

THE
CARTER CENTER



Observing the 2003 Mozambique Municipal Elections

Final Report

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Map of Mozambique



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Terms and Abbreviations

AMODE	<i>Associação Moçambicana Para o Desenvolvimento da Democracia</i> (Mozambique Association for the Development of Democracy)
CC	<i>Conselho Constitucional</i> (Constitutional Council)
CCM	<i>Conselho Cristão de Moçambique</i> (Christian Council of Mozambique)
CEDE	<i>Centro de Estudos de Democracia e Desenvolvimento</i> (Center for Studies on Democracy and Development)
CIM	<i>Conselho Islâmico de Moçambique</i> (Islamic Council of Mozambique)
CNE	<i>Comissão Nacional de Eleições</i> (National Elections Commission)
Editais	Tally sheets drafted at the end of counting (at the voting table) and each phase of the tabulation (intermediate and general)
EU	European Union
FECIV	<i>Forum de Educação Cívica</i> (Civic Education Forum)
Frelimo	<i>Frente de Libertação de Moçambique</i> (Liberation Front of Mozambique)
GIDA	<i>Grupo Independente de Desenvolvimento de Angoche</i> (Independent Group for the Development of Angoche)
OE	<i>Observatório Eleitoral</i> (Electoral Observatory)
PVT	Parallel Vote Tabulation (<i>Recolha de Apuramentos Parciais - RAP</i>)
Renamo-UE	<i>Resistência Nacional Moçambicana – União Eleitoral</i> (Mozambique National Resistance – Electoral Union)
STAE	<i>Secretariado Técnico de Administração Eleitoral</i> (Technical Secretariat for Electoral Administration)
UPI	<i>Unidos pela Ilha</i> (United for the Island)

Executive Summary

The Carter Center was invited by the National Elections Commission (*Comissão Nacional de Eleições*, CNE) in June 2003 to observe Mozambique's second multiparty municipal elections scheduled for Nov. 19, 2003. The Center accepted the invitation and formulated an electoral support program that started in October 2003 with the recruitment of a Democracy Program Mozambique representative and the establishment of a field office.

Four international electoral support volunteers (ESVs) carried out a pre-electoral assessment in 25 of the 33 municipalities between Oct. 20 and Nov. 10. The ESVs found election preparations were on track and largely positive perceptions of the efforts of the Technical Secretariat for Electoral Administration (*Secretariado Técnico de Administração Eleitoral*, STAE). The ESVs found general criticism of the process to update the voter roll, with many complaints of insufficient materials. Respondents tended also to state that civic education prior to the elections was inadequate or uneven in terms of geographic coverage. Although opposition party supporters tended to view election officials, police, and the media as biased in favor of ruling party Frelimo, the ESVs reported no major obstacles to the holding of elections or significant election-related conflicts.

For election day, the Center organized a mission of 15 observers from 12 countries. The observers were deployed in seven teams covering selected municipalities in the north, center, and south of the country. The delegates visited 60 polling sites and 130 polling tables in 11 municipalities across six provinces and Maputo City and observed the opening of polling tables, all voting procedures, the closing of polling tables, and the counting of the ballots. Observers were also asked to accompany the intermediate tabulation at the level of each municipality.

The Center released a preliminary statement on Nov. 21 congratulating the electoral authorities and polling staff for the conduct of all aspects of the polling process on election day. The Center also was pleased with the level of competition between parties and candidates but expressed concern about the apparent low voter turnout. The Center took particular exception to the CNE's restriction on the free mobility of accredited observers and the uneven access to the intermediate tabulation process. The statement also indicated that The Carter Center would continue to observe the intermediate and general tabulation process and any election complaints.

The level of access to the general tabulation process granted to the Center was insufficient to allow proper verification. The Center also found errors in the results announced by the CNE on Dec. 4 and in the "corrected results" published by the CNE on Dec. 11. The Constitutional Council had to request the CNE to correct errors and had to pronounce on the complaints. The Constitutional Council published its final ruling on Jan. 15, confirming the results and annulling all complaints, but also criticizing the CNE

and the Parliament and providing valuable suggestions for future improvements to the electoral process.

