Business and Politics in the Muslim World
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This report is about the presidential and national assembly elections in Mozambique and Tunisia held on October 25 and 28, 2009, respectively.

Republic of Mozambique

Capital (and largest city)	Maputo 25°57′S 32°35′E / 25.95°S 32.583°E / -25.95; 32.583
Official languages	Portuguese
Vernacular languages	Swahili, Makhuwa, Sena
Government	Republic
- President	Armando Guebuza
- Prime Minister	Luísa Diogo
Independence	
- from Portugal	June 25, 1975
Area	
Total	801,590 km2 309,496 sq mi
- Water (%)	2.2
Population	
- 2009 estimate	22,894,000
- 2007 census	21,397,000
- Density	28.7/km2 74.3/sq mi
GDP (PPP)	2008 estimate
- Total	$18.740 billion
- Per capita	$903

1. Introduction

Mozambique, officially the Republic of Mozambique is a country in southeastern Africa bordered by the Indian Ocean to the east, Tanzania to the north, Malawi and Zambia to the northwest, Zimbabwe to the west and Swaziland and South Africa to the southwest.

The area was explored by Vasco da Gama in 1498 and colonized by Portugal in 1505. Mozambique became independent in 1975, to which it became the People's Republic of Mozambique shortly after, and was the scene of an intense civil war lasting from 1977 to 1992. The country was named Moçambique by the Portuguese after Msumbiji, the Swahili name of Mozambique Island and port-town.

Mozambique is a member of the Community of Portuguese Language Countries and the Commonwealth of Nations and an observer of the Francophonie. Mozambique's life expectancy and infant mortality rates are both among the worst ranked in the world. Its Human Development Index is one of the lowest on earth.

History

Early migrations

Between the first and fifth centuries AD, waves of Bantu-speaking people migrated from the west and north through the Zambezi River valley and then gradually into the plateau and coastal areas. They established agricultural communities or societies based on herding cattle. They brought with them the technology for iron making, a metal which they used to make weapons for the conquest of their neighbors. Cities in Mozambique during the Middle Ages (5th to the 16th century) were not sturdily built, so there is little left of many medieval cities such as the trading port Sofala. Nevertheless several Swahili trade ports dotted the coast of the country before the arrival of Arabs and the Portuguese which had been trading with Madagascar and the Far East.

Swahili, Arab and Portuguese rule

When Portuguese explorers reached East Africa in 1498, Swahili and Arabic commercial settlements had existed along the coast and outlying islands for several centuries. From about 1500, Portuguese trading posts and forts displaced the Arabic commercial and military hegemony becaming regular ports of call on the new European sea route to the east.

The Island of Mozambique is a small coral island at the mouth of Mossuril Bay on the Nacala coast of northern Mozambique, first explored by Europeans in the late 1400s

The voyage of Vasco da Gama around the Cape of Good Hope into the Indian Ocean in 1498 marked the Portuguese entry into trade, politics, and society in the Indian Ocean world. The Portuguese gained control of the Island of Mozambique and the port city of Sofala in the early 16th century, and by the 1530s small groups of Portuguese traders and prospectors penetrated the interior regions seeking gold, where they set up garrisons and trading posts at Sena and Tete on the Zambezi River and tried to gain exclusive control over the gold trade. The Portuguese attempted to legitimize and consolidate their trade and settlement positions through the creation of prazos (land grants) tied to Portuguese settlement and administration. While prazos were originally developed to be held by Portuguese, through intermarriage they became African Portuguese or African Indian centres defended by large African slave armies known as Chikunda. Historically within Mozambique there was slavery. Human beings were bought and sold by African tribal chiefs, Arab traders, and the Portuguese. Many Mozambican slaves were supplied by tribal chiefs who raided warring tribes and sold their captives to the prazeiros.

Although Portuguese influence gradually expanded, its power was limited and exercised through individual settlers and officials who were granted extensive autonomy. The Portuguese were able to wrest much of the coastal trade from Arabs between 1500 and 1700, but, with the Arab seizure of Portugal's key foothold at Fort Jesus on Mombasa Island (now in Kenya) in 1698, the pendulum began to swing in the other direction. As a result, investment lagged while Lisbon devoted itself to the more lucrative trade with India and the Far East and to the colonisation of Brazil. During the 18th and 19th centuries the Mazrui and Omani Arabs reclaimed much of the Indian Ocean trade, forcing the Portuguese to retreat south. Many prazos had declined by the mid-19th century, but several of them survived. During the 19th century other European powers, particularly the British (British South Africa Company) and the French (Madagascar), became increasingly involved in the trade and politics of the region around the Portuguese East African territories.

By the early 20th century the Portuguese had shifted the administration of much of Mozambique to large private companies, like the Mozambique Company, the Zambezia

Company and the Niassa Company, controlled and financed mostly by the British, which established railroad lines to neighbouring countries. Although slavery had been legally abolished in Mozambique, at the end of the 19th century the Chartered companies enacted a forced labor policy and supplied cheap – often forced – African labor to the mines and plantations of the nearby British colonies and South Africa. The Zambezia Company, the most profitable chartered company, took over a number of smaller prazeiro holdings, and established military outposts to protect its property. The chartered companies built roads and ports to bring their goods to market including a railroad linking present day Zimbabwe with the Mozambican port of Beira.

Because of their unsatisfactory performance and because of the shift, under the Estado Novo regime of Oliveira Salazar, towards a stronger Portuguese control of Portuguese empire's economy, the companies' concessions were not renewed when they ran out. This was what happened in 1942 with the Mozambique Company, which however continued to operate in the agricultural and commercial sectors as a corporation, and had already happened in 1929 with the termination of the Niassa Company's concession. In 1951, the Portuguese overseas colonies in Africa were rebranded as Overseas Provinces of Portugal.

Independence movement

As communist and anti-colonial ideologies spread out across Africa, many clandestine political movements were established in support of Mozambican independence. These movements claimed that since policies and development plans were primarily designed by the ruling authorities for the benefit of Mozambique's Portuguese population, little attention was paid to Mozambique's tribal integration and the development of its native communities. According to the official guerrilla statements, this affected a majority of the indigenous population who suffered both state-sponsored discrimination and enormous social pressure. Many felt they had received too little opportunity or resources to upgrade their skills and improve their economic and social situation to a degree comparable to that of the Europeans. Statistically, Mozambique's Portuguese whites were indeed wealthier and more skilled than the black indigenous majority. As a response to the guerrilla movement, the Portuguese government from the 1960s and principally the early 1970s,

initiated gradual changes with new socioeconomic developments and equalitarian policies for all.

The Front for the Liberation of Mozambique (FRELIMO), initiated a guerrilla campaign against Portuguese rule in September 1964. This conflict, along with the two others already initiated in the other Portuguese colonies of Angola and Portuguese Guinea, became part of the so-called Portuguese Colonial War (1961–1974). From a military standpoint, the Portuguese regular army maintained control of the population centres while the guerrilla forces sought to undermine their influence in rural and tribal areas in the north and west. As part of their response to FRELIMO the Portuguese government began to pay more attention to creating favourable conditions for social development and economic growth.

After 10 years of sporadic warfare and Portugal's return to democracy through a leftist military coup in Lisbon which replaced Portugal's Estado Novo regime for a military junta (the Carnation Revolution of April 1974), FRELIMO took control of the territory. Within a year, most of the 250,000 Portuguese in Mozambique had left – some expelled by the government of the nearly-independent territory, some fleeing in fear – and Mozambique became independent from Portugal on June 25, 1975. Within a few years, almost the entire ethnic Portuguese population which had remained at independence had also departed.

Conflict and civil war

The new government, under president Samora Machel, gave shelter and support to South African (African National Congress) and Zimbabwean (Zimbabwe African National Union) liberation movements while the governments of first Rhodesia and later South Africa (at that time still operating the Apartheid laws) fostered and financed an armed rebel movement in central Mozambique called the Mozambican National Resistance (RENAMO). Starting shortly after the independence, the country was plagued from 1977 to 1992 by a long and violent civil war between the opposition forces of anti-Communist RENAMO rebel militias and the Marxist FRELIMO regime - the Mozambican Civil War. Hence, civil war, combined with sabotage from the neighbouring white-ruled state of Rhodesia and the Apartheid regime of South Africa, ineffective policies, failed central

planning and the resulting economic collapse, characterized the first decades of Mozambican independence. Marking this period were the mass exodus of Portuguese nationals and Mozambicans of Portuguese heritage, a collapsed infrastructure, lack of investment in productive assets, and government nationalisation of privately owned industries. During most of the civil war, the government was unable to exercise effective control outside of urban areas, many of which were cut off from the capital. An estimated one million Mozambicans perished during the civil war, 1.7 million took refuge in neighbouring states, and several million more were internally displaced.

On October 19, 1986 Samora Machel was on his way back from an international meeting in Zambia in the presidential Tupolev Tu-134 aircraft when the plane crashed in the Lebombo Mountains, near Mbuzini. There were ten survivors but President Machel and thirty-three others died, including ministers and officials of the Mozambique government. The United Nations' Soviet Union delegation issued a minority report contending that their expertise and experience had been undermined by the South Africans. Representatives of the Soviet Union advanced the theory that the plane had been intentionally diverted by a false navigational beacon signal, using a technology provided by military intelligence operatives of the South African government.
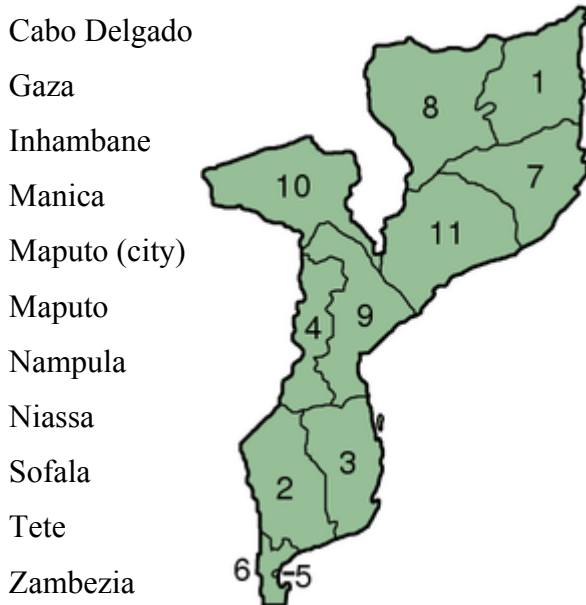
Machel's successor, Joaquim Chissano, continued the reforms and began peace talks with RENAMO. The new constitution enacted in 1990 provided for a multi-party political system, market-based economy, and free elections. The civil war ended in October 1992 with the Rome General Peace Accords, first brokered by the CCM, the Christian Council of Mozambique (Council of Protestant Churches) and then taken over by Community of Sant'Egidio. Under supervision of the ONUMOZ peacekeeping force of the United Nations, peace returned to Mozambique.

By mid-1995 more than 1.7 million Mozambican refugees who had sought asylum in neighbouring Malawi, Zimbabwe, Swaziland, Zambia, Tanzania, and South Africa as a result of war and drought had returned, as part of the largest repatriation witnessed in sub-Saharan Africa. Additionally, a further estimated four million internally displaced persons returned to their areas of origin.

Provinces, districts, and postos

Mozambique is divided into ten provinces (provincias) and one capital city (cidade capital) with provincial status. The provinces are subdivided into 129 districts (distritos). The districts are further divided in 405 "Postos Administrativos" (Administrative Posts) and then into Localidades (Localities), the lowest geographical level of the central state administration. Since 1998, 33 "Municípios" (Municipalities) have been created in Mozambique.

Cabo Delgado

Gaza

Inhambane

Manica

Maputo (city)

Maputo

Nampula

Niassa

Sofala

Tete

Zambezia

2. Politics of Mozambique

Mozambique is a multi-party democracy under the 1990 constitution. The executive branch comprises a president, prime minister, and Council of Ministers. There is a National Assembly and municipal assemblies. The judiciary comprises a Supreme Court and provincial, district, and municipal courts. Suffrage is universal at eighteen.

In the 1994 elections, Joaquim Chissano was elected President with 53% of the vote, and a 250-member National Assembly was voted in with 129 Liberation Front of Mozambique (FRELIMO) deputies, 112 Mozambican National Resistance (RENAMO) deputies, and nine representatives of three smaller parties that formed the Democratic Union (UD). Since its formation in 1994, the National Assembly has made progress in

becoming a body increasingly more independent of the executive. By 1999, more than one-half (53%) of the legislation passed originated in the Assembly.

After some delays, in 1998 the country held its first local elections to provide for local representation and some budgetary authority at the municipal level. The principal opposition party, RENAMO, boycotted the local elections, citing flaws in the registration process. Independent slates contested the elections and won seats in municipal assemblies. Turnout was very low.

In the aftermath of the 1998 local elections, the government resolved to make more accommodations to the opposition's procedural concerns for the second round of multiparty national elections in 1999. Working through the National Assembly, the electoral law was rewritten and passed by consensus in December 1998. Financed largely by international donors, a very successful voter registration was conducted from July to September 1999, providing voter registration cards to 85% of the potential electorate (more than seven million voters).

The second general elections were held December 3–5, 1999, with high voter turnout. International and domestic observers agreed that the voting process was well organized and went smoothly. Both the opposition and observers subsequently cited flaws in the tabulation process that, had they not occurred, might have changed the outcome. In the end, however, international and domestic observers concluded that the close result of the vote reflected the will of the people.

President Chissano won the presidency with a margin of 4% points over the RENAMO-Electoral Union coalition candidate, Afonso Dhlakama, and began his five-year term in January, 2000. FRELIMO increased its majority in the National Assembly with 133 out of 250 seats. RENAMO-UE coalition won 116 seats, one went independent, and no third parties are represented.

The opposition coalition did not accept the National Election Commission's results of the presidential vote and filed a formal complaint to the Supreme Court. One month after the voting, the court dismissed the opposition's challenge and validated the election results. The opposition did not file a complaint about the results of the legislative vote.

The second local elections, involving thirty-three municipalities with some 2.4 million registered voters, took place in November 2003. This was the first time that FRELIMO,

RENAMO-UE, and independent parties competed without significant boycotts. The 24% turnout was well above the 15% turnout in the first municipal elections. FRELIMO won twenty-eight mayoral positions and the majority in twenty-nine municipal assemblies, while RENAMO won five mayoral positions and the majority in four municipal assemblies. The voting was conducted in an orderly fashion without violent incidents. However, the period immediately after the elections was marked by objections about voter and candidate registration and vote tabulation, as well as calls for greater transparency.

In May 2004, the government approved a new general elections law that contained innovations based on the experience of the 2003 municipal elections.

Presidential and National Assembly elections took place on December 1–2, 2004. FRELIMO candidate Armando Guebuza won with 64% of the popular vote. His opponent, Afonso Dhlakama of RENAMO, received 32% of the popular vote. FRELIMO won 160 seats in Parliament. A coalition of RENAMO and several small parties won the 90 remaining seats. Armando Guebuza was inaugurated as the President of Mozambique on February 2, 2005. RENAMO and some other opposition parties made claims of election fraud and denounced the result. These claims were supported by international observers (among others by the European Union Election Observation Mission to Mozambique and the Carter Centre) to the elections who criticised the fact that the National Electoral Commission (CNE) did not conduct fair and transparent elections. They listed a whole range of shortcomings by the electoral authorities that benefited the ruling party FRELIMO. However, according to EU observers, the elections shortcomings have probably not affected the final result in the presidential election. On the other hand, the observers have declared that the outcome of the parliamentary election and thus the distribution of seats in the National Assembly does not reflect the will of the Mozambican people and is clearly to the disadvantage of RENAMO.

