level, the system is extremely transparent. Ballots are counted in each individual polling station, in the presence of press, party representatives and observers. A copy of the result sheet (edital) is posted on the door of the polling station and copies are given to each party delegate, who then hands the sheet into their party headquarters. This permits international observers and parties to do their own parallel count. These parallel counts are normally within 2 per cent of the final result, and thus assure that there cannot be a major fraud.

But what happens if the result is very close, and the difference between the two presidential candidates is less than 2 per cent? At that relatively small level, several kinds of manipulation are possible. The biggest problem is that the CNE does not ever publish a polling station by polling station list of the results, so it is not possible to check the final CNE results in detail against a parallel count. And there are sure to be differences, because of spoiled ballot papers and excluded polling stations.

That, in turn, leaves quite a large scope for manipulation of the data. There is no way, for example, to determine which polling stations have been excluded and why, so extra polling stations might be excluded. Similarly, when the spoiled ballot papers (nulos) which are finally accepted are added to the results, it would be possible to introduce biases into the data. At various other places in the process, small numbers of votes could be added or subtracted.

Thus, if the difference between the main parties is more than about 2 per cent, then the media and observers will be able to verify the result. But if it is closer than that, they will not be able to do so. So long as the computer system remain opaque, this problem cannot be fully resolved. But giving observers and the press more access would at least reduce the possible space for manipulation.

An alternative would be to make public much more information about the decisions taken by the CNE and a much more detailed tabulation of the final results. It would not be difficult to post on a website polling station by polling station results.

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Friday 29 October 2004

**FOREIGN OBSERVERS SAY  
COUNT DOES NOT MEET  
INTERNATIONAL STANDARDS  
-- BUT CNE REJECTS ANY CHANGE**

International observers are now united in saying that the final counting of Mozambique's votes does not meet international standards of transparency, but the Frelimo majority on the National Election Commission (CNE) refuses any further concessions.

The European Union chief observer arrives tomorrow (Saturday) and will try to meet with the CNE to break the impasse. A Commonwealth delegation in Mozambique yesterday (Thursday) made clear to the CNE it is unhappy with the arrangements. The Carter Center is expected to raise the issue today.

AIM reports that by Tuesday, 42 international observers had registered - 32 from the European Union, nine from the US-based Carter Centre, and one from Japan. In an interview on Radio Mozambique, the CNE spokesperson, Filipe Mandlate, said that the dispute between the CNE and the European Union over the extent of electoral observation was "in the past", and the fact that EU observers were registering was evidence of this.

The European Union denies this. Although the EU has signed a Memorandum of Understanding (MoU) with the Mozambican Foreign Ministry, it has failed to sign one with the CNE as it has in the past. The EU has conducted observations without an MoU, for example in Afghanistan, and will probably do so in Mozambique. But in discussions with the CNE, the EU has stressed that registration of observers does not imply acceptance of restrictions, and if access continues to be blocked, the EU would be unable to declare the election internationally acceptable.

The core problem is that the count of the vote in each polling station is open to press and observers, but the tabulation at provincial and national level is done in secret. Reconsideration of invalid ballot papers and polling station results sheets done in secret could shift the result by 1 to 2 per cent, which would be enough to make a difference in a very close election.

Donors dealing with the electoral process met Friday 22 October and yesterday (Thursday 28 October) to discuss the impasse. Donors are convinced that the decision to maintain secrecy has been taken personally by Frelimo's presidential candidate and party secretary-general, Armando Guebuza, and that he wants the small margin of manipulation possible in case of a close election.

Donors feel they have little power in this situation and that even a threat to withdraw aid would carry little clout. They feel some in Frelimo argue that aid is no use if Frelimo loses. In any case, Frelimo believes, probably correctly, that donors would not carry out a threat to suspend aid.

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