The Center's confidence in the correctness of the results is partially based on its involvement in a parallel vote tabulation (PVT) carried out by the Electoral Observatory, a partnership of Mozambican nongovernmental organizations. The Electoral Observatory is a network of national organizations with an interest in conflict monitoring and election observation including the following partners: Mozambique Association for the Development of Democracy (*Associação Moçambicana Para o Desenvolvimento da Democracia*, AMODE), Center for Studies on Democracy and Development (*Centro de Estudos de Democracia e Desenvolvimento*, CEDE), Christian Council of Mozambique (*Conselho Cristão de Moçambique*, CCM), and the Islamic Council of Mozambique (*Conselho Islâmico de Moçambique*, CIM). The PVT was conducted in 10 municipalities, with seven comprehensive tabulations and three based on statistical samples. The PVT results supported those of the official tabulation conducted by the CNE.

On the positive side, the Center commends all parties and candidates for accepting the final election results and ruling of the Constitutional Council. This is critical for the proper closure of this electoral process as well as for the preparation of the forthcoming 2004 general elections. The electoral authorities deserve praise for a well-organized election day and the Constitutional Council for the prompt and positive assertion of its authority. The Center also views the increasing capacity of civil society organizations to involve in electoral processes as highly constructive and crucial for the enhancement of transparency and credibility. It should lead to a less politicized and more open management of elections. Elections are a matter of interest to all eligible voters and not only to political elites. Finally, despite some localized disputes between the political parties at various stages of the process, the overall electoral process was peaceful.

The Center is concerned about the status of the voters roll. STAE faces a serious challenge to correct and reconcile the voter registers and integrate the current databases on one single platform as recommended by the Constitutional Council. Failure to do this in a transparent manner may jeopardize the forthcoming electoral process.

Another major concern is the tabulation process. This is the third consecutive election characterized by a problematic tabulation process, with delays and errors in the announcement of official results, insufficient election observer access, and a general lack of public transparency. The Center considers technical improvements and timely decision-making based on a reasonable schedule to be essential.

The Center also calls for improved observer access to all phases of the electoral process, including geographic mobility and access to all aspects of the tabulation process. It is hoped that ongoing dialogue with the CNE will result in clear guidelines, enabling this access in the spirit of transparent and fair electoral administration.

Acknowledgments

The Carter Center is grateful for the support provided by the U.K. Department for International Development, Swiss Development Cooperation, and the U.S. Agency for International Development, which enabled the Center to implement the Mozambique elections observation project. The Carter Center worked closely with DfID, SDC, and USAID officials throughout the process and would like to extend special thanks to Alicia Herbert of DfID, Anne Gloor of SDC, and Miguel de Brito of USAID for their assistance.

The Center expresses its appreciation to the government of Mozambique and the CNE President Reverend Arão Litsure for inviting the Center to observe the elections. The Center is also grateful for the collaborative efforts of other international groups, especially the international observer mission from the European Union and the Commonwealth study team. Likewise, the Center acknowledges the important work of the Mozambican national observers, including CEDE, AMODE, *Forum de Educação Cívica* (FECIV), CCM, CIM, and others, which together deployed hundreds of observers to promote free and fair elections.

Sincere thanks also go to the Carter Center delegates who volunteered their time, expertise, and insights and agreed to join the Center in Mozambique. The delegates accepted a range of responsibilities without complaint and demonstrated a strong commitment to supporting the process of democratization in Mozambique. The Center also acknowledges the efforts of the electoral support volunteers who served as medium-term observers: Carlos Barros (São Tomé e Príncipe), Cecilia Luna Lopes (Ecuador), Cyridion Rutta (Tanzania), and Sun-Ae Wang (South Korea).

The Carter Center field staff in Maputo did an outstanding job during the election mission: Helena Baloi, office assistant; David Gouveia, driver; Fátima Mahel, administrative assistant; and Alda Mahumane, secretary.

The Carter Center's Democracy Program in Atlanta had overall responsibility for the project, beginning with an initial assessment in March 2003. The project was managed and directed by Democracy Program Senior Program Associate David Pottie and the Democracy Program Mozambique representative, Marc de Tollenaere. Mark Simpson, the Center's Global Development Initiative Mozambique representative, also provided critical insight to the municipal electoral process. Tynesha Green provided support in Atlanta, and David Carroll, director of the Democracy Program, contributed advice and guidance throughout the project.