3. Elections in Mozambique

Mozambique elects on national level a head of state - the president - and a legislature. The president is elected for a five year term by the people. The Assembly of the Republic (Assembleia da República) has 250 members, elected for a five year term by proportional

representation. Mozambique has a two-party system, which means that there are two dominant political parties, with extreme difficulty for anybody to achieve electoral success under the banner of any other party.

1994

In the first democratic elections held in Mozambique, in 1994, FRELIMO candidate and president of Mozambique since 1986 Joaquim Chissano was elected and the opposition party and former guerillia group RENAMO acknowledged the result.

1999

In the elections in late 1999 President Joaquim Chissano from FRELIMO was re-elected with 52.3% of the vote, and FRELIMO secured 133 of 250 parliamentary seats. The main opposition parties candidate, RENAMO's Afonso Dhlakama, got 47.7% and the party won the remaining 117 parliamentary seats.

2004 - Presidential and Parliamentary election

In the December 1-2 2004 election Armando Guebuza, the new FRELIMO candidate, won expectedly with 63.7% of the votes, more than twice as many as RENAMO candidate Afonso Dhlakama (31.7%). In the parliamentary election FRELIMO won 62% (1.8 million) of the votes, RENAMO 29.7% (905,000 votes) and 18 minor parties shared the remaining eight per cent. FRELIMO will hold 160 of the parliamentary seats, RENAMO 90. The elections have been criticized for not having been conducted in a fair and transparent manner by the National Electoral Commission (CNE), several cases of electoral fraud have occurred and remained unsanctioned. This has been criticized among others by the European Union Election Observation Mission to Mozambique and the Carter Center. However, the elections shortcomings have probably not (also according to EU observers) affected the final result in the presidential election. The distribution of parliamentary seats among the parties will have been somewhat altered though (RENAMO probably losing a number of seats to FRELIMO).

On February 2, 2005 Guebuza was sworn in as president of the republic, but without Dhlakama and RENAMO's recognition and presence at the inauguration. RENAMO have, however, agreed to participate in the Parliament and the Council of State.

Summary of the 1 and 2 December 2004 Mozambican presidential election results		
Candidates - Parties	Votes	%
Armando Guebuza - Liberation Front of Mozambique (FRELIMO)	2,004,226	63.74
Afonso Dhlakama - Mozambican National Resistance (RENAMO)	998,059	31.74
Raul Domingos - Party for Peace, Democracy, and Development	85,815	2.73
Yaqub Sibindy - Independent Party of Mozambique	28,656	0.91
Carlos Reis - United Front for Change and Good Governance	27,412	0.87
Total (turnout 36.4%)	3,144,168	
Source: African Elections Database		

Summary of the 1 and 2 December 2004 Assembly of the Republic of Mozambique election results			
Parties	Votes	%	Seats
Liberation Front of Mozambique (Frente de Libertação de Moçambique, Frelimo)		62.0	160
Renamo-UE Mozambican National Resistance (Resistência Nacional Moçambicana, Renamo) Independent Alliance of Mozambique (Aliança Independente de Moçambique) Mozambican Nationalist Movement (Movimento Nacionalista Moçambicano) National Convention Party (Partido de Convenção Nacional) National Unity Party (Partido de Unidade Nacional)		29.7	90

Front of Patriotic Action (Frente de Ação Patriotica) People's Party of Mozambique (Partido Popular de Moçambique) United Front of Mozambique (Frente Unida de Moçambique)		
Party for Peace, Democracy, and Development (Partido para a Paz Democracia e Desenvolvimento)	2.0	-
Party of Freedom and Solidarity (Partido para a Liberdade e Solidariedade)	0.9	-
National Reconciliation Party (Partido de Reconciliação Nacional)	0.6	-
Independent Party of Mozambique (Partido Independente de Moçambique)	0.6	-
Mozambique Social Broadening Party (Partido Socialisa de Moçambique)	0.5	-
Total (turnout 36.4 %)		250
Source: Government of Mozambique		

4. 2009 - Presidential and Parliamentary election

Mozambican general election, 2009

A presidential and parliamentary election was held in Mozambique on 28 October 2009. Incumbent President Armando Guebuza ran for re-election as the FRELIMO candidate; he was challenged by opposition leader Afonso Dhlakama, who had stood as the RENAMO candidate in every presidential election since 1994. Also standing were Daviz Simango, the Mayor of Beira, who was a RENAMO member before founding his own party, the Democratic Movement of Mozambique (MDM), earlier in 2009.[1]

a. Introduction

Political Background

From Independence to Multi-Party Elections An agreement granting Mozambique's independence from Portugal was signed on 7 September 1974 in Lusaka. A transitional government, led by Mr Samora Machel, leader of the Front for the Liberation of Mozambique (Frente de Libertação de Moçambique - FRELIMO) as interim prime minister, was installed on 20 September 1974. Before taking the country to independence on June 25 1975, FRELIMO promulgated the first Constitution of Mozambique.

Conditions were then created for the establishment of a one party system, which would remain the dominant political system until 1990. Mozambique adopted a presidential system of government, with the President of the Republic holding the positions of both head of state and government. As head of state, he chairs the Council of State and as head of government he chairs ex officio the Council of Ministers. Legislative power is represented by elected deputies in the Assembly of the Republic (Parliament).

In 1976, the Mozambique National Resistance (Resistência Nacional Moçambicana - RENAMO) emerged as a major challenge to FRELIMO"s ideology. A number of Mozambicans, unhappy with FRELIMO"s policies, switched support to RENAMO and a civil war erupted between the two sides. The civil war was brought to an end when negotiations towards the establishment of a multi-party system were pursued. In 1990 a new Constitution was adopted and in October 1992 a General Peace Accord between FRELIMO and RENAMO in Rome was concluded. The 1990 Constitution established "the status and role of the political parties as privileged actors on the political stage", while the revised Constitution (2004) protects the right of citizens to form or participate in political parties1. In 1991, the first Law on Political Parties2 was passed, regulating the creation and registration of political parties.

Presidential Candidates

Nine candidates presented their nomination forms for the 2009 Presidential election. The Constitutional Council, in terms of Law 7/2007 section 132, scrutinised the prospective

candidates and on 14 August 2009 ruled that only three - Mr Afonso Dhlakama (RENAMO), Mr Armando Guebuza (FRELIMO) and Mr Daviz Simango (MDM) - had met the legal requirements for valid nomination; the remaining six were rejected because they failed to meet the requirement of 10 000 acceptable signatures supporting their candidacy. Some of the parties which qualified to put up a candidate in 2004 failed to do so in 2009.

National Assembly Elections

For national elections, there were 13 constituencies - each of the 10 provinces, Maputo city, and two for Mozambicans abroad.

Parties were to submit separate lists of candidates for each constituency, with names of at least three more candidates than there are seats. Candidates were to be excluded if they had not submitted all the required documents, known as a processo individual. This had to contain five key documents: identification details; a copy of their voters card; a certificate of no criminal record; an agreement to be a candidate; and a statement that they satisfy the conditions to be a candidate. The nomination process for candidates in all three elections also required the submission of certificates of residence; in particular, candidates for provincial parliaments were to also submit a statement from district authorities stating that they had lived in the district where they were standing for at least six months. Lists were to be rejected if there were not enough candidates remaining.

MDM"s lists were disqualified in nine constituencies and only accepted in Maputo City, Inhambane, Sofala and Niassa. The Constitutional Council subsequently dismissed complaints from 14 parties that they were unfairly excluded from running in all electoral districts8. The rejection upheld a decision by CNE that those parties could not run in all electoral districts on the grounds of incomplete documentation.

FRELIMO and RENAMO were the only parties accepted to stand for national parliament in all provinces. Aside from FRELIMO, RENAMO and the MDM, the CNE cleared 16 other parties to stand in one or more of the parliamentary constituencies.

They were:

PDD - Party for Peace, Development and Democracy, which was set up by the former number two in RENAMO, Raul Domingos, after he was expelled from RENAMO in

2000. It won two per cent of the vote in the 2004 parliamentary election, and prior to the formation of the MDM, it was considered the third largest party in the country. The PDD originally submitted a list of candidates for 12 constituencies (parliamentary elections) and 60 districts (provincial elections). However, CNE only accepted candidates to contest in 7 constituencies (parliamentary elections) and 3 districts (all located in Zambézia). ALIMO - Independent Alliance of Mozambique. This was one of the ten minor parties allied to RENAMO in the RENAMO-Electoral Union coalition, which contested the 1999 and 2004 elections. As a result, ALIMO leader Khalid Sidat held a parliamentary seat for ten years. RENAMO then dissolved the coalition. PEC-MT (Ecologist Party) and PVM (Mozambican Green Party). They both stood in 2004, when the PE-MT took 0.4 per cent of the vote, and the PVM 0.33 per cent. PAZS (Party of Solidarity and Liberty); PARENA (National Reconciliation Party). This party took 0.6 per cent in 2004; PT (Labour Party). It won 0.47 per cent in 2004; PPD (Popular Democratic Party). In 2004, it won just 448 votes - or 0.01 per cent.

The remaining parties accepted by the CNE did not run in 2004. Some parties were created just prior to the 2009 elections. They were: PANAOC (National Workers and Peasants Party); PLD (Party of Freedom and Development) in 10 Provinces; MPD (Patriotic Movement for Democracy); UDM (Union of Mozambican Democrats); Union for Change (UM); PRDS (Party of Social and Democratic Reconciliation); ADACD (Democratic Alliance for Veterans for Development) in nine Provinces; and UE (Electoral Union - not to be confused with the now defunct RENAMO-Electoral Union). A statement was issued by some of the minor parties at the end of September 2009, calling on the international community to impose sanctions on Mozambique because of the decision of the CNE, supported by the Constitutional Council, to exclude 27 parties from some or all of the constituencies in the parliamentary elections9. However, soon thereafter, a split began to appear among this group of minor parties when PIMO, the Labour Party (PT) and the Ecologist Party (PEC-MT) publicly indicated their support for FRELIMO.

It is encouraging that the law provides financial support for parties to participate in the elections (Law on Parties 7/91 and Arts. 35-40; Election Law 7/07), helping to create more equal conditions to some extent. However, it was raised with the Observer Group

that a number of the 19 political parties putting up candidates for the election were more motivated by access to the funding than being serious political players. Their absence from the campaign and their lack of representatives in polling stations on election day highlights this.

Provincial Assemblies

Provincial assemblies were introduced when amendments were made to the Constitution in 200411. This had been a demand of RENAMO. Provincial Elections were due to be held in 2007, within three years from when the constitutional amendments took effect12. However, they were postponed to coincide with the 2009 elections due to changes in the electoral calendar. Elections were to be held for 10 provincial assemblies or parliaments (excluding Maputo city). Only four parties stood for seats in provincial assemblies. The absence of opposition candidates in many Districts meant that FRELIMO contested in six provinces virtually unopposed. There are 141 constituencies in the ten provincial assemblies:

o FRELIMO stood in 138 – it failed to have lists approved only in Chimoio, Lichinga, and Lago (Niassa).

o RENAMO stood in 34, mainly Maputo, Manica and Cabo Delgado. It had No candidates in Zambézia and Nampula, two provinces where they had polled well in 2004.

o MDM stood in 23 districts, primarily in Manica and Sofala, and in a few districts in four other provinces.

o PDD (Partido para Paz Democracia e Desenvolvimento – Party for Peace, Development and Democracy) stood in three districts in Zambézia. Political Parties Fielding Presidential Candidates Front for the Liberation of Mozambique (Frente de Libertação de Moçambique -

FRELIMO):

In 1962, groups of political exiles, led by Dr Eduardo Mondlane, formed FRELIMO in Tanzania, which fought a protracted struggle for independence from Portugal (1964 to 1974). Dr Mondlane was assassinated in a bomb blast in 1969. In 1975, after the April 1974 Carnation Revolution in Portugal, FRELIMO negotiated Mozambique's independence, which came into effect in June of that year. A one-party state – based on

Marxist principles with Mr Samora Machel as President – was established. The new government received diplomatic and some military support from Cuba and the Soviet Union.

With the collapse of the Soviet Union, FRELIMO retreated from its Marxist traditional ideology. After the Rome General Peace Accords that put an end to the Mozambican Civil War (1977-1992), FRELIMO called for democratic, multi-party elections in 1994 that put an end to single-party rule.

Mozambique National Resistance (Resistência Nacional Moçambicana - RENAMO):

RENAMO was founded in 1975 following Mozambique's independence as an anti-Communist political organisation. Mr André Matsangaissa, an ex-FRELIMO army commander, was its first leader. The Ian Smith administration in Rhodesia supported RENAMO in order to prevent the FRELIMO government from providing a safe haven for Zimbabwe African National Liberation Army (ZANLA) militants seeking to overthrow the Rhodesian government. Matsangaissa was killed by government soldiers in 1979.

Following a succession struggle, Mr Afonso Dhlakama became the new RENAMO leader. During the Mozambican Civil War of the 1980s, RENAMO also received support from South Africa.

In 1984 the South African and Mozambican governments signed the Nkomati Accord, in which South Africa agreed to stop sponsoring RENAMO if the Mozambican government expelled exiled members of the African National Congress (ANC) residing there. However, the Mozambican government did not expel the exiled members of the ANC and consequently the South African government continued funneling financial and military resources until a permanent peace accord was reached in 1992. The 1992 peace accord led to the disarmament of RENAMO, to the integration of some of its fighters into the Mozambican army and to its transformation into a regular political party. This was supervised by the United Nations Operation in Mozambique (ONUMOZ) until 1994.

Mozambique Democratic Movement (Movimento Democrático de Moçambique – MDM)

The formation of MDM in March 2009, as a breakaway from RENAMO, arose following a decision by party leader Mr Afonso Dhlakama not to run its successful Mayor of Beria, Mr Daviz Simango, for a second term of office. The RENAMO grass roots in Beira

rejected Mr Dhlakama's position, and Mr Simango ran as an independent. He secured re-election in the November local elections, taking 62 per cent of the vote. Following its formation, the MDM attracted a number of disaffected RENAMO members, in pursuit of fresh leadership and a new mandate, largely due to discontentment with the party"s defeat in three earlier multi-party elections.

Though Mr Simango recognised that the MDM was short of financial and material resources, the party steadfastly focused on attracting the support of the youth of Mozambique. Any expectations that it would begin establishing a firm support base in the months after its formation were dented by the rejection of a significant number of its candidates standing in the 2009 elections, reportedly due to the lack of compliance with bureaucratic procedures in the nomination process. For the parliamentary elections, it could only contest in four provinces.

b. The Legal Framework and Election Administration

Electoral Legislation

For the 2009 National and Provincial Elections the key Laws were:

Law no 7/2007 is a revision of Law no 7/2002, and relates to the

President of the Republic and the deputies of the House of Assembly

(Parliamentary) elections;

Law no 8/2007 is a revision of Law no 20/2002, and relates to the organisational process, coordination, execution, transportation and supervision of the census and the electoral process; Law no 9/2007 relates to the institutionalised systemization of the electoral census for the accomplishment of the elections, a repeal of Law no 18/2002;

Law no 10/2007 enacts the juridical board for the election of the deputies of the Provincial Assembly.

Law no 15/09: it enacts the juridical board for the holding of simultaneous presidential, legislative and provincial assembly elections of 2009.

The Electoral System

The legal framework governing elections in Mozambique has a dual origin: the 1990 Constitution and the General Peace Agreement of 1992. There have been multi party elections since 1994. Concurrent Presidential and Assembly Elections are held every five years.

The 250-Seat National Assembly is elected using a system of proportional representation from closed party lists. 248 are elected from the 11 Provinces, which are allocated a number of seats according to their number of registered voters. In addition, one seat is elected from the Africa Diaspora vote and one from the Rest of the World vote, mainly Mozambicans in Portugal and Germany (elected on majority basis).