Marc de Tollenaere drafted this report based on input from the entire delegation, with contributions from David Pottie. Sarah Fedota of the Center's Public Information office compiled the report into its final version.

Background

Mozambique has emerged as a country with great promise, despite over three decades of war and instability. The post-conflict period since 1994 can be hailed as a vote for peace, and the country has experienced relatively high economic growth rates since that time. Nevertheless, Mozambique is still one of the least developed countries in the world, ranking 170 out of 175 countries according to the United Nations Development Programme Human Development Index (2003). As a result, it faces a range of economic and political challenges.

Multiparty elections have now taken place in Mozambique in 1994, 1998, and 1999. Prior to each election, new legislation had to be approved, and the composition of the National Elections Commission changed each time.

Mozambique is now going through a new electoral cycle, with municipal elections in November 2003 and critical general elections due in late 2004. As a post-conflict country with a record of contested elections, Mozambique, therefore, faces a key test in 2003-2004 in terms of its ability to conduct credible democratic elections.

New legislation for municipal elections was approved in October 2002. The CNE remains highly politicized and has now 19 members: 10 members nominated by Frelimo, eight by Renamo-UE, and one representative from civil society as chairperson. Frelimo thus enjoys majority representation on the CNE. The CNE has representations at provincial and district levels that consist of five people nominated by Frelimo, three appointed by the Renamo-UE, and an independent chairperson from civil society. Frelimo and Renamo-UE also appoint technicians to operate in STAE.

An update of the voters roll, the first since 1999, took place throughout the country between June 26 and July 26, 2003. Some logistical problems were noted, but this time, contrary to 1998, the voters roll itself was not contested.

In this context, the municipal elections provided a critical window of opportunity in which to strengthen local observer groups in advance of the 2004 national elections and to assess whether the recent round of electoral reforms is adequate and, if appropriate, to recommend additional electoral reforms.

The Carter Center in Mozambique

The Center has been actively involved in Mozambique since the 1990s. In 1999-2000, the Center conducted a nine-month project in Mozambique, including an international observation mission of the December 1999 elections. Many of the observations and recommendations from the Center's report on the 1999 elections remain relevant today. Although an independent member of civil society now leads the CNE, the body remains large and is dominated by political party representatives. Moreover, the political party

representatives in STAE continue to be a subject of discontent and threaten to undermine the impartiality of election administration. Although Mozambique has undertaken other important positive changes to the electoral law, such as distribution of results to party agents at each polling station, the national tabulation process remains insufficiently transparent.

The Center also has facilitated the development of the country's long-term strategic development planning process. In December 2003, Mozambique's Agenda 2025 was approved unanimously by the Parliament, mapping out the country's national development vision and strategy. The Center plans to continue its work, in partnership with key actors, focusing on strengthening the role and quality of civil society input with the government in the ongoing policy dialogue surrounding the Poverty Reduction Strategy and its implementation, drawing upon insights from the Agenda 2025 exercise.

Mozambique also is a partner country for the Center's Sasakawa Global 2000 project, which works to end hunger by teaching resource-poor farmers to be self-reliant through the use of the best available agricultural production and post-harvest technologies.

Pre-election Activities

March 2003 Assessment

A Carter Center pre-election assessment team visited Mozambique in March 2003 and met with a range of key actors, including political party leaders, election authorities, civil society groups, members of the international community, and others. Both Frelimo and Renamo-UE welcomed Carter Center involvement in the upcoming elections and, potentially, in efforts at electoral reform. Based on these relationships and its established expertise in elections, the Center is well-positioned to undertake these efforts. In June 2003, the Center was officially invited by the CNE to observe the Mozambican municipal elections in November 2003.

Establishment of Field Office

Implementation of the program started with the recruitment of a Mozambique Democracy Program representative early October 2003. Once on board, Marc De Tollenaere recruited four international ESVs and four Mozambican staff and opened an office. This process was concluded by November. During October, the Netherlands Institute for Multiparty Democracy generously offered some temporary office space. The establishment of the office was announced in a press release on Oct. 31.

Priority was given to the local recruitment of international ESVs because of the limited time to carry out a pre-election assessment in selected municipalities. Four international candidates (one from São Tome, one from Tanzania, one from South Korea, and one from Ecuador) were selected and deployed immediately. The ESVs were all fluent Portuguese speakers with field experience in Mozambique, and three had previous experience with elections in Mozambique.

Pre-election Assessment

Between Oct. 20 and Nov. 10, the ESVs carried out two missions each during which they jointly visited 25 municipalities in all but one province, including Moçimboa da Praia, Montepuez, Pemba, Nampula, Monapo, Quelimane, Mocuba, Tete, Moatiza, Catandica, Manica, Chimoio, Marromeu, Dondo, Beira, Vilanculos, Maxixe, Inhambane, Manjaze, Chibuto, Chokwe, Xai-Xai, Manhiça, Matola, and Maputo City.

The ESVs gathered information on the status of the preparation of the elections, but also more broadly on other related aspects of the electoral process, including voter registration, candidate nomination, political party campaigns, civic education, and potential conflict. Their reports contributed to the development of a deployment plan for the core election observation delegation.

Over the course of their pre-election deployment, the ESVs conducted meetings with a wide range of stakeholders, including electoral authorities, political party representatives, candidates, civil society organizations, journalists, businessmen, traditional leaders, and religious leaders.

In some cases, electoral authorities were reluctant to receive the ESVs, most probably because they had no explicit authorization to do so from their respective headquarters in Maputo or because the ESVs were not yet accredited as observers during this pre-election phase.

Nevertheless, the ESVs generally were satisfied with the quality of electoral preparations and did not report any major obstacle to the holding of elections or any major election-related conflict. Their reports provided useful information for the subsequent organization and deployment of the main observation mission. Several general areas of commentary are worth noting.

Delimitation. The delimitation of municipal boundaries was a matter of disagreement in several municipalities. The Carter Center tried to verify certain claims about the alleged illegal inclusion or exclusion of certain quarters (*bairros*) but found it difficult to arrive at any firm conclusions because there was no officially confirmed and generally accepted information available about delimitation. The official policy confirmed to the Center was that the delimitations of 1998 were to be maintained, but a simple comparison of the number of registered voters (1998-2003) indicates quite clearly that this was not the case everywhere.

Voter registration. Comments on the voter registration update were generally positive, although there were some complaints about biased recruitment of registration officials, a lack of materials (such as film stock for the voter cards) toward the end of the registration period, inadequate means of transportation, and incomplete geographical coverage by the registration process. Moreover, many voter cards remained uncollected at the voter registration centers. No explicit concern was expressed that the cited problems with the registration update might jeopardize the conduct of the elections.

Election preparations. The ESVs reported general confidence that the electoral administration's preparation was on track and that all STAE officials and election materials would be in place in due time to hold elections. Some respondents were critical of the introduction of political representatives into STAE structures prior to the elections, claiming that this action would compromise STAE's neutrality. In addition, it was often perceived that many STAE officials had little or no previous experience and were inadequately trained. Renamo-UE members tended to perceive that STAE officials were recruited on the basis of party loyalty and were biased in favor of Frelimo. Overall, the ESVs found a growing credibility of the electoral authorities, at least in technical terms, if not in terms of the role of political representatives in the composition of STAE prior to the elections.

Candidate nomination. In several municipalities, the ESVs reported that the candidate selection procedure appeared to enjoy legitimacy because it was considered to be “locally owned” by respective Frelimo and Renamo-UE members who supported candidates through internal election. This perception was different elsewhere (e.g. Nampula) owing to local party representatives’ claims that the final decisions are taken at central level.

Both Frelimo and Renamo-UE reported a high number of women candidates on their lists for the municipal assemblies, though it was not possible to account definitively for these claims. For the municipal assemblies of 1998-2003, 33 percent of members were women, largely owing to Frelimo’s party policy that calls for 30 percent women candidates on the party lists. However, for the 2003 elections, of 79 presidential candidates running in the 33 municipal assemblies, only two were women.