The number of seats allocated to each Province is based on the respective number of registered voters in each Province. For this election the mandate breakdown was: Niassa: 14 (544,770 voters)

Cabo Delgado: 22 (888,197 voters)

Nampula: 45 (1,801,249 voters)

Zambezia: 45 (1,770,910 voters)

Tete: 20 (796,257 voters)

Manica: 16 (648,969 voters)

Sofala: 20 (772,630 voters)

Inhambane: 16 (641,387 voters)

Gaza: 16 (639,658 voters)

Maputo Province: 16 (616,208 voters)

Maputo City: 18 (695,354 voters)

Total: 248 (9,815,589 voters).

The proportional distribution is calculated using the D"hondt method with No threshold. (Same applies to Provincial Assemblies).

Elected members are considered to be national representatives and not representatives of the Province from which they are elected per se.

The President is elected on the basis of a single national constituency, requiring a majority of valid votes cast (i.e. 50% + 1). If no such majority is acquired then a second

round of voting is held involving the two candidates securing the most votes in the first round.

Election Administration

There are two key institutions which are responsible for election management in Mozambique. The main policy body is the Commissão Nacional de Eleições (National Election Commission - CNE)21 supported by several provincial commissions known as Comité Provincial de Eleições (CPEs). This policy body is supported by a technical secretariat, the Secretariado Técnico da Administração Eleitoral (Electoral Administration Technical Secretariat - STAE) which is responsible for the organization of the electoral process including, voter registration, training of election staff and the provision and transport of materials.

The CNE is organised into the following divisions (Article 24 of Law 8/2007): Organisation and operations commission.

Legal and deontological affairs commission.

Training and civic education commission.

Administration and finance commission.

Internal and external relations commission.

CNE comprises a Chair and 12 Commissioners22. Five members are proposed by parties represented in National Assembly in accordance with their seats. Eight members are proposed by civil society organisations (CSOs). The President of CNE is chosen by consensus, from among CSO nominees. CNE is permanent and has a 5- year mandate.

STAE deals with operations and logistics under a Director-General. STAE has permanent seat on CNE, but no voting rights.

CNE and STAE also have Provincial and District/City level operations. Provincial Election Commissions (CPE) comprise a Chair and 10 Commissioners. Five are proposed by parties and six by CSOs. District Election Commissions comprise a Chair and 10 Commissioners. Five are proposed by parties and six by CSOs

c. Voter Eligibility and Registration

In order to be eligible to vote a person must be:

A Citizen of Mozambique

At least 18 years of age

Registered to vote (Includes also Mozambicans registered abroad - Africa and

Rest of the World)

Persons are ineligible to vote if they are serving a prison sentence or in prison awaiting trial or if they have a certified mental incapacity.

Following a period of updated registration (as described in Chapter 2) there was a total of 9,871,949 voters for these elections.

There were wide provincial disparities in the process. Seven provinces (Gaza, Tete, Niassa, Maputo City, Maputo Province, Manica and Sofala) exceeded their registration targets, while the remaining four provinces (Cabo Delgado, Nampula, Zambezia and Inhambane) fell below their targets.

Based on the adjusted figures for the total electorate, STAE calculated the definitive number of parliamentary seats for each provincial constituency. Compared with the provisional figures released earlier in the year, Tete and Sofala each gain a seat, and Nampula and Cabo Delgado each lose one.

In comparison with the 2004 distribution of mandates, the following Provinces were altered: Niassa +2; Tete +2; Manica +2; Maputo Province +3; Maputo City +2; Nampula -5; Zambezia -3; Sofala -2; Gaza -1.

d. Candidate Eligibility and Nomination

In order to be eligible as a candidate for the Presidential Election, a person must be a Mozambican citizen (not naturalised) and over 35 years of age.

In addition they must:

• Submit a list of 10,000 „proposers" with signatures of registered voters

• Be put forward by a party, coalition, group of citizens

• Submit a deposit of 100,000 Mt ($3,571)

23 The complete figures for new voters, broken down by province, are as follows, with the percentage of the target achieved in brackets: Niassa: 36,031 (133 per cent) Cabo Delgado: 37,795 (89 per cent) Nampula: 70,954 (73 per cent) Zambezia: 72,749 (81 per cent) Tete: 68,293 (167 per cent) Manica: 36,660 (109 per cent) Sofala: 41,756 (107 per

cent) Inhambane: 27,797 (89 per cent) Gaza: 54,830 (178 per cent) Maputo Province: 30,131 (125 per cent) Maputo City: 37,351 (145 per cent).

• Submit supporting documentation to the Constitutional Council

In order to be eligible as a candidate on a party list for the National Assembly Elections, a person must be of voting age and a Mozambican citizen.

In addition they must:

• Be put forward by registered party / coalition on closed ordinal list

• Provide a file of five documents, known as a processo individual to the CNE. The processo individual comprises:

  ˌ Identification details

  ˌ A copy of their voters card

  ˌ A certificate of no criminal record

  ˌ A certified agreement to be a candidate

  ˌ A certified statement that they satisfy the conditions to be a candidate

e. Women and Youth Participation

The number of women represented in the out-going Assembly was 90, which is 35% of the total number. Such a level of representation compares quite favourably in terms of regional and global averages24. Of the total of 90 women in the out-going Assembly, 69 were from FRELIMO and 20 from RENAMO, the remaining female deputy was from one of the minor parties. There is no legal requirement for gender representation on party lists but the major political parties have traditionally placed a strong emphasis on guaranteeing women electable positions on their lists. FRELIMO has traditionally used a voluntary quota of 30% of women on its party lists.

Mozambique‟s laws provide that citizens of at least 18 years of age can vote and stand as candidates. FRELIMO, RENAMO and MDM have youth wings.

f. Complaints and Appeals

Representatives of candidates and voters can submit a complaint at a polling station.
But the complaint must include "necessary proof" (Art 78, 7/07). The complaints, where accepted, will be attached to polling station documents, and included in the „Acta".

Complaints and Appeals can be submitted to CNE up to two days after the vote count, but require copy of the entry in „Acta" (Art 184, 7/07)

Final appeal of the CNE"s decision can be made to the Constitutional Council within 3 days. The Constitutional Council has 5 days for a decision, but will only declare a result to be null and void if the irregularities in question substantially affect the results.

24 SADC targets 50% women"s representation, the Commonwealth targets 30%.

Key Issues

1 Candidate Nomination Process

Nine Presidential nominees submitted applications for candidature, of which three were approved by the Constitutional Council. The Election Law allows for rejected nominees to be given five days to rectify their application, and resubmit. Affected parties claimed that the Constitutional Council did not afford the rejected nominees this opportunity, as stipulated by the law.

The nomination process for candidates in all three elections requires the submission of certificates of residence - in particular, candidates for provincial parliaments must also submit a statement from district authorities saying that they have lived in the district where they are standing for at least six months. Many parties complained to the Observer Group that such documents are hard to secure in such a timeframe, requiring certification from local officials or issuing of paperwork by local authorities in other Provinces. Some opposition parties also claimed that in some instances local officials – which tend to have links to the ruling party – were not always helpful in this regard.

For each constituency, if the list does not have enough candidates with processes individuais, then the list must be rejected automatically. The number of candidates must be more than the number of constituency seats plus 3 extra candidates, known as suplentes. Three of these documents must also be signed in the presence of a notary,

which proves to be a challenge for candidates in remote districts, possibly accounting for some of the last-minute submissions.

All 28 parties and coalitions turned in their candidates lists and supporting documents to the CNE on the last two days. Those parties trying to stand in all national and provincial constituencies had to present more than 1500 candidates.

The CNE had no way to check the thousands of files being presented, although it did try to check at least sample provinces. While such a late submission does place a burden on the CNE, parties are at liberty to submit their papers at anytime prior to the deadline and it is incumbent upon CNE to have the procedures in place to deal with this in their allotted time.

The newly-established opposition party, MDM, was excluded from contesting the legislative elections in 9 out of the 13 constituencies25, on the grounds that it had not filed the proper documentation for its candidates. The MDM challenged its exclusion in the Constitutional Court – it accused the CNE of giving false information to the Constitutional Council (CC) and of stealing or losing documents. The Constitutional Council based its rulings, accepting the exclusion of party lists, on a secret internal CNE document, the mapa de controlo, which is the log or register of all actions taken with respect to candidates lists. MDM alleges that this mapa de controlo is inaccurate and falsified.

On Monday 28 September 2009, in a unanimous decision, the Constitutional Council rejected the appeal of MDM against the exclusion of its lists from most provinces. It 25 MDM only contested elections for the Assembly of the Republic in Maputo city, Sofala, Inhambane and Niassa. pheld the CNE"s interpretation of the law, and published lists of unqualified candidates to show that MDM simply did not have enough candidates in most provinces. The Constitutional Council agreed with the CNE view that it is not acceptable to simply submit the name of a candidate with no supporting documents, and thus the opportunity to correct errors or gaps in documents does not extend to submitting the entire file. The Constitutional Council also accepted the CNE interpretation of the law that no candidates could be submitted after the 29 July deadline, and thus there could be no substitutions after that date.

However, the Constitutional Council was highly critical of the CNE for two errors which added significantly to the confusion:

o First, the CNE should not have accepted lists without actually checking for the processo individual. The lists without enough files were in the first instance unacceptable, and therefore should have been immediately rejected. The Constitutional Council noted that MDM only submitted its lists late afternoon on 29 July, with other parties, which made it difficult to actually check for files. It found that the CNE should have told MDM that its lists were subsequently not accepted.

o Secondly, in several provinces, including Gaza and Cabo Delgado, the CNE actually notified MDM that some candidates with processos individuais were missing some documents – without apparently noticing that there were not enough valid candidates to fill this list. This also confused the MDM, which assumed its other names had been accepted.

Yet, the Constitutional Council added that it made no practical difference. It confirmed the CNE view that after 29 July, no further candidates could be submitted, even to replace those who are not accepted. It is a concern that the deadline for the update of the voters" register coincided with the deadline for the nomination and submission of candidates: political parties could not have known with accuracy the exact number of candidates they should have submitted by 29 July, as this required STAE to calculate the number of parliamentary seats based on the outcome of the voter registration update. This confusion exists despite a provision in the Electoral Law, which provides that CNE can affix a temporary number of seats for each constituency, "calculated… based on the total number of registered voters within 120 days before election date."26

Both the MDM and the CNE were somewhat lax in following full procedures. But the CNE, as a public institution, has a responsibility to be transparent in dealing with the issues in its remit. Unfortunately in this regard it was not sufficiently transparent and there is a lack of information in the public domain, making it difficult to determine if the MDM turned in documents as it claims.

A related controversy emerged when a newly-established party, Party for Liberty and Development (Partido de Liberdade e Desenvolvimento, PLD) was in fact allowed by the CNE to substitute candidates without the right documents with new ones who had

documents, although other parties appear not to have been able to do this. PLD was only approved as a party by the Ministry of Justice on 11 June 2009, registered on 30 June with the Conservatória dos Registos Centrais, and received its certificate 26 Law no 15/2009 (Article 4). only on 29 July, the last day it could submit it documents to the National Election Commission. PLD contested in 10 provinces, failing to have a list approved only for Zambézia, Africa and Rest of the World.

The MDM submitted a formal complaint to the Attorney-General"s office (Procuradoria Geral da República) on 12 October 2009, saying that files it submitted were stolen from the CNE. MDM had claimed it submitted enough complete candidates" files to allow it to stand in more provinces, but the CNE says that such files did not exist. MDM claims therefore that someone in CNE removed their files. At the time of writing this report the AG had not yet made a decision on the case.

2 Composition of CNE

Prior to the 2004 elections, the CNE was comprised of nineteen members. However, until it was reformed in 2006, the composition of the CNE was widely criticised, as was the management of the elections by STAE. The Commonwealth Observer Group which observed the 2004 elections had also called for a review of the composition of the CNE. In particular, the CNE was made up wholly of political party representatives, with no independent members representing civil society (or even experts in electoral administration).

In 2006, the Assembly of the Republic took into consideration some of these criticisms and (among other modifications) established new criteria for the composition of the CNE. Since then, the CNE has thirteen members, five appointed by the parties or coalitions in Parliament (in accordance with their number of seats) and the remaining eight chosen by the first five from a list of names proposed by civil society organisations. The CNE chairperson was to be elected by the CNE members from among the members proposed by civil society. It is a credit to Mozambique that this mechanism for ensuring broader and non-political representation on the election management bodies was implemented.

The current CNE comprises thirteen members: five from the two main political parties and the remaining eight drawn from civil society. Of the five political party representatives, three are from FRELIMO and two from RENAMO. The eight civil society representatives are chosen by the five political party representatives: this procedure has drawn some criticism especially from civil society organisations, who question the impartiality of the process. In addition, civil society organizations through the Electoral Observatory claimed to have coordinated the submission of thirty nominees from a cross section of civil society organisations – all of which were allegedly rejected by the five political party representatives.

In meetings with the Observer Group, MDM and other opposition parties were also critical of the profiles of the selected civil society representatives, claiming that FRELIMO had used its numerical advantage among party-selected representatives on CNE to its advantage. It is also noted that only two of the 13 members of the CNE are women.

The politicisation of the electoral bodies which existed prior to 2006 was linked to the climate of distrust which prevailed between FRELIMO and RENAMO. Though this distrust has to some extent been dissipated following the review of the composition of the CNE, it nevertheless remains an issue. The alterations made to the composition of the CNE (Law 8/2007) allowing for civil society representation in addition to political party representation is a positive step towards building public confidence and transparency in the CNE. Nonetheless, the mechanism for identifying the civil society representatives did result in some sectors of civil society expressing concern that the party members did not give proper consideration to all civil society nominees, thereby undermining some of the intended confidence-building measures.

In a number of Commonwealth countries, the Electoral Commission is established by the Constitution, which goes further to briefly outline its composition, organisation, operation and powers, thereby giving it the sanctity, independence and transparency attached to such an institution. Article 135 of the Constitution of Mozambique which establishes the CNE merely defines it as an independent and impartial body and leaves its composition, organisation, operation and powers to be established by the electoral

legislation. For an organisation whose composition has been shrouded in controversy, it is unhelpful that the Constitution does not offer a more comprehensive definition.

3 The CNE: Transparency and Public Information

In addition to the concerns regarding the CNE"s lack of transparency in the candidate nomination process, it is felt that a significant amount of key electoral information was not published in good time or at all.

This gap included: party candidate lists; information on which parties were contesting in which district for Provincial Assembly elections; polling station codes; and the number of voters registered in each polling station.

The law stipulates that lists of candidates, polling station locations and respective codes should be published 30 days before election day27. However, this was not done. With regard to the number of voters per polling station there is no legal requirement for such information to be made public. However, at the same time there is no prohibition on it being made available, and given that it helps to build and sustain confidence and integrity in the process it can be considered a good practice, which was unfortunately lacking in this case.

In some instances the CNE responded to media requests for such information by declaring that it had posted documents on the premises of CNE in Maputo, yet this cannot realistically qualify as proper publication for information so vital for the transparency and accountability of the process.

4 Electoral Laws and the Election Calendar

Mozambique has signed and ratified key regional and international instruments, relating to political and civil rights. The constitution and election-related laws provide basic freedoms and rights required for an election. These include the provision of freedoms of association, expression, assembly and movement. The right to participate as both voters and candidates is also provided for, though there were concerns regarding the opportunity to participate for some candidate lists. However, there are now a number of separate laws relating to the election, creating quite a complex legal framework, with some overlapping provisions.