Campaign resources. By contrast to the favorable impression of technical preparations for the elections, the ESVs heard widespread complaints about the absence of a level playing field among the political parties and civic organizations fielding candidates. All opposition parties and several other citizen groups reported that there was no level playing field in Mozambique and maintained that Frelimo, as the ruling party, had considerable administrative and financial advantages. Independent candidates and civic organizations appeared to be at the greatest disadvantage in terms of resources and public profile. In Beira, for example, the ESVs were told that the elections would be a straight contest between Frelimo and Renamo-UE.

Political parties reported different levels of resources for their campaigns. Renamo-UE stated that it was relying primarily on door-to-door campaigns, whereas Frelimo had more resources for larger public meetings, campaign posters, and T-shirts for its supporters. Street music and dance groups, as well as posters and T-shirts, were among the most common forms of party-supported contact with the general public.

The ESVs reported that opposition candidates also tended to complain about inadequate or biased public media (e.g. TV Mozambique or *Notícias* newspaper) coverage of their campaigns. Some opposition party officials also complained about pro-Frelimo bias among the police. Despite these complaints, opposition candidates tended to be very optimistic that they enjoyed popular support and would win the elections in any case. Moreover, it should be noted that in contrast to the 1998 municipal elections, many Mozambicans were enthusiastic about the absence of an opposition party boycott for these elections, giving them a choice of candidates.

Civic education. Some ESVs reported that disappointment was expressed about a general lack of civic education and popular enthusiasm for the municipal elections. Common complaints were that STAE lacked materials, that their campaign had limited geographic coverage, and that in some cases they reportedly favored a candidate or political party. STAE’s civic education campaign was also criticized for a lack of visibility, and some respondents indicated that STAE should merely coordinate civil society implementation of civic education. Elsewhere, as in Matola, respondents acknowledged the civic education efforts of STAE and a national nongovernmental organization, FECIV. In

FECIV's campaign, people received election materials and were informed about their rights, the decentralization process, and how their vote can help to improve conditions in their municipality. Despite these concerns, interviewees were generally confident that voter participation would be high.

Conflict. In general, it appears that political parties and candidates freely conducted their political activities with relatively little political tension. Even where parties complained about the behavior of the other candidates or shared their perceptions of political bias, few formal complaints appear to have been lodged, and these disputes did not escalate into violence. For example, in Chokwe, Renamo-UE claimed to have made a formal complaint that Frelimo members had deprived Renamo-UE supporters of their voter cards. Although it is not known how this case was resolved, it did not appear to generate the kind of hostility or violence that one might have feared in previous elections. In most places it also was reported that STAE and the police coordinated their efforts in preparation for election day.

Election Observation Mission

Delegate Briefing

The Center organized a 15-person delegation of international observers from 12 countries. The delegation included four ESVs, one staff member from International Institute for Democracy and Electoral Assistance, one from the Electoral Institute of Southern Africa, and one expert in parallel vote tabulation. The delegation also included Carter Center staff and other experienced election observers.

On Nov. 16, the delegates received a full-day briefing on the political context, election procedures, observation methodology, and logistics. The STAE director general, Mr. António Carrasco, provided a detailed briefing about the current state of preparations for the elections. The ESVs presented the main findings of their pre-electoral assessment of 25 municipalities. Mr. Jan Nico van Overbeeke from the Netherlands Institute for Multiparty Democracy briefed the delegates on the parties, coalitions, and groups of citizens that participate in the elections. There was also a special presentation on the PVT organized by the Electoral Observatory with technical support of the Center.

Deployment and Observation Methodology

Delegates were deployed in teams of two and left on Nov. 17 to their respective destinations: Team 1 to Pemba and Montepuez, Team 2 to Nampula City, Team 3 to Quelimane and Mocuba, Team 4 to Tete and Moatize, Team 5 to Manica and Chimoio, and Team 6 to Beira and Dondo. This deployment strategy was based on the findings of the ESVs, anticipated levels of competition, and municipalities where a PVT would take place. A team of three delegates remained in Maputo. This team also coordinated the activities of the other observers and visited the operations center for the PVT.

Also on Nov. 17, the Center released a statement by President Jimmy Carter on the municipal elections calling for peaceful conduct on election day and during the vote counting process. President Carter noted the dedication and preparation of electoral authorities and appealed to Mozambicans that “all eligible voters should cast their ballots freely with confidence that the international community is watching this process with interest.”

Once in their deployment areas, Carter Center observers contacted the electoral authorities, candidates and parties, and other observers. These meetings were intended to gather information about the local context, observe final preparations for election day, and alert all stakeholders to the presence of international observers.

Observers were provided with four different observation forms to record specific observations of different phases of the electoral process (opening of polling station,

operation of polling station, closing and counting process, and an observation summary form).

Delegates had to watch the preparations prior to the opening of a polling station and ensure that the environment was accessible to voters (e.g. easy identification of the polling station, police stationed at prescribed distance, absence of party propaganda in the vicinity), that all materials and officials were present, and that the ballot boxes were empty and properly sealed. They also had to register the presence of candidate or list agents and national observers. Finally, observers had to register the timely opening of the polling station at 7:00 a.m. and note any reasons for delay.

Throughout the day, observers visited various polling stations to observe the voting process and record information about the environment, attendance inside the polling station (officials, observers, agents), and voting operations (performance of officials, secrecy of the vote, eligibility, etc.). Voters cast two ballots, one for the municipal president and one for the ~~municipal~~ assembly based on closed lists elected through proportional representation.

At 6:00 p.m., observers watched a closing of a polling station and the subsequent counting of the ballots. Particular attention was given to all legally prescribed steps of the counting, the drafting of the tally sheets and polling station reports, and the distribution of these to delegates of candidates and lists.

Observers were also encouraged to follow the tabulation process in their areas of deployment.

Observer Reports

On election day, the Carter Center observers visited 60 polling sites and 130 polling tables in 11 municipalities across six provinces and Maputo City.

In the morning and the evening of Nov. 19, observer teams reported that the voting was orderly, efficient, and peaceful, but voter turnout appeared to be low. None of the teams witnessed incidents that disrupted voting. In a few isolated cases, polling stations opened late, but these instances appear to have been as a result of uncertainty about the opening procedures on the part of electoral officials rather than any lack of materials or attempts at intimidation. In any case, there were no delays reported that might have negatively influenced voter participation.

Candidate and party agents were found to be present in nearly all visited polling stations. Domestic observers were present in 75 percent of the cases but were less visible on average in Nampula, Tete, and Beira. No security problems were reported, but in 30 percent of all visited polling stations, police were present much closer than the 300 meters foreseen in the law. This was particularly the case in Mocuba, a town where some incidents were feared because of the earlier exclusion of the Renamo-UE candidate for

mayor by the CNE. (This CNE decision was overruled by the Constitutional Council two days before the elections.)

The voter register did not appear to cause problems on election day. Only in one case did observers find a voter who appeared to have been unfairly prevented from voting. Despite the use of multiple voter registers (1999 and the updated 2003 roll) in polling stations, the voting process did not appear to be delayed.

In Beira and Nampula, observers noted inadequate guarantee of the secrecy of the vote due to the positioning of the voting booths. STAE traditionally instructs the officials to place the booths with the opening toward the table where the officials are. This positioning has the advantage that officials, party agents, and observers can easily check whether anybody left propaganda in the voting booth. If placed at a reasonable distance, this positioning of the booth does not jeopardize the secrecy of the vote. Yet, in 10 percent of the cases, again concentrated in Beira and Nampula, this positioning was problematic as observers could see voter preferences without much effort.

Election officials appeared to be well-trained, and the requisite number of polling station staff was present in most cases. The presiding officers explained the voting process to each voter, presenting each ballot paper to the voter in full view of observers and party agents.

Overall, the Center's observers reported a generally well-conducted election day with no major or systematic irregularities likely to affect the outcome of the vote.

Notably, several teams (Tete and Zambezia) encountered administrative problems while carrying out their observation duties. In Tete, the president of the provincial elections commission required a Carter Center observer to relinquish his credentials because they indicated deployment in another province. In Zambezia, Manica, and Tete, the Carter Center logo generated reactions of alleged partiality owing to the perception that the Center's eagle resembled Renamo-UE's party logo. Center observers were advised to remove the logo in the event that such perceptions were voiced, and in all cases our teams complied.