Opposition parties, and indeed other stakeholders we met complained about the burdensome nature of Law 15/2009 which now requires candidates to present 5 documents for national assemblies and 6 documents for provincial assemblies when the 2007 legislation only required a declaration of candidature (consisting of a signed standard form and an identification). Moreover, it appears that Law 15/2009 does not explicitly revoke earlier legislation, creating some confusion in aspects such as the process of submission of candidatures where both Laws 7/2007 and 10/2007 deal with the same issue.

Under the electoral legislation in force (Law no.7/2007 and Law no. 8/2007), the date for the presidential and parliamentary elections is fixed at least 180 days in advance by the President of the Republic, on the proposal of the CNE, following which the CNE is tasked with drawing up the electoral calendar.

The electoral calendar for the 2009 Elections, mentioned earlier in this chapter, is somewhat compressed, creating tight deadlines for the CNE and a lack of adequate sequencing of key electoral elements, such as the coincidental deadline of 29 July for both the voter registration update exercise and the final submission of candidates (Law no. 15/ 2009, Article 4): This particular overlap has the potential to create an anomaly in the sense that parties have to submit candidates when they have No clarity on the number of mandates for the constituencies for which they are submitting these candidates as the CNE can only designate final mandates after the registration update process. To cure this „defect" the law allows the CNE the flexibility to fix „temporary" mandates for each constituency based on the total number of previously registered voters. Arguably, the CNE"s „temporary mandates" is as good as that of the parties, as it is not based on the final voter register of constituencies.

In these elections, the issue of tight deadlines and its effect on the electoral process, particularly the nomination process, was further compounded by the late approval of the Law 15/2009 in April 2009. This law, aimed at harmonising the general and provincial elections, rather introduced more bureaucratic layers to the submission of candidatures for national and provincial assemblies as discussed earlier.

5 Voter Registration

There have been repeated calls by the Constitutional Council and international observers in previous elections for a clean-up of the voter registers in terms of dead voters, double and multiple entries and other anomalies. In previous elections, thousands of people holding voters cards were unable to vote because they were not on a register.

During the 2008 voter registration update, there were some claims that the equipment regularly failed to work due to battery failure caused by a lack of constant electricity and lack of backup power supply systems. It seems that this breakdown of equipment may have been more prevalent in the northern and central areas of the country. By and large, these areas tend to be where RENAMO and other opposition parties enjoy greater support; however these are also the least developed areas with less well developed infrastructure than the southern areas of Mozambique and it is not clear that such „technical failures" did have a political impetus.

Based on the limited lack of problems and complaints on the day of the election it seems that voter cards were well distributed and that overall the quality of them was quite good. There were some reports that in some instances photos had faded but overall the voter cards were a positive aspect of the process.

The President of CNE informed the Observer Group that he favours continuous registration of voters, negating the need for pre-election updates.

6 Complaints and Appeals

The vast majority of the complaints submitted to the Constitutional Council related to the rejection of party candidate lists. Of the 18 applications for judicial review received by the Council, 17 related to the CNE"s decision to reject lists of candidates for legislative and provincial elections. The Constitutional Council upheld the CNE"s decision in all cases.

It was reported that the CNE received some 90 complaints relating to defacement of campaign material, politically motivated violence and disruption of campaign rallies. Cases were largely still under investigation.

With regard to election day, complaints cannot be made without first having been lodged at the polling station, at the discretion of the President of the polling station. Complainants are also required to obtain a copy of the Acta entry. An illustration of problem with this procedure was reported by the team in Nampula, Angoche District, where a RENAMO party representative was complaining that the President of the polling station refused to accept his complaint. Further, a number of pre-election complaints were still being investigated after the day of the election.

Overall there is a concern that the procedures for and the handling of complaints and appeals do not adequately provide the right of people to seek an effective and timely legal remedy.

g. The Election Campaign and Media Coverage

The Election Campaign

The Campaign commenced on 13 September and ended on 25 October, 48 hours prior to the elections on 28 October 2009. The basic freedoms of association, expression, assembly and movement, as provided for in the Constitution, were largely respected.

A Code of Conduct for political parties, adopted prior to the 2004 Parliamentary and Presidential Elections, was reaffirmed for the 2009 elections. The CNE is tasked by electoral law with approving a Code of Conduct governing candidates, political parties, party coalitions and citizen groups taking part in an election28. The 2004 Code contains 19 articles which committed parties to "tolerance and democratic coexistence" and to compliance with electoral law.

It was reported to the Observer Group that overall the campaign was peaceful, and that a call by Presidential candidates for a peaceful campaign generally had a positive impact on the conduct of supporters. However, there were reports of some problems, notably at the outset of the campaign but also isolated incidents throughout. For instance there were reports of some violent clashes between party supporters, damaging of party premises or disruption of rallies by groups of supporters. It was reported by other observer groups and media that state resources were used by FRELIMO in the conduct of its campaign. This was subsequently denied by FRELIMO.

Some concerns were expressed to the Group on the timing of the disbursement of campaign funding to political parties, as parties were to receive it in several installments. Half the money was to be distributed immediately, and the rest distributed in two tranches once the previous money has been accounted for. Funds could be used for posters and other campaign expenses, but not for salaries, buildings, or purchase or rehabilitation of vehicles. This had an adverse impact on those political parties which faced resource constraints. The Group was informed that nineteen parties and coalitions were to receive MT 50 million (US$1.85 million) for the election. FRELIMO was to gain the largest amount (MT 22 mn, $810,000) with the MT 50 million being divided into four equal parts by the CNE29.

FRELIMO"s campaign was dominant - marked by rallies, posters and billboards throughout towns, and lengthy motorcades, with a party-like atmosphere. The major themes of the FRELIMO election manifesto were to strengthen national unity, to fight 28 Law 8/2007, Article 7.1(l)

29One quarter (MT 12.5 mn, $462,000) was to be divided equally among the three presidential candidates. The next quarter was to go to the two parties in parliament, divided according to the number of seats. The third quarter was to go to all parties standing for national assembly, in proportion to the number of seats they were contesting. The fourth quarter was to go to parties standing for provincial assembly, also in proportion to the number of seats being contested. against poverty, to promote the culture of hard work, and to strengthen Mozambican sovereignty and international cooperation. RENAMO promised to improve living standards, focusing on improvements in higher education to cultivate a larger number of professionals. The MDM formed a new fixture on the campaign trail, and in its campaign focused on the provision of quality education for the youth, improvement in energy resourcing and transport infrastructure.

Overview of the Media Landscape

A diverse range of public and private media operate across Mozambique and considerable coverage was given to the National and Provincial elections, both during the campaign, on Election day and afterwards when provisional results were being announced.

Given that around 55.6 per cent of the adult population is illiterate, broadcast media -- and in particular radio – is the key source of news for people in Mozambique.

In terms of media, Radio Mozambique (Rádio Mozambique - RM), the public broadcaster, has the widest reach across Mozambique (over 90 per cent) and is in effect the only real national news source. The formerly-state-owned RM and Mozambique Television (Televisão de Moçambique - TVM) became public companies in 1994 with financial and administrative autonomy and legal provisions for independence. Discrepencies, are however highlighted by the fact that the Chief Executive Officers of Radio Mozambique and TVM are directly appointed by Cabinet. The Mozambique News Agency (Agência de Informação de Moçambique - AIM) is state-funded.

Privately-owned radio stations provide local coverage. In addition, there are also a number of community radio stations in the provinces which cover local and national issues. These are either state-owned, or run by civil society organisations or the Catholic Church.

Television is popular in the towns and cities. TVM is the most widely-available television network in the country and broadcast throughout Mozambique"s 11 provinces. Privately-owned stations include KTV, STV, TIM, TV Maná, and TV Miramar although these do not enjoy nationwide coverage. There are three national daily newspapers: Notícias, O Diário de Moçambique and O País, (which became a daily in 2008). Notícias is the largest circulation paper in the country, with a daily print run of around 16 000 copies (May 2008 figure).

Around nine newspapers, both publicly, and privately-owned are published weekly, including Desafio, Domingo, Escorpião, Fim-de- Semana, Magazine Independente, Público, Savana, A Verdade and Zambeze.

In Mozambique, news is also distributed by fax and online, but these do not have a wide circulation.

Media Coverage of the Election

The campaign period was characterised by a vibrant media involvement with diverse viewpoints on the issues raised prior to election and on the broader political landscape in Mozambique.

AIM reported an incident of local government intimidation towards a journalist in Zambezia just prior to the start of election campaign.

The agency also reported that on 16th September, days after the start of the campaign, a community radio journalist was beaten by men believed to be RENAMO supporters in the northern port of Nacala. MISA-Mozambique strongly condemned both incidents.

Results of EU media monitoring suggest that the key media outlets were reasonably balanced in terms of both qualitative and quantitative coverage of the different political parties. Public radio and television made an effort to include smaller parties in their coverage. The private media tended to concentrate on the three main parties (FRELIMO, MDM and RENAMO) and this was explained by budgetary constraints.

Radio Mozambique, however showed some quantitative bias towards the incumbent President Armando Guebuza.

CNE regulations allocated free radio and television airtime-spots on a daily basis to each of the parties during the campaign. Journalists reported that this election campaign was characterised by a culture of debate in newspapers, television and radio. Active public political participation through phone-ins and commentary also marked the run-up to this election in contrast to the past, they said.

Radio Mozambique was praised by MISA- Mozambique for the role it played in voter education during the campaign.

On Election Day, there were no reports of journalists being obstructed for carrying out their professional responsibilities. Journalists were present at polling stations documenting the voting and Radio Mozambique continued its long tradition of transmitting the results live as they are posted from the provinces.

The announcement of results by STAE/CNE to media at the Press Centre lead to claims by some journalists that TVM was given preferential, early access to preliminary results.

h. Voting, Counting and Tabulation

The Process

On 28 October 2009 Mozambique held three elections simultaneously, for the President, National Assembly and Provincial Assemblies. The exception was Maputo City, where there were no elections for a Provincial Assembly as the city is already served by an

elected council. In the days leading up to the election, balloting materials were distributed throughout the Provinces and thereafter to the Districts. From the District level they were distributed to local polling centres, in most cases on the eve of the election.

The distribution was carried out by STAE, and involved the use of helicopters for more remote areas.

For the purpose of voting, 12,694 polling stations were established. Each polling station had a staff of seven persons, under the authority of a „President". Polling stations were often located in schools and in most cases were grouped in a cluster.

In addition, an effort was made to use the same premises as for the voter registration to facilitate voter familiarity with their location.

Each polling station was provided with an „election kit", which comprised:

• Certified voter register

• Polling manual

• Ballots for three election types (2 for Maputo City)

• Three translucent ballot boxes

• Voting booths, seals, wax, envelopes

• Sponge and ink for use by some voters

• Indelible Ink for marking finger of voters

• Stamp

• Light

• Calculators

A police presence was provided for each polling station, and by law they were not allowed within 300 metres of the polling station unless required.

Political party representatives were permitted to have one representative present for each polling station, with an alternate also permitted to provide cover as required. In addition, national and international observers as well as accredited media were also allowed to be present.

Voting was from 07.00 hrs – 18.00 hrs. Prior to the commencement of voting, the empty ballot boxes were shown to be empty and then sealed with plastic security seals. There were three ballot boxes – one for each election type – and each had a different coloured

lid corresponding with the colour of the respective ballot. Voting booths were provided to enable voters to cast their vote in secret.

The basic voting process was as follows:

Voter arrives at polling station

Voter shows Voter Card

Identity checked against register and register marked to indicate voting

Name and number of voter is called out loudly

Hand of eligible voter is checked for ink

Voter is given ballot papers

Voter goes to booth and marks papers in secret

Voter places ballots in respective box

Finger of voter is inked

Register is marked indicating person has voted

Voter given their voter card

Voter leaves polling station

Some other key aspects of the voting process were:

Polling officials, candidate representatives, appointed security, journalists can vote first and be added to the list where required.

Maximum of 1,000 voters per polling station

Blind and disabled voters can be assisted by a voter of their choice

Illiterate persons can mark ballot by a finger print using ink provided

If a ballot is spoiled voter can be issued a replacement

Armed forces not allowed within 300 metres of polling stations

If a person does not have their voter card, but is due to vote at that station (i.e. on register) they can provide alternate photo ID. But this must be confirmed by candidate representative.

Polling closed at 18.00 hrs. If people were waiting in line at that time to vote they were to be provided with a small numbered „token" to identify their presence at the allocated time, and voting was to continue until all these persons had voted.

Counting takes place in the polling station. Following the close of polling the officials had to count the number of unused ballots (which were then cancelled) and then the

number of persons marked on the register as having voted. They were then to open the boxes and count the total number of ballots therein. Once counted ballots were placed back in their respective box.

If total number of ballots is less than number of persons marked on the register as having voted, then this is noted. However, if the total number of ballots is higher than the number of persons registered at that station then voting is declared null and void.

Following this procedure, each ballot box is opened and the ballots counted and identified per candidate/list. At the completion of the count the result for the polling station is announced and a summary posted at the site. Party representatives were entitled to receive an official copy of the result. All the paper work had to be completed and a results summary transmitted to the respective District/City Election Commission within 24 hours of the end of polling.

District/City Commission then had to tabulate all polling station results for their respective area based on results summary sheets. Again, official copies of the results summary was to be given to Party Representatives. District/City Commissions had to announce the result within 3 days of the close of polling; via media and public posting.

Polling materials and a summary of results for the District/City were then sent to the respective Provincial Election Commission. Provincial Commissions had 5 days from the close of polling to summarise and announce the result for their Province. Official copies of the summary of results were to be made available to party Representatives.

The Provincial Election Commission then had to transmit the summary of results to the CNE, which had to tabulate and announce the result for Presidential and National Assembly elections within 15 days of the close of polling. At the Provincial and National levels results were summarised and mandates calculated using a computers with a specially designed software package. Some districts also used computers for their tabulation.

Results were transmitted through the CNE structure informally at first, as a kind of quick count, and later the official result would follow.

Any complaints and appeals on the results process would be considered by the Constitutional Council.

Assessment of the Voting, Counting and Tabulation Processes

Overall, Observers reported very positively on the conduct of voting, commenting that in the vast majority of stations the process was carefully and properly managed.

Opening and Voting

On the day of the election, the Commonwealth Observer Group reported that the delivery of materials had been well conducted, enabling a timely opening in the vast majority of cases. During the early phase of the day relatively large numbers of people turned out and there were long, orderly queues in many places. Polling stations were generally well organised and the processing of voters was extremely thorough if a little slow, partly due to the fact that people were voting in three elections simultaneously and officials often explained the voting procedure to voters.

It is clear that further voter education is required in Mozambique to increase familiarization with the electoral process.

Observers reported that voters were free to express their will through a secret ballot.

There were some reports of minor incidents and technical shortcomings, such as inaccurate or missing voter lists, but overall it was a well-administered voting process.

It was observed that many of the polling staff were women, and also included many young persons and that the turnout of women and young voters was also relatively high. Party representatives were present in all polling stations, but were predominantly from FRELIMO, RENAMO and, to a lesser extent, MDM.

Representatives of other parties were largely not seen on the election day. However, party representatives were not provided with a copy of the voter register to enable them to properly monitor the process.

The regulations provide for voters such as pregnant women, women with babies, disabled voters etc, to be „fast-tracked" so they do not have to stand in line for too long. However,

it was observed on a number of occasions that such „preferential" treatment created some tensions among those who had been waiting for hours themselves to vote. This resulted in some queues not giving preference to such vulnerable voters.