Where possible, Center observers monitored the intermediate vote count at municipal level. Over the course of Nov. 21-22, observers returned to Maputo to share their observations. Delegates were impressed by the smooth organization of the poll and commended the polling officials for their performance and dedication. Observers did note that the voting procedure was implemented very slowly, as officials explained every step with admirable patience. Given the low voter turnout, this pace did not pose a problem, but some teams felt that more problems might have been encountered in the event of higher voter participation.

A preliminary statement was released on Nov. 21. In the statement, the Center congratulated the electoral authorities and polling staff for the conduct of all aspects of the polling process on election day. The Center also was pleased about the participation

of candidates from nine smaller parties and six civic groups, in addition to those from Frelimo and Renamo-UE. However, the Center expressed concern about the apparent low voter turnout.

The Center took particular exception to the CNE's restriction on the free movement of accredited observers and the uneven access to the intermediate tabulation process. The statement noted that "both instances appear to violate the CNE's own regulations that correctly grant mobility and access to international election observers." The statement also indicated that The Carter Center would continue to observe the intermediate and general tabulation process and any election complaints that may be brought forward.

Postelection Observation

Intermediate and General Tabulation

After the counting of the ballots and the preparation of tally sheets in each polling station, the tally sheets were gathered at an intermediate level for each municipality. The district election commissions conducted the intermediate tabulation in the towns, whereas the city election commissions did so in the cities. Within three days, these commissions were to publish aggregate results for each municipality. This is an innovation introduced in the new municipal election legislation following demands by the opposition, who saw the intermediate count as an important step toward the centralized national tabulation. This demand was a direct result of the suspicions and problems associated with the national tabulation process in the 1999 elections.

While the local commissions proceeded with the intermediate count, the electoral administration was responsible for the faxing of all tally sheets to the STAE headquarters in Maputo, where they would all be entered in a computer system. STAE also was responsible for the transport of all invalid and protested ballots for review at the central level.

During the delegate briefing on Nov. 16, the STAE director general stated that, at that time, the CNE had not yet decided on the methodology to carry out the intermediate count. A decision was taken the next day and basically met the demand of the Renamo-UE-appointed CNE members that the intermediate count be completed manually (e.g. with calculators, but not with computers).

The district and city commissions could thus only have received the instructions on how to organize the intermediate count the day before the elections. The late decision-making may be partly responsible for some of the errors that occurred during the intermediate count and on the related municipal tally sheets. Certainly there was no time for training or simulation exercises.

Uneven observer access to intermediate tabulation. There also was confusion about the role of observers and party agents. In some cases, the presence of commission members and/or agents from the two main parties was considered sufficient to guarantee a transparent tabulation (e.g. Montepuez). In Tete, for example, national, but not international, observers were allowed to observe the intermediate count. In other cases, Center observers and agents were allowed to freely observe all aspects of the intermediate count.

A large majority of the smaller municipalities managed to publish intermediate results within the legal deadline. The larger municipalities and/or municipalities where irregularities occurred needed more time. For example, in Beira, a Frelimo-appointed technician was found adulterating results in favor of his party, and the tally sheets of 10

polling stations also disappeared. The Carter Center maintained an observer in Beira until a CNE mission was sent to break the deadlock.

There also was no clear and publicly known procedure on how the general tabulation at the national level would be organized. The law instructs that the CNE should “confirm the legal existence” of all polling station results used for the intermediate count. If there is doubt about the existence of a polling station, the CNE should investigate and, in case of irregularity, the related result should be annulled (art. 100 of law 19/2002). The CNE also should decide on the protested and invalid ballots and if necessary, correct the intermediate result (art. 102). The CNE should verify the number of registered voters, voters, and abstentions in each municipality; verify the total number of votes for each list, the blank votes, and the null votes; verify the distribution of seats among the lists; and determine the candidates who were elected on each list (art. 103).