While overall the voter registers were present and adequate for the task, there were problems in some areas with the printing or delivery of the voter registers. It was also

noted that there were some discrepancies between the two copies – manual and computerised - of the voter register present at the polling station, creating some confusion in affected cases. In a District in Sofala, observers reported that in a number of places batches of names were missing from the list, and polling officials were inconsistent in dealing with the problem. In a District in Nampula there was some tension as a polling station had the wrong register, preventing people from voting at the time of our visit. There were reports that two national observers were detained.

Closing, Counting and Tabulation

Observers reported that polling stations closed on time, with persons waiting to vote being allowed to do so. Observers reported that the count at the polling station was generally well conducted but lengthy. The count did suffer a little from the fact that officials were exhausted by this point, and also that officials in some instances were a little less familiar or confident in the procedures for this part of the process, with some inconsistencies in the procedural handling of the count.

Observers did report that there appeared to be a lack of familiarity on the part of some officials on the proper determination of invalid ballots. Observers also noted that there were a number of blank ballots during the count at some polling stations.

It is a concern that this may indicate a lack of familiarity on behalf of the voter with voting procedures.

The results were posted at the polling station as required and party representatives received a certified copy of results. It is very positive that the count is conducted at the polling station, with a copy provided to party representatives and a further copy posted at the polling station in a public place. These are very good practices and help to provide for transparency and accountability in this crucial phase of the process. So long as later results are broken down by polling station for parties to verify that their observed results were in fact used in the final tabulation of results then confidence in and integrity of the process are maintained.

Observers followed the tabulation at the District levels, and it was reported that the high level of organisation which characterised election day was not entirely replicated during the tabulation process, though no irregularities were reported. However, in many places

there were queues of polling officials either waiting to deliver materials and results or to collect their remaining salaries for.

In terms of team reports from different Provinces some specific points raised were:

Gaza / Inhambane

Voting materials in Inhambane were seen being prepared and transported to polling stations a day ahead of election day, together with polling staff and police. The majority of the polling station staff were young women, including presidents and vice-presidents.

With the exception of FRELIMO, most parties did not send their agents even though they were apparently issued with accreditation.

Witnessed two cases of blind voters at Acordo de Lusaka polling station in Gaza being accompanied by persons of their choice to the polling booth to vote.

Policemen were present at polling centers and positioned at a distance away from the polling tables and the queues. At EPC Josina Machel and Acordo de

Lusaka in Ganza, the police men were invited by the staff to assist in controlling the queues, during our presence.

With the exception of FRELIMO, most parties did not send their agents even though they have been reported to have been given accreditation.

At EPC Praia in Gaza, the counting only finished at 7.00 am where the total ballot papers in each ballots box was about 604. Lighting was generally inadequateparticularly where there was no electricity in the room.

In Xai Xai District STAE office in Gaza, a truck-load of polling station staff with election materials were observed happily singing in high spirit. The election materials were promptly received by the District STAE staff.

Sofala / Manica

It was interesting to observe the impact of the exclusion of certain parties in thenomination process on election day: In two polling centres in the Nhamatanda district in Sofala (Muda and Metuchira primary schools), RENAMO party agents complained that their party was not represented on the ballot paper for the provincial elections. In one polling station, disgruntled party agents were adamant that they would not be signing the results sheet for this reason. Upon enquiry from the presidents of the respective polling

stations, we were informed that only FRELIMO had qualified to stand for the provincial election in this particular constituency. It appeared that RENAMO party leaders had not explained this to its party agents.

In Dondo Secondary School polling station presidents applied inconsistent procedures for voters who had voter identification cards, but who could neither be identified in the manual nor the certified voter register: In one polling station, the president was allowed such voters to vote as long as the numbers on their cards fell within the range of numbers of the polling station. In other polling stations, such voters were simply turned away. A gathering of MDM supporters in the compound of this school, complained strongly about this situation, alleging that more than 100 such voters had been allowed to vote – an allegation which we were unable to verify.

Nampula

RENAMO party representatives were angry and frustrated with what they described as limitations and problems they faced during the campaign period, including having activists jailed for no apparent reason and where some of their supporters" houses were burnt. RENAMO also claimed that at a closing rally a FRELIMO vehicle, transporting campaign material, had forced its way through the crowds injuring some supporters. As a consequence the crowd retaliated angrily.

They claimed that police quelled the ensuing disorder and caused some injuries. The local General Secretary of FRELIMO confirmed that the incident had taken place as did the Police Chief in Nampula. However, the Police Chief in Nacala where the incident took place denied that any such incident had taken place.

Cabo Delgado

There was a lack of uniformity on how to deal with voters whose names were not in the register. For example, at Nsanja School in Ancuabe district, three people had been sent away as at 14:00hrs on account that their names were not in any of the voter registers. But at Mpir School three people whose names were not in either of the two registers were allowed to vote after their names were noted and added to the manual register.

In a polling station in Muaja district, the team were denied access by the Presiding Officer citing inadequate documentation as he expected an accompanying letter from provincial officials in addition to the accreditation badges.

In some centres voters claimed that others who had been waiting in the queue since morning had given up and left. This was the case at Natite School, which by 1745hrs had only processed 282 voters still had a very long queue of over 98 people waiting to vote.

During the counting process some, polling station Presidents were more conscious of the need for consensus in results management. In some cases this weakened their ability to assert their authority leaving the party agents in control.

There were delays in making payments to polling staff members. Some polling staff complained of being hungry and the inefficiency of STAE to pay subsistence allowance on time. As late as two days after the Election Day, at the district STAE office in Pemba, there was still a long queue of polling staff waiting to collect their subsistence allowance.

Zambezia

The team received cooperation at all levels.

The voting count was slow but transparent, and conducted at a time when the polling staff and party officials were exhausted.

The staff responsible for collecting and tabulating results at the district level looked extremely tired on the 30th of October. Some had not slept properly for three or four days. In a close election this can be a source of trouble particularly given the chaotic arrangements for the reception of the results.

All district headquarters visited had electricity and would have greatly benefited from the use of a computer for the tabulation.

In Nicoadala District there were long queues of staff waiting to collect their salaries.

Tete

Voting in the majority of places was well conducted with a seemingly well-trained and efficient team of officials. The secrecy of the vote was scrupulously adhered to (with voters who had not folded their ballot papers being sent back into the booths to do so). There was plenty of evidence that infirm and disabled voters as well as nursing mothers were given preferential access to the polling stations (often to the chagrin of those in the much-longer queues).

The existence of two voter lists, one electronic and one manual caused some confusion. In particular we witnessed a number of voters who were absent from the electronic version but were allowed to vote after their presence on the manual list was confirmed.

At Alpende Mitsanha in the district of Changara the team was initially refused entry to the polling station. The accreditation signed by the National CNE Chairman was apparently insufficient for the Poling Station President who wanted to see clearance from an election official in Changara. We were eventually granted access but the atmosphere was uncomfortable. The team were later informed that opposition parties had failed to gain access to the stations in Changara as their accreditation had not come through in time.

Key Issues

1 Speed of the Voting and Counting Procedures

Both the voting and counting processes are extremely slow. In this instance becausebthe voter turnout was less than 50% polling officials could handle the queuesbeventually and without too much pressure at the end of the polling period. However,bif voter turnout was higher it would lead to even lengthier queues and waitingbperiods, which would not only frustrate voters but may also lead to tension as well asbpolling being conducted in darkness. For instance at present, there are 11 hours formally provided for voting and a maximum number of 1,000 voters allocated to each polling station. This equates to 39.6 seconds per voter, when it often took several minutes for the process to be completed. Even on the basis of a 50% turnout, this is 1 minute 19 seconds per voter, which again is still less time than it takes to process voters.

The count was conducted in an extremely thorough manner, but it is extremely drawn out and almost pedantic. It is important for all concerned to be assured of its integrity and fairness, and from this perspective officials are diligent. However, it should be possible to streamline certain aspects of the vote count and still maintain necessary transparency, confidence and accountability. This would ensure that officials are less exhausted and better able to undertake their duties with regard to tabulation.

2 Determination of Invalid Ballots

The polling manual did not contain illustrated examples of acceptable and nonacceptable votes, and in many instances polling officials seemed unclear on the correct decision. The

spirit of the law is for a vote to be counted so long as the voter"s intention is clear and so long as there are not other reasons to disqualify the vote, such as writing on the ballot. However, it is clear from our observation of the counting process that many officials – and party representatives – are not sufficiently clear on this and would benefit from being given explicit examples.

3 Conduct of the Tabulation Process

The tabulation process was not as orderly as the voting and polling station count.

Both District and, particularly, polling officials were exhausted at this stage but it was felt that in many instances the premises provided for the receipt and administering of results was too small and that officials were sometimes simply dumping materials and paperwork at the District.

It is not suggested that this resulted in any undue practices, but for such a vital part of the process it is important to maintain order and integrity of the process in all instances. There were also reported tensions in a couple of districts as staff queued for their outstanding salaries for their election duties.

i. Conclusions and Recommendations

Conclusions

The 28 October 2009 elections were Mozambique"s 4th national multi-party elections and were conducted in a largely peaceful atmosphere. Voting and counting in the polling stations on election day were generally well administered. While there were some reports of incidents during the campaign it benefitted from the calls for good behaviour by party leaders, for which they are to be commended.

The election met a number of key democratic benchmarks, providing for freedom of association, expression, assembly and movement, as well as equal and universal suffrage and the right to vote. However, disputes over the nomination of party lists for the National and Provincial Assembly elections and a lack of transparency in some key aspects of the work of the National Election Commission (CNE) were of concern.

There was controversy during the pre-election period regarding the rejection of some political party lists for the National Assembly elections, with claims and counterclaims being made between some opposition parties and the CNE, requiring a ruling by the Constitutional Council. The CNE claimed it had adhered strictly to legal provisions but affected parties claimed interference with their submissions. The nominations process would have enjoyed more confidence and credibility had greater transparency been provided.

Voters were offered a competitive choice between political alternatives in the Presidential elections. But for the National and Provincial Assembly elections the rejection of candidate lists for some parties – while acknowledging that in some instances parties may also have been culpable - effectively limited the choices offered to voters in affected Provinces. This impacted on both the National and Provincial Assembly elections, and is most acutely illustrated by fact that FRELIMO was unopposed in more than 60 of the 141 constituencies for the 10 Provincial Assemblies.

CNE and STAE have a strong technical capacity and the delivery of materials across the country was vastly improved compared to 2004, thereby enabling the commencement of polling on time in the vast majority of cases. However, there is concern at the lack of transparency in some aspects of CNE"s work. For instance a lot of key information was not published in good time or at all, such as: party candidate lists; information on which parties were contesting in which district for Provincial Assembly elections; polling station codes; and, the number of voters registered in each polling station.

The electoral calendar as prescribed by related laws is somewhat compressed, creating tight deadlines for the CNE and a lack of adequate sequencing of key electoral elements, such as the completion of voter registration and the commencement of candidate nomination.

During the campaign, contestants enjoyed the requisite freedoms. There were some violent incidents reported, particularly at the start of the campaign, such as skirmishes between party supporters or attacks on some party offices. But overall the campaign was relatively calm. However, it was also reported by other observer groups and media that state resources were used by the ruling party in the conduct of its campaign.

Overall, media provided comprehensive coverage of the campaign and in-depth coverage on the day of the election. It is encouraging that media monitoring efforts suggest that there was generally balanced coverage among public and private media.

On election day, observers reported that voters were free to express their will through a secret ballot. Polling stations generally opened on time and were well organized by the staff, who appeared to be well trained. There were some reports of minor incidents and technical shortcomings, such as inaccurate or missing voter lists, but overall it was a well-administered vote. Observers reported that the count at the polling station was generally well conducted but lengthy. The presence of party representatives at the polling stations and their right to receive a certified copy of results at the polling station and at district and provincial levels helps provide transparency and accountability for this crucial aspect of the process and greater confidence in the outcome, though in some areas representatives from opposition parties were not present.

The tabulation process at the District level was not quite as well organised, with exhausted officials struggling to deal with the delivery of materials and summarizing of results. At the time of writing the report there were no reported irregularities on the tabulation process, but the process did suffer in some instances from a lack of organisation. However, there were some subsequent media reports of alleged irregularities in a number of polling stations, notably in some places in Gaza and Tete.

Each election should build on the last, strengthening the process and providing for improved conditions. Looking forward, it appears that by virtue of its parliamentary size and longevity in power, the ruling party enjoys a predominant position. In Order to further deepen democracy in Mozambique it is important to ensure that for future elections the process enjoys a greater degree of transparency and the playing field is reasonably level for all aspirant participants, thereby increasing confidence and participation and helping to encourage consolidation of the country"s multi-party system.

Recommendations

Electoral Framework and Election Administration

The process for candidate nomination needs to be reviewed to improve a number of key areas. It needs to be ensured that the amount and type of documentation required of

candidates is realistically attainable. The CNE needs to ensure that it has a reliable procedure and adequate resources to receive and properly and openly adjudicate on the submitted documentation in a timely manner. At the time of receipt of documents the CNE should have a standard check-list, so that it can be immediately ascertained that alldocuments are included in the processo individual. Where there are shortcomings in a party"s submission these need to be immediately communicated to the party concerned. Finally, all decisions made by the CNE need to be public to ensure transparency and confidence in the process. Consideration could be given to making the registration of voters in Mozambique a continuous process. This requires a commitment by the government in terms of resources, but it would help to improve the quality of a vital procedure, thereby improving the overall quality of the lists and freeing the CNE from such an arduous task in the lead-up to an election.

The mechanism for establishing the composition of the CNE has been improved, providing for civil society nominees. However, the right to select\ these should not reside with the political members, or the end result is continued domination of the process by the largest party in parliament, i.e. the ruling party. This negates some\of the intended confidence-building measures. Consultations with civil society need to be wider and the final decision on which members should either reside with a consensus among civil society, or a consensus among the parties represented on CNE on an equal basis.

The various laws relating to the conduct of the election need to be consolidated, to help clarify the process and avoid multiple or contradictory articles on the same procedure. In addressing the election laws, consideration needs also to be given to the election calendar. At present, some aspects are not adequately sequenced, so there is not sufficient time between the end of one procedure and the commencement of another. The CNE needs ample time in order to be able to properly and fully meet all its responsibilities and a discussion on the calendar, with inputs from election administrators, would help.

The CNE needs to act in a more transparent manner, and improve its approach to disseminating of public information. The CNE is a public institution, serving the interests of the public on a vital activity. Information pertaining to its operations and decisions must be fully transparent to maintain public and political confidence.

The CNE should consider a more formal and open approach to its relations with stakeholders. Models exist in a number of countries, such as South Africa and Ghana, for the establishment of advisory committees between the election management body and political parties (and other key actors if required). This would enable the CNE to ensure all parties are fully informed of procedures and decisions (such as nomination) while also enabling the parties to seek clarification on key aspects. Such models elsewhere have greatly improved confidence and transparency and helped resolve looming conflicts at an early stage.

The system for complaints and appeals needs to adequately provide for an effective and timely legal remedy, ensuring that people do have the full right to seek legal redress. At present the system is neither timely not accessible, for example with the existing requirement for people to have to get a copy of the complaint from the „Acta" in the polling station in order for a complaint to be eligible. Of course it is important to avoid spurious complaints being lodged by a loser of an election, but it should be an automatic right for a complaint to be lodged at a polling station without recourse to the discretion of a polling official.

There is a clear need for further comprehensive civic and voter education programmes to ensure that the general public is fully aware of the importance of participating in the democratic process and the process for voting. Such education needs to be targeted at a number of levels and categories of citizen, such as taking account of the various ethnic and linguistic groups, gender, youth, persons with disabilities etc.

Election Campaign and Media Coverage

Public media institutions should have an independent board which appoints the executives who run the media organisation.

Capacity-building within CSCS to strengthen its role as an body providing guidance on media ethics to protect freedom of the press. This could include examples of best practice in terms of how CSCS could function.

Capacity-building for media and parliamentary political parties to increase understanding of the role of an independent media as a pillar of democratic process.

Training to improve the relationship between the media and judiciary. There is also a need for sensitising the judiciary to the role of the media in a democracy.

Police training to improve accountable and effective policing through universally accepted standards is also recommended, given that the first point of contact with the law is often with the police.

Media can play a greater role in civic education –not only on how to vote but also on the importance of the vote in the context of good governance. It should be targeted to communities in terms of different language, ethnic, gender, and age groups.

Voting, Counting and Tabulation

There needs to be consideration on how to speed up the voting process. It is acknowledged that voting is now over one day instead of two, which is an improvement as it creates a more coherent and secure process, but does raise some challenges. There are a number of possible ways to help to increase the speed of voting. For instance, the flow of voters inside a polling station could be improved, with officials processing more than one voter at a time; consideration could be given, where resources allow, to increase the number of polling stations and spread them out over a number of locations to also facilitate crowd management; programmes of voter education for voters would also help the speed of voting as there would be less need for the process to be explained repeatedly and the time for marking the ballot could be reduced.

There also needs to be a review of counting procedures to identify ways in which this part of the process can also be streamlined in order to make it faster, while maintaining transparency and confidence.

District Commissions need to be adequately resourced, in terms of premises and personnel, in order to properly handle the receipt and tabulation of materials and results to ensure it is orderly and maintains the integrity of the process. Where resources allow it would also be helpful for all Districts to have access to a computer for the summary of polling station results.

At present a number of smaller parties seek and obtain accreditation for their representatives, but they do not attend the voting and counting. Parties also have a responsibility to make a full contribution to the transparency and integrity of the process and it is incumbent upon them to fulfil this responsibility. All parties participating in the election receive public funds and these should be used by the party to fulfil its responsibilities, including the deployment and resourcing of representatives. Further,

parties should ensure that their representatives are fully acquainted with the procedures, so they can play a full and active role as foreseen in the law.

5. Results

According to provisional results announced on 2 November, incumbent president Guebuza won a landslide victory with about 75% of the vote. Turnout was estimated at about 42%. SADC observers said the election result was "a true reflection of the will of the people of Mozambique".Opposition party RENAMO was less content with the electoral conduct, demanding that the election be annulled. According to RENAMO spokesperson Ivone Soares, FRELIMO supporters stuffed ballot boxes with multiple votes and were assisted in doing so by the electoral commission, which provided them with additional ballot papers. A FRELIMO spokesperson, Edson Macuacua, dismissed the allegations, asserting that the election was free and fair and characterizing RENAMO as "lost and desperate".

On 11 November, the National Elections Commission officially announced that Guebuza had won the election with 75% of the vote; Dhlakama and Simango trailed with 16.5% and 8.6% respectively. Results for the parliamentary election were also announced, showing that FRELIMO had won 191 seats, followed by RENAMO with 51 seats and eight for the MDM.

Summary of the 28 October 2009 Mozambican presidential election results		
Candidates – Parties	Votes	%
Armando Guebuza - Liberation Front of Mozambique (FRELIMO)	2,974,627	75.00
Afonso Dhlakama - Mozambican National Resistance (RENAMO)	650,679	16.41
Daviz Simango - Democratic Movement of Mozambique (MDM)	340,579	8.59
Total (turnout 44.52%)	3,965,785	100.00
Source: AIM - Mozambique News Agency		

Summary of the 28 October 2009 Assembly of the Republic of Mozambique election results				
Parties	Votes	%	Seats	+/–
Liberation Front of Mozambique (Frente de Libertação de Moçambique, FRELIMO)	2,907,335	74.66	191	+31
Mozambican National Resistance (Resistência Nacional Moçambicana, RENAMO)	688,782	17.68	51	–39
Democratic Movement of Mozambique (Movimento Democrático de Moçambique, MDM)	152,836	3.93	8	+8
Others		3.73	0	±0
Total (turnout 44.4 %)		100.00	250	±0
Source: AIM - Mozambique News Agency				

Mozambique. Presidential Election 2009

	Simango	Guebuza	Dhlakama
TOTAL	8.59%	75.00%	16.41%
1. Cabo Delgado	5.80%	80.66%	13.54%
2. Gaza	3.28%	95.79%	0.93%
3. Inhambane	7.82%	86.44%	5.74%
4. Manica	7.35%	70.39%	22.16%
5. Maputo (city)	14.90%	80.30%	4.37%
6. Maputo	9.66%	86.11%	4.23%
7. Nampula	5.86%	66.63%	27.51%
8. Niassa	5.06%	82.09%	12.85%

9. Sofala	25.93%	51.49%	22.57%
10. Tete	5.83%	85.87%	8.80%
11. Zambezia	6.91%	54.05%	39.04%

6. How Serious Was Vote Tampering?

When, on Wednesday, the President of the National Elections Commission (CNE), Joao Leopoldo da Costa, announced the results of the Mozambican general elections held on 28 October, he admitted that serious malpractice had occurred. This took the form of corrupt polling station staff deliberately adding marks to ballot papers, thus turning valid votes into invalid ones. The electoral law states that any vote with marks beside the name of more than one candidate is invalid.   So unscrupulous staff take votes cast for a candidate they don't like and stick an inky fingerprint, or a blob of ink against another name. Costa attributed this to "lack of civic education or bad faith by some interested parties of people involved in the electoral process".

This is putting it very gently. How can "lack of civic education" possibly be involved? All people present at the count - the staff, the political party monitors, and any observers or journalists know perfectly well that tampering with votes is a crime. The polling station manual, used as a basis for the training of staff, states that "distorting, replacing, suppressing, stealing, destroying, or altering electoral registers, ballot papers, polling station minutes, results sheets or any other electoral material or documents" is a crime.

The manual also warned that polling station staff are individually responsible "for any criminal acts they may commit during the voting and count". Yet these warnings were not sufficient to deter them, and a significant minority of staff did indeed alter ballot papers.

Costa did not suggest which candidates lost votes this way - but anyone who visited the room where the CNE checked all the ballot papers declared invalid at the polling stations could have seen that this fraud was mostly practiced against the main opposition presidential candidate, Afonso Dhlakama, leader of the former rebel movement Renamo.

AIM did see a few votes from Niassa province where it looked as if the voter had made a neat cross beside the name of incumbent president Armando Guebuza, and somebody else had added an inky fingerprint against Dhlakama's name. But these were vastly outnumbered by the opposite phenomenon - where voters had chosen Dhlakama, and a mysterious mark also appeared beside Guebuza's name.

These, it should be added, are quite distinct from genuinely invalid votes, where the same hand has clearly put a cross beside two or all three of the presidential candidates, or has put his mark in between two candidates, or has scribbled words of insult or praise across the ballot paper.

Costa did not estimate how many votes were fraudulently altered. He said "although the number of votes in this situation does not alter the final outcome of the election, the CNE vehemently repudiates this practice".

The opposition, however, claims that this form of vote tampering was generalized. So is it possible to quantify the problem? First, it should be noted that the total number of invalid votes given by Costa is alarmingly high, at 199,260, which is 4.52 per cent of the 4.4 million people who cast ballots in the presidential election.

In the last election, in 2004, only 2.65 per cent of the presidential ballots were invalid. Unless we imagine that the Mozambican electorate has become substantially more illiterate, uncertain or incompetent between 2004 and 2009, the only reasonable explanation for the rise is vote tampering.

This type of fraud gives itself away statistically. Wherever corrupt staff add marks to ballot papers, there will be an anomalously large number of invalid votes recorded at that polling station. To know how widespread it was on 28 October, one just needs to look at the polling station result sheets.

A complete picture could be obtained by trawling through all the results sheets (over 12,000 of them) on the data base held by STAE (Electoral Administration Technical Secretariat), the executive branch of the CNE.

Fortunately, we already possess a random sample of polling stations - the ones where the Electoral Observatory, the largest and most credible group of Mozambican observers, conducted its parallel count.

There are 975 polling stations in this count, or about eight per cent of the total. They cover almost every district in the country, rural and urban areas, large stations and small stations. We know that the sample is trustworthy, because the results from the Observatory's parallel count are broadly in line with the CNE's results, and with the provisional provincial counts undertaken by STAE.

The total number of invalid votes at the 975 stations was 15,287 - 4.3 per cent of the total, very close to the national figure for invalid votes given by Costa.

If we scan the Observatory stations, we find nothing very remarkable about most of them. The invalid votes account for two or three per cent of the total, and in a good number fall to below one per cent.

But there are others where the percentage climbs to above five per cent, almost all in rural areas. In major cities the problem scarcely occurs - the sample has just one station in Maputo, two in Beira and none in Nampula city where the number of invalid votes is above five per cent.

But alarm bells should begin to sound when the number of invalid votes in a polling station is over ten per cent. That is a clear indication, not of confused voters, but of illicit interference.

In the Electoral Observatory sample, there are 42 stations where the number of invalid votes is between 10 and 20 per cent of the total, 14 where it is between 20 and 30 per cent, and seven where it is over 30 per cent.

The worst case is at a polling station in Machaze district, in the central province of Manica, where 53 per cent of the 438 votes cast were invalid. No-one can seriously

imagine that 232 people in this area bothered to walk to a polling station without any idea of who they were going to vote for and so deliberately voted for more than one candidate.

The suspect polling stations sometimes occur in clusters. Thus there are 19 polling stations from the northern coastal district of Angoche in the sample. In five of them the number of invalid votes was over 20 per cent - which suggests a degree of organisation among corrupt Angoche polling staff.

If the entire district had similar levels of invalid votes, one might argue that the problem lies with Angoche voters. But it doesn't. Most of the Angoche stations (11) have under ten per cent invalid votes. Where one station has 3.1 per cent invalid votes, and the next one on the list has ten times as many (31.4 per cent), the only reasonable explanation is vote tampering.

The 63 stations with over 10 per cent invalid votes is 6.5 per cent of the Electoral Observatory sample, and the 21 with over 20 per cent is 2.2 per cent. Since we already know that the sample is reliable and truly random, projections can be made for all 12,595 polling stations that operated in Mozambique These suggest that 818 polling stations were infected by this virus, and that 277 had the truly ridiculous figures of over 20 per cent invalid votes.

Each polling station had seven staff - which means that 5,726 people may have been implicated in vote tampering. The optimistic view is that this is a minority, that over 90 per cent of the polling stations did not have this problem, and the great majority of the staff were honest. But it only takes a few crooks to cast doubt on an election and to damage the image of the country, the electoral bodies, and the winners.

The CNE says it has reported the matter to the Attorney General's Office. But it also reported the February vote tampering in the second round of the mayoral election in the northern port of Nacala. In this case, some of those who altered the ballots were seen and identified, but to date none have been arrested.

Summary

A presidential and legislative election was held in Tunisia on October 25. Tunisia has been ruled since independence in 1957 by only two Presidents: the famous Habib Bourguiba and, since 1987, Zine El Abidine Ben Ali. Ben Ali, a 'centre-leftist' and militant secularist, is a member of the ruling Constitutional Democratic Rally (RCD), a continuation of Bourguiba's old Socialist Destourian Party and that party's predecessors. Ben Ali has been re-elected since 1989 with extremely high percentages, such as 94.5% in 2004. This election proved a deception, given that Ben Ali won only 89.62% of the vote. Mohamed Bouchiha of the Party of Popular Unity (PUP) was his closest "rival" with only 5.01% of the vote. Ahmed Inoubli of the Unionist Democratic Union won 3.8% and Ahmed Ibrahim of the communist Movement Ettajdid won 1.57%. The RCD also won 84.59% of the vote in the legislative elections, winning 161 seats out of 214.

Contents---Page#

Capital   Tunis

(and largest city)	36°50′N 10°9′E / 36.833°N 10.15°E / 36.833; 10.15
Official languages	Arabic
Second language	French
Demonym	Tunisian
Government	Republic
- President	Zine El Abidine Ben Ali
- Prime Minister	Mohamed Ghannouchi
Independence	
- from France	March 20, 1956
Area	
- Total	163,610 km2 63,170 sq mi
- Water (%)	5.0
Population	
- July 1, 2009 estimate	10,432,500
- 2004 census	9,910,872
- Density	63/km2 (133rd (2005)) 163/sq MI
GDP (PPP)	2008 estimate
- Total	$82.636 billion

- Per capita	$8,002
GDP (nominal)	2008 estimate
- Total	$40.843 billion
- Per capita	$3,955

1. Introduction

Tunisia officially the Tunisian Republic (al-Jumhūriyya at-Tūnisiyya), is the northernmost country in Africa. It is bordered by Algeria to the west, Libya to the southeast, and Mediterranean Sea to the north and east. Its size is almost 165,000 km² with an estimated population of just over 10.3 million. Its name is derived from the capital Tunis located in the north-east.

Tunisia is the northernmost country on the African continent, and the smallest of the nations situated along the Atlas mountain range. The south of the country is composed of the Sahara desert, with much of the remainder consisting of particularly fertile soil and 1,300 km of coastline. Both played a prominent role in ancient times, first with the famous Phoenician city of Carthage, then as the Africa Province which was known as the "bread basket" of the Roman Empire. Later, Tunisia was occupied by Vandals during the 5th century AD, Byzantines in the 6th century, and Arabs in the 7th century.

Under the Ottoman Empire, Tunisia was known as "Regency of Tunis". It passed under French protectorate in 1881. After obtaining its independence in 1956, the country took the official name of the "Kingdom of Tunisia" at the end of the reign of Lamine Bey and the Husainid Dynasty. With the proclamation of the Tunisian republic in July 25, 1957, the nationalist leader Habib Bourguiba became its first president and led the modernization of the country. Today Tunisia is an export-oriented country, in the process of liberalizing its economy.

Tunisia has close relations with both the European Union — with whom it has an association agreement — and the Arab world. Tunisia is also a member of the Arab League and the African union.

History

At the beginning of recorded history, Tunisia was inhabited by Berber tribes. Its coast was settled by Phoenicians starting as early as the 10th century B.C. The city of Carthage was founded in the 9th century B.C. by settlers from Tyre, now in modern day Lebanon. Legend says, that Dido founded the city in 814 B.C., as retold in by the Greek writer Timaeus of Tauromenium. The settlers of Carthage brought their culture and religion from the Phoenicians and other Canaanites.

After a series of wars with Greek city-states of Sicily in the 5th century BC, Carthage rose to power and eventually became the dominant civilization in the Western Mediterranean. The people of Carthage worshipped a pantheon of Middle Eastern gods including Baal and Tanit. Tanit's symbol, a simple female figure with extended arms and long dress, is a popular icon found in ancient sites. The founders of Carthage also established a Tophet which was altered in Roman times.

Though the Romans referred to the new empire growing in the city of Carthage as Punic or Phoenician, the empire built around Carthage was an independent political entity from the other Phoenician settlements in the Western Mediterranean.

A Carthaginian invasion of Italy led by Hannibal during the Second Punic War, one of a series of wars with Rome, nearly crippled the rise of the Roman Empire. Carthage was eventually conquered by Rome in the 2nd century BC, a turning point which led to ancient Mediterranean civilization having been influenced mainly by European instead of African cultures.

After the Roman conquest, the region became one of the granaries of Rome, and was Latinized and Christianized. The Romans controlled nearly all of modern Tunisia, unlike other modern African countries, of which Rome only held the northern coast. It was conquered by the Vandals in the 5th century AD and reconquered by the commander Belisarius in the 6th century during the rule of Byzantine emperor Justinian.

Around the beginning of the 8th century the region was conquered by Arab Muslims, who founded the city of Kairouan which became the first city of Islam in North Africa. Tunisia flourished under Arab rule. Extensive irrigation installations were constructed to supply towns with water and promote agriculture (especially olive production). This prosperity permitted luxurious court life and was marked by the construction of new Palace cities such as al-Abassiya (809) and Raqadda (877).

Successive Muslim dynasties ruled Tunisia (Ifriqiya at the time) with occasional instabilities caused mainly by Berber rebellions[citation needed]; of these reigns we can cite the Aghlabids (800-900) and Fatimids (909-972). After conquering Cairo, Fatimids abandoned North Africa to the local Zirids (Tunisia and parts of Eastern Algeria, 972-1148) and Hammadid (Central and eastern Algeria, 1015-1152). North Africa was submerged by their quarrels; political instability was connected to the decline of Tunisian trade and agriculture. In addition the invasion of Tunisia by Banu Hilal, a warlike Arab Bedouin tribes encouraged by Fatimids of Egypt to seize North Africa, sent the region's urban and economic life into further decline. The Arab historian Ibn Khaldun wrote that the lands ravaged by Banu Hilal invaders had become completely arid desert.

The coasts were held briefly by the Normans of Sicily in the 12th century and the following Arab reconquest made the last Christians in Tunisia disappear. In 1159, Tunisia was conquered by the Almohad caliphs. They were succeeded by the Berber Hafsids (c.1230– 1574), under whom Tunisia prospered. In the late 16th century the coast became a pirate stronghold.

In the last years of the Hafsids, Spain seized many of the coastal cities, but these were recovered by the Ottoman Empire. Under its Turkish governors, the Beys, Tunisia attained virtual independence. The Hussein dynasty of Beys, established in 1705, lasted until 1957. From 1881 - 1956 the country was under French colonization. European settlements in the country were actively encouraged; the number of French colonists grew from 34,000 in 1906 to 144,000 in 1945. In 1910 there were 105,000 Italians in Tunisia.

World War II

In 1942– 1943, Tunisia was the scene of the first major operations by the Allied Forces (the British Empire and the United States) against the Axis Powers (Italy and Germany) during World War II. The main body of the British army, advancing from their victory in Battle of el-Alamein under the command of British Field Marshal Montgomery, pushed into Tunisia from the south. The US and other allies, following their invasions of Algeria and Morocco in Operation Torch, invaded from the west.

General Rommel, commander of the Axis forces in North Africa, had hoped to inflict a similar defeat on the allies in Tunisia as German forces did in the Battle of France in 1940. Before the battle for el-Alamein, the allied forces had been forced to retreat toward Egypt. As such the battle for Tunisia was a major test for the allies. They figured out that in order to defeat Axis forces they would have to coordinate their actions and quickly recover from the inevitable setbacks the German-Italian forces would inflict.

On February 19, 1943, General Rommel launched an attack on the American forces in the Kasserine Pass region of Western Tunisia, hoping to inflict the kind of demoralizing and alliance-shattering defeat the Germans had dealt to Poland and France. The initial results were a disaster for the United States; the area around the Kasserine Pass is the site of many US war graves from that time.

However, the American forces were ultimately able to reverse their retreat. Having known a critical strategy in tank warfare, the Allies broke through the Mareth line on March 20, 1943. The allies subsequently linked up on April 8 and on May 2, 1943 the German-Italian Army in Tunisia surrendered. Thus, the United States, United Kingdom, Free French, and Polish (as well as other forces) were able to win a major battle as an allied army.

The battle, though often overshadowed by Stalingrad, represented a major allied victory of World War II largely because it forged the Alliance which would one day liberate Western Europe.

Governorates & cities

Governorates
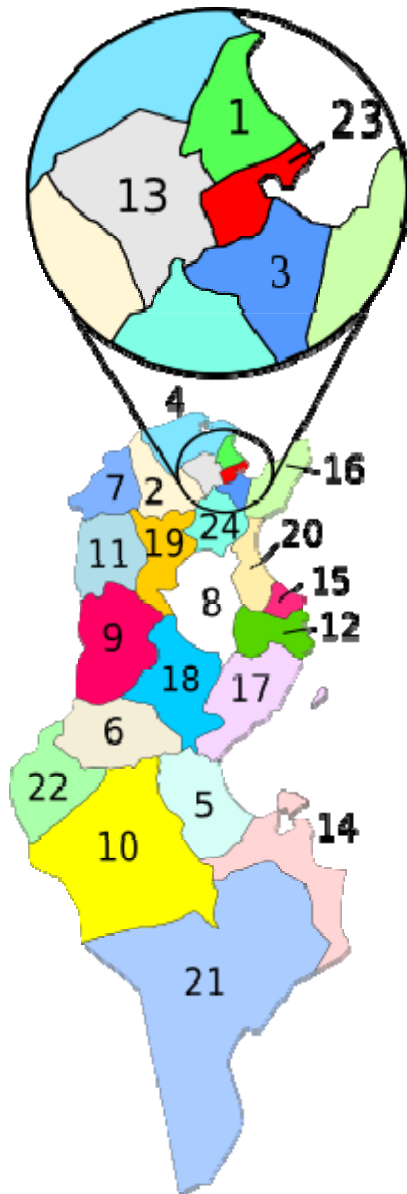
Governorates of Tunisia

Tunisia is subdivided into 24 governorates, they are:

Ariana   Manouba

Béja   Medenine

Ben Arous Monastir

Bizerte   Nabeul

Gabès   Sfax

Gafsa Sidi Bou Zid

Jendouba Siliana

Kairouan Sousse

Kasserine Tataouine

Kebili Tozeur

Kef Tunis

Mahdia Zaghouan

The governorates are divided into 264 "delegations" or "districts" (mutamadiyat), and further subdivided into municipalities (shaykhats) and sectors (imadats).

Major cities

City	Population
Tunis	2 380 500
Sfax	277 278
Sousse	164 123
Kairouan	119 794
At Tadaman	118 487

2. Politics of Tunisia

Tunisia is a procedural democracy. On paper it is a republican presidential system characterized by bicameral parliamentary system, including the Chamber of Representatives and the Chamber of Advisors. Authoritarian president Zine El Abidine Ben Ali, previously a military figure, has been in office since 1987, the year he acceded to the executive office of Habib Bourguiba after a team of medical experts judged Bourguiba unfit to exercise the functions of the office. Prior to that moment Ben Ali was Bourguiba's minister. The day of the succession, 7th of November, is celebrated by the state as national holiday, with many public building's and even the national currency and the only private airline and TV station (both owned by the family of the President's wife) carrying the '7 November' logo.

In Tunisia, the President is re-elected with enormous majorities every 5-year terms. He appoints a Prime Minister and cabinet, who play a minor role in the execution of policy. Regional governors and local administrators also are appointed by the central government. Largely consultative mayors and municipal councils are elected with most seats going to the President's party. There is a bicameral legislative body, the Chamber of Deputies, which has 182 seats, 20% of which are reserved for opposition parties and the Chamber of Advisors which is composed of representatives of political parties, professional organisations patronised by the President and by personalities appointed by the president of the Republic. Both chambers are composed of more than 20% women, making it one of the rare countries in the Arab world where women enjoy equal rights. Incidentally, it is also the only country in the Arab world where polygamy is forbidden by law. This is part of a provision in the country's Code of Personal Status which was introduced by the former president Bourguiba in 1956.

The judiciary is not independent in constitutional matters and often corrupt in civil cases. The military does not play an obvious role in politics letting the ex-army man President run the country. Hundreds of thousands of young men avoid compulsory conscription and live with the constant fear of arrest although it appears that the police only go after them in certain times of the year only (the 'raffle') and often let them go if a sufficient bribe is paid.

The regime repeatedly passes laws that make it appear democratic to outsiders. Since 1987, Tunisia has reformed its political system several times. It has formally abolished

life presidency and opened up the parliament to opposition parties. In reality, however, all power is monopolized formally by the President and his party - which incidentally is housed in Tunis's tallest tower - and informally by influential families such as the all powerful Trabelsis from the President's wife's side, Leila, a former coiffeuse. Recently Tunisia refused a French request for the extradition of two of the President's nephews, from Leila's side, who are accused by the French State prosecutor of having stolen two mega-yachts from a French marina

The President's party, known as the Constitutional Democratic Rally (RCD) in French, is composed of about 2 million members and more than 6000 representations throughout the country and is largely overlapping with all important state institutions. Although the party was renamed (in Bourguiba's days it used to be known as the Socialist Destourian Party), its policies are still considered to be largely secular. There are currently eight other small 'political parties' in Tunisia, six of whom are represented in Parliament giving a semblance of legitimacy. Since 2007, all political parties represented in parliament benefit from state subsidies to cover the rising cost of paper and to expand their publication. In July 2008, new constitutional provisions have been voted by the country's 'parliament'.

In reality no-one ever has ever openly launched criticism of the regime and all protest is severely suppressed and does not get reported in the media. Self-censorship is widespread with people fearing the police which is present everywhere and frequently stops and searches individuals and vehicles - often demanding small amounts of bribe money to make up for their meagre salaries. Daily newspapers run eulogistic articles praising the President whose picture graces the first page on a daily basis. Large pictures of President Ben Ali and 'spontaneously' erected banners praising him are found on all public buildings and majors streets.

The internet is severely restricted, including sites like YouTube. Nevertheless the internet has witnessed a considerable development with more than 1,1 million users and hundreds of internet cafes, known as 'publinet.' This is primarily related to the widespread unemployment and lack of democracy and opportunities resulting in millions of bored unemployed graduates. Independent human rights groups, such as Amnesty International, have documented that rights are not respected.

3. Elections in Tunisia

Description of government structure:

- Chief of State: President Zine El Abidine BEN ALI
- Head of Government: Prime Minister Mohamed GHANNOUCHI
- Assembly: Tunisia has a bicameral Parliament consisting of the Chamber of Counselors (*Majlis al-Mustasharin*) with 126 seats and the Chamber of Deputies (*Majlis Al-Nuwab*) with 214 seats.

Description of electoral system:

- The President is elected by a plurality system to serve a 5-year term.
- In the Chamber of Counselors (*Majlis al-Mustasharin*), 85 members are elected by electoral college to serve 6-year terms and 41 members are appointed by the President to serve 6-year terms*. In the Chamber of Deputies (*Majlis Al-Nuwab*), 161 members are elected in multi-member constituencies to serve 5-year terms and 37 members are elected through a closed-list proportional representation system to serve 5-year terms.**

* Electoral college consists of municipal councilors and members of regional councils. One-half of the upper house is renewed at each election.

** There are 25 multi-member constituencies. Voters vote for lists of candidates. The list with a plurality of votes wins all seats in the constituency. In the proportional tier, there is one nationwide constituency.

Elections in Tunisia gives information on election and election results in Tunisia.
Tunisia elects on national level a head of state - the president - and a legislature. The president is elected for a five year term by the people. The Chamber of Deputies (Majlis al-Nuwaab/Chambre des Députés) has 189 members, elected for a five year term in single seat constituencies. 37 seats are guaranteed to the opposition. However these seats are

reserved to what is commonly referred to in Tunisia as "Fake opposition". This is a ploy perfected by Zine Elabidine ben Ali, whereby certain select people (usually close allies) are given lots of priviledges and seats in the parliament at the cost of running mock opposition. The ruling party and its apparatus helps them set full fledged fake parties, complete with newspapers, offices, etc... Of course they are stricly expected to endorse all and every thing Ben Ali does and they usually have no real member. Their only activities are to issue telegrams of unconditional support to Ben Ali and his policies. During election these fake parties run mock (reported in the news but not real) campaigns to give an illusion that here is democracy and fair competition. These campaigns usually culminate in the fake parties endorsing the ruling party and Zine El Abidine Ben Ali. In many instances these parties purpose is to muddy the picture and attack the real opposition. The Chamber of Councilors (Majlis al-Mustasharin) has 126 members, 85 members indirectly elected by electors composed of members of the Chamber of Deputies and city council members, and 41 are appointed by the President. This last Chamber, elected 3 July 2005, is dominated by the ruling party. Tunisia is a one party dominant state with the Democratic Constitutional Rally in power. Opposition parties are allowed, but are widely considered to have no real chance of gaining power.

2004 Presidential election

Summary of the 24 October 2004 Tunisian Presidential election results		
	Votes	%
Zine El Abidine Ben Ali - Democratic Constitutional Rally (Rassemblement Constitutionelle et Démocratique)	4,202,292	94.5
Mohamed Bouchiha - Party of People's Unity (Parti de l'Unité Populaire)	167,986	3.8
Mohamed Ali Halouani - Renewal Movement Ettajdid (Mouvement de la Rénovation-Ettajdid)	42,213	1.0
Mohamed Mouni Béji - Social Liberal Party (Parti Social-Libéral)	35,067	0.8
Total (turnout 91.5 %)	4,449,558	100.0

Invalid votes	14,779	
Total votes	4,464,337	
Source: Tunisia Online News		

2004 Legislative election

Summary of the 24 October 2004 Chamber of Deputies of Tunisia election results

Parties	Votes	%	Seats
Democratic Constitutional Rally (Rassemblement Constitutionel Démocratique)	3,678,645	87.7	152
Movement of Socialist Democrats (Mouvement des Démocrates Socialistes/Harakat al-Dimocratiyin al-Ishtirakiyin)	194,829	4.6	14
Party of People's Unity (Parti de l'Unité Populaire)	152,987	3.6	11
Unionist Democratic Union (Union Démocratique Unioniste)	92,708	2.2	7
Movement Ettajdid (Mouvement Ettajdid)	43,268	1.0	3
Social Liberal Party (Parti Social-Libéral)	25,261	0.6	2
Total (turnout 91.5 %)	4,199,846		189
Invalid votes	15,305		
Total votes	4,215,151		
Source: Rulers/Adam Carr			

4. Tunisian general election, 2009

Background

Tunisia became independent from France in 1956. After the abolition of the monarchy in 1957, Habib Bourguiba became the African country's de-facto leader. While advancing a series of secular policies, the head of state did not allow any significant political opposition in 30 years. In 1975, Bourguiba was appointed as president for life.

In October 1987, Bourguiba chose Zine El Abidine Ben Ali as prime minister. Ben Ali had the president removed on Nov. 7, 1987, arguing that his ailing health made him unsuitable for running the country's affairs. The incident was regarded as a peaceful coup d'etat.

Since 1987, Ben Ali has maintained Tunisia's status as a one-party state. The president received almost 100 per cent of all cast ballots in elections held in 1989, 1994 and 1999 as the candidate for the Rassemblement Constitutionelle et Démocratique (RCD—Democratic Constitutional Rally).

While Ben Ali was supposed to step down in 2004, the country's constitution was altered in May 2002 through a controversial referendum, to allow the president to seek a new term in office. In 2004, Tunisian voters were to elect a president and members of the Chamber of Deputies. While the ruling RCD was expected to once again garner more than 90 per cent of the vote, 20 per cent of the seats in the legislative branch are reserved for opposition organizations.

The Islamist party Al Nahda (AN—Rennaisance) and the Marxist-Leninist Parti Communiste des Ouvriers Tunisiens (PCOT—Tunisian Workers' Communist Party) are banned from any political activity. Several opposition parties decided to boycott the election, complaining about Tunisia's lack of real electoral reforms.

Final results from the 2004 election gave Ben Ali with close to 95 per cent of all cast ballots. Turnout was tabled at 91.5 per cent. Ben Ali has maintained a tight control over Tunisia. About half of the population works in agriculture. Freedom of expression and information is limited, and international human rights organizations have denounced cases of political dissidents being disappeared or in jail.

In January 2008, the *Foreign Policy* publication reported on the findings of independent Tunisian bloggers, who claimed that first lady Leila Ben Ali frequently uses the

presidential jet to go shopping across Europe. In July 2008, Ben Ali accepted calls from his party to stand for re-election once more in the 2009 ballot.

2009 Presidential and Legislative Elections

On Jan. 6, Khelil Zaouia of the Democratic Forum for Labour and Liberties (FDTL), talked about "the importance of not taking up hasty positions on the 2009 elections (…) to ensure unified ranks and to promote joint action and thinking, even if the election campaign continues, as always, to be for the benefit of the ruling party, and despite continuous calls for the President Ben Ali's nomination for a fifth term."

In March, the legislature approved an amendment to the electoral code that lowers the voting age from 20 years to 18. Authorities are expecting to lure about half a million new voters with this new regulation.

On Sept. 11, Monthir Al Hamidi, a member of the ruling RCD, said: "I think the RCD is the most organized party, in terms of youth. (…) So the RCD is well-prepared to take part in the elections."

Mounji Khemmassi, secretary-general of the Green Party for Progress (PVP), said that the amendment to the electoral code shows "political will aimed at guaranteeing wide participation in the political arena, which will boost democracy and pluralism in the country," adding that "the Green Party for Progress reacted positively to the [amendment], because we're convinced that training young people is a serious social responsibility that everyone has to shoulder."

In August, Ahmed Nejib Chebbi, head of the Progressive Democratic Party (PDP)—and seen as the most important opposition figure—withdrew his candidacy for the presidency in protest against the electoral process, which he denounced as lacking a "minimum of freedom, integrity and transparency."

The PDP is widely known as a strong opposition organization. It calls for constitutional reforms that grant Tunisians "freedoms and basic rights," and has been vocal in criticizing the current government's "backwardness" and "corruption."

In early September, the Tunisian government celebrated the nation's ranking as the most peaceful in Africa, according to the latest Global Peace Index, and its ranking as the top African country in the World Economic Forum's Global Competitiveness Index. A government statement read: "These new rankings reflect the political stability enjoyed by Tunisia and the depth of the social dimension of its economic policy over the past two decades. They provide further evidences that strengthen the singularity of the Tunisian model and the correctness of its national choices, one of the foundations of which rests in the close correlation between the political, economic and social dimensions."

On Sept. 24, FDTL secretary-general Mustapha Ben Jaafar announced his presidential candidacy. Just days later, Ben Jafaar's nomination was annulled as the Tunisian parliament enacted a new law, which states that only people who have been leaders of their own parties for two years are able to run for the presidency. Ben Jafaar has been party leader since last May.

On Oct. 1, the electoral authorities published the final list of presidential candidates. Along with incumbent Ben Ali, it includes Ahmed Ibrahim of the opposition Renewal Party (Ettajdid), Mohamed Bouchiha of the Peoples Unity Party (PUP), and Ahmed Inoubli of the Unionist Democratic Union (UDU). Only Ibrahim is considered as a viable opposition option, while Bouchiha and Inoubli are regarded as pro-government candidates.

Just days after the final list of candidates was published, Ibrahim denounced that authorities annulled the nominations of 13 of 26 members of his Renewal party running for a legislative seat. Ibrahim called the decision "unprecedented," adding that "it opens the door to irrationality. (…) The opposition is being targeted."

Voting took place on Oct. 25. Preliminary results pointed to another victory for Ben Ali, with more than 80 per cent of the vote.

Final results released on Oct. 26 gave Ben Ali a new term in office with 89.62 per cent of all cast ballots, and the ruling RCD an overwhelming majority in the Chamber of Deputies with 161 of the 214 seats at stake.

5. Results:

Presidential and parliamentary elections were held in Tunisia on October 25, 2009. Results released on October 26 indicated a landslide victory for incumbent President Zine El Abidine Ben Ali and the governing Constitutional Democratic Rally.

Numerous parties have claimed the election was unfair and rigged in favor of Zine El Abidine Ben Ali. There have been reports of an opposition candidate being beaten. The United States claimed that the Tunisian government did not allow international election monitoring.

Candidates

There were four candidates in the presidential election:

Incumbent Zine El Abidine Ben Ali (Constitutional Democratic Rally)

Ahmed Ibrahim (Movement Ettajdid)

Mohamed Bouchiha (Party of People's Unity)

Ahmed Inoubli (Unionist Democratic Union)

Results

Candidate	Votes	Percentage			
Constitutional Democratic Rally			Zine El Abidine Ben Ali (inc.)	4,238,711	89.62%
Party of People's Unity			Mohamed Bouchiha	236,955	5.01%
Unionist Democratic Union			Ahmed Inoubli	179,726	3.80%
Movement Ettajdid			Ahmed Ibrahim	74,257	1.57%

4,440,187	99.83%
7,201	0.16%
4,447,388	100.00%
89.45%	

Votes		%	Seats	+/–

3,754,559	84.59	161	+9
205,374	4.63	16	+2
150,639	3.39	12	+1
113,773	2.56	9	+2
99,468	2.24	8	+6
74,185	1.67	6	+6
22,206	0.50	2	-1
5,329	0.12	-	-
1,412	0.03	-	-
11,552	0.26	-	-
		214	+25
7,718			
4,737,367			

In October 25, 2009, national elections were held in Tunisia. The election consisted of a presidential one and a parliamentary one. The sitting president Zinedine Ben Ali won a landslide victory, with 89.62%. His main opponent, Mohamed Bouchiha, received 5.01%. The president's party, the CDR, also got the majority of votes for the parliamentary election, 84.59%. The Movement of Socialist Democrats party received 4.63%.

The election received criticism from both internal and foreign media[citation needed]. Human Rights Watch has reported that parties and candidates were denied exposure equal to the sitting president, and that the Ettajdid partys weekly publication,Ettarik al-Jadid, was seized by authorities.

The four presidential candidates in the 2009 presidential election were the following:

Candidate	Percentage of votes (%)
Zine El Abidine Ben Ali (RCD)	89.62%
Mohamed Bouchiha (PPU)	5.01%
Ahmed Linoubli (UDU)	3.80%
Ahmed Ibrahim (ME)	1.57%

The Interior Ministry released the final results for the election on Monday 26 October. Voter turnout was recorded at 89.40% with 4,447,388 of Tunisia's 5.3 million registered voters participating. In the presidential race incumbent president Zine El Abidine Ben Ali won 89.62% of the vote. His nearest rivals were Mohamed Bouchiha with 5.01% of the vote and Ahmed Inoubli with 3.80%, both of whom are viewed as largely cosmetic opposition. The nearest real opposition was Ahmed Brahum of the Movement Ettajdid ("change movement") who won 1.57% and was quoted as saying "At least, we've established the existence of a credible opposition movement in Tunisia" Hardline opposition parties and Islamist groups had been outlawed from standing in the election.

The result grants Ben Ali a fifth consecutive five year term of office since he took power in a bloodless coup in 1987. Ben Ali's vote share of 89.62% was the lowest percentage that he has ever received. Ben Ali was last re-elected in 2004 with more than 94 percent of votes – a drop from his previous victories of between 99.2 and 99.7 percent.

In the Chamber of Deputies election the Democratic Constitutional Rally, which has governed continuously since Tunisia's independence from France in 1956, won 84.59% of the vote and 161 seats. The Movement of Socialist Democrats won 16 seats with 4.63% of the vote, the Party of People's Unity won 12 seats and 3.39% of votes, The Unionist Democratic Union won 9 seats with 2.56%. The remaining 16 seats were divided between the Social Liberal Party, who won eight seats, the Green Party for Progress, who won six and the Movement Ettajdid who won two seats.

Observers

The African Union sent a team of election observers to cover the election. The delegation was led by Benjamin Bounkoulou who described the election as "free and fair". Opposition groups stated that the electorate had no genuine freedom of choice during the

election. Political rights in Tunisia were given the worst rating possible by Freedom House in its 2009 annual report.

Recapitulation of the 2009 presidential election results

Here is a recapitulation of the 2009 presidential election results:

- At the domestic level :

- registered voters : 4.974.707

- Voters : 4.447.388

- Turnout rate : 89.4%

- spoilt ballot papers : 7.201

- votes cast : 4.440.187

- Polling stations abroad :

- registered voters : 321.301

- Voters : 289.979

- Turnout rate : 90.25%

- spoilt ballot papers : 517

- votes cast : 289.462

- At the domestic level and polling stations abroad :

- Total number of registered voters : 5.296.008

- Total number of voters : 4.737.367

- General turnout rate : 89.45%

- Total number of spoilt ballot papers : 7.718

- Total number of votes cast : 4.729.649

Votes won by each candidate :

- President Zine El Abidine Ben Ali:

- Number of votes at the domestic level : 3.964.157

- Rate : 89.28%

- Number of votes at the level of polling stations abroad : 274.554

- Rate : 94.85%

- Total number of votes : 4.238.711

- Global rate : 89.62%

- Mr. Mohamed Bouchiha:

- Number of votes at the domestic level : 229.082

- Rate : 5.16%

- Number of votes at the level of polling stations abroad : 7.873

- Rate : 2,72%

- Total votes : 236.955

- Global rate : 5.01%

- Mr. Ahmed Inoubli:

- Number of votes at the domestic level : 174.921

- Rate : 3.94%

- Number of votes at the level of polling stations abroad : 4.805

- Rate : 1.66%

- Total votes : 179.726

- Global rate : 3.80%

- Mr. Ahmed Brahim:

- Number of votes at the domestic level : 72.027

- Rate : 1.62%

- Number of votes at the level of polling stations abroad : 2.230

- Rate : 0,77%

- Total votes : 74.257

- Global rate : 1.57%

Final Results of the Presidential and Legislative Elections in Tunisia 2009

Presidential election:

-Registered voters*:* 5,296,008

-Votes cast: 4,737,367

-Turnout rate: 89.45%

-Spoilt ballots: 7,718

-Votes counted: 4,729,649

- President Zine El Abidine Ben Ali, candidate of the Constitutional Democratic Rally garnered 4,238,711 votes, i.e. a rate of 89.62%.

Messrs:

-Mohamed Bouchiha, candidate of the People's Unity Party (PUP) won 236,955 votes, i.e. a rate of 5.01%.

- Ahmed Inoubli, candidate of the Unionist Democratic Union (UDU), got 176,726 votes, i.e. a rate of 3.80%.

-Ahmed Brahim, candidate of Ettajdid Movement, obtained 74,257 votes, i.e. a rate of 1.57%.

Under these results, the Minister of the Interior and Local Development announced that President Zine El Abidine Ben Ali won absolute majority of the votes counted in the presidential election. President Zine El Abidine Ben Ali is consequently re-elected as President of the Republic.

The Interior Minister extended to the President of the Republic his heartfelt congratulations and best wishes for success and excellence so that he keep on leading Tunisia toward more progress and prosperity, in dignity and invulnerability.

He expressed pride and satisfaction at these results which confirm the consideration, esteem and support enjoyed by the President of the Republic from all segments of the people.

The Minister of the Interior presented, afterwards, the results of the legislative elections:

- Registered voters: 4,974,707

- Votes cast : 4,447,388

- Turnout rate: 89.40%

- Spoilt ballot papers: 8,891 votes

- Votes counted: 4,438,497 votes

The Constitutional Democratic Rally (RCD) won 3,754,559 votes, i.e. a rate of 84.59% of the total votes counted in all constituencies. The RCD won the majority of votes in all constituencies, thus winning all the 161 seats at the constituencies level.

The other contending parties and independent lists in constituencies where they fielded candidates got 683,938 which are shared out as follows:

- Socialist Democrats Movement: 205,374, i.e. 4.63%,
- People's Unity Party: 150,639, i.e. 3.39%,
- Unionist Democratic Union : 113,773, i.e. 2.56%,
- Liberal Social Party: 99,468, i.e. 2.24%,
- Green Party for Progress: 74,185, i.e. 1.67%,
- Ettajdid Movement: 22,206, i.e. 0.50%,
- Democratic Forum for Labour and Liberties: 5,329, i.e. 0.12%,
- Progressist Democratic Party: 1,412, i.e. 0.03% and the
- Independent lists: 11,552, i.e. 0.26%.

The minister said that under the Electoral Code provisions pertaining to the distribution of seats at the national level, the distribution of the 53 seats stands as follows:

- Socialist Democrats Movement: 16 seats,
- People's Unity Party: 12 seats,
- Unionist Democratic Union: 9 seats,
- Liberal Social Party: 8 seats,
- Green Party for Progress: 6 seats,
- Ettajdid Movement: 2 seats,
- Democratic Forum for Labour and Liberties: 0 seat,
- Progressist Democratic Party: 0 seat and the
- Independent lists: 0 seat.

Mr. Rafik Belhaj Kacem pointed out that, on the basis of results achieved by the lists of each party at the level of the electoral constituencies, in accordance with the ranking of the rates of vote counted for each of these lists and under provisions of the article 105a of the Electoral Code, seats were distributed as follows:

- Socialist Democrats Movement (MDS) won 16 seats granted to front-runners in the constituencies of Tunis I, Tunis II, Ariana, Ben Arous, Nabeul, Zaghouan, Béja, Jendouba, Kairouan, Mahdia, Sidi Bouzid, Gafsa, Tozeur, Sfax II, Médenine and Tataouine.

- People's Unity Party (PUP) won 12 seats granted to front-runners in the constituencies of Tunis I, Tunis II, Ariana, Bizerte, Siliana, Jendouba, Kairouan, Sousse, Mahdia, Tozeur, Sfax

I and Gabès.

- Unionist Democratic Union (UDU) won 9 seats granted to the front-runners in the constituencies of Tunis I, Ariana, Manouba, Nabeul, Béja, Jendouba, Kairouan, Gafsa and Sfax I.

- Liberal Social Party (PSL) won 8 seats granted to front-runners in the constituencies of Tunis I, Tunis II, Ariana, Béja, Kef, Sidi Bouzid, Gafsa and Gabès.

- Green Party for Progress (PVP) won 6 seats granted to front-runners in the constituencies of Manouba, Ben Arous, Nabeul, Kef, Sousse and Gabès.

- Ettajdid Movement won two seats granted to front-runners in the constituencies of Ariana and Zaghouan.

Answering a question on follow-up by observers from sisterly and friendly countries of the progress of elections and the legal guarantees provided to this operation, Mr. Rafik Belhaj Kacem praised that elections had been held in a democratic and transparent climate, stressing, in this regard, President Zine El Abidine Ben Ali's keenness to ensure that elections be held in a context of transparency and fair competition.

Besides, Mr. Belhaj Kacem pointed to the follow-up by several observers from sisterly and friendly countries of the progress of the different electoral stages and their movement in total freedom and ease, alongside media representatives, in the different regions of the Republic.

These observers, he added, made it a point to praise the good conditions in which the elections had been held.

The minister added: " Any credible observer can only appreciate the vanguard reforms carried out by Tunisia of the Change in all areas, which enhanced Tunisia's shining image reflected in its gains and achievements; an image that has made the country a state that advances steadily on the path of democracy, pluralism and comprehensive development."

In another connection, Mr. Rafik Belhaj Kacem pointed to the attempt by a small group to cast doubt on the gains and achievements of the Change, stressing, in this regard, the

urgent need to denounce and stand against all those who dare to undermine the national gains by relying on foreign support.

Tunisia, he underscored, is forging ahead in total confidence, driven by firm will to achieve the targets set by President Ben Ali to take up challenges.

He reiterated, in this respect, adherence of all segments of the Tunisian people to this successful progress led by the President of the Republic, praising the exemplary position of the Tunisian people who forcefully expressed total support to President Ben Ali by flocking in large numbers to the polls and voting overwhelmingly for him, which materializes the attachment of Tunisians at home and abroad to the wise leadership of the architect of the Change.