Errors and delayed results. According to art. 105 of the same law, the CNE should have its general tabulation results publicly posted and sent to the Constitutional Council within five days. On Dec. 4, the CNE publicly announced the results (15 days after the voting).

No copies of tally sheets were distributed at the time of CNE’s announcement. However, an analysis of the distribution of municipal assembly seats to the winning parties and candidates as publicly announced by the CNE revealed errors. This was confirmed by a report in the *Noticias* newspaper of Dec. 8. There was no official public communication from the CNE to explain the mistakes, but the newspaper mentioned that, erroneously, a 5 percent threshold of votes was applied, as is the case in parliamentary elections. The CNE report on the distribution of seats revealed changes in the distribution of seats in 12 municipalities.

On Dec. 8, the CNE posted the results outside the CNE office and sent them to the Constitutional Council. Posted results are difficult to analyze comprehensively, but it was clear on the basis of a visual inspection that the tally sheets still contained calculation errors. The Center received a copy of the posted documents on Dec. 12.

The Carter Center subsequently found 25 errors in the tally sheets for the municipal president elections and 24 mistakes in the tally sheets for the municipal assembly elections. Most mistakes related to the number of voters that participated (affecting 17 municipal president results and 20 municipal assemblies). Even if these errors were originally made during the intermediate count, art. 103 of the electoral law is clear about the CNE’s obligation to verify the received data. The Carter Center did not receive an explanation from the CNE on the noted errors, changes, and inconsistencies in the results.

The Constitutional Council is a new institution, established less than a month before the second municipal elections. In the domain of elections, it has the mandate to verify the legal demands for candidates for the presidential elections; it is the last body of appeal for complaints and has to validate and announce the election results.

According to its Deliberation 16/CC/04, the Constitutional Council first received results from the CNE on Dec. 8. The council noticed various errors and omissions and instructed the CNE to correct and complete the results. The CNE sent its reply to the council on Dec. 18. Five days later, the elected members of the lists and candidates also received a copy of those results as required by art. 106 of law 19/2002.

The Constitutional Council met with CNE and STAE on Jan. 8, 2004, “to clarify doubts, clarify some errors, coordinate practical aspects, and prepare the documents required for the validation and proclamation of the results.” Final results were approved internally on Jan. 14 and announced publicly the next day.

In its deliberation, the council criticized the CNE for the mistakes, but in particular for the changes to the number of seats introduced after the elections. The council called this a “grave irregularity.” In its evaluation of the electoral process, the council also demonstrated understanding of the practical difficulties imposed on the CNE by the time frames set out in the electoral calendar and found that some are simply unrealistic and contradictory.

Questions about registered voters. In addition to what can be considered as arithmetical mistakes, the tally sheets also indicated considerable changes in the number of registered voters compared to the numbers published by the CNE on Aug. 20, 2003. This resulted in a decision by the CNE to adjust the number of seats in several instances *after* the elections took place.

The following table indicates the difference in registered voters published on Aug. 20 and the revised figures announced by the Constitutional Council on Jan. 15, 2004:

Municipality	Registered Voters		
	August 20 2003	January 15 2004	Difference
Maputo	543,570	605,529	61,959
Matola	234,324	263,200	28,876
Manhica	22,669	26,590	3,921
Xai-Xai	55,067	55,067	
Chibuto	28,178	31,336	3,158
Chokwe	26,646	35,123	8,477
Manjacaze	10,002	7,679	- 2,323
Inhambane	27,779	30,672	2,893
Maxixe	47,043	50,214	3,171
Vilanculo	14,243	16,370	2,127
Beira	226,911	215,326	- 11,585
Dondo	33,958	38,635	4,677
Marromeu	25,791	17,104	- 8,687

Chimoio	91,720	104,352	12,632
Manica	12,460	14,635	2,175
Catandica	7,715	8,800	1,085
Tete	57,888	65,752	7,864
Moatize	15,085	16,975	1,890
Quelimane	89,845	89,845	
Mocuba	31,250	35,759	4,509
Gurue	22,445	23,451	1,006
Milange	10,748	11,930	1,182
Nampula	192,568	195,150	2,582
Angoche	44,242	44,242	
Ilha	27,049	32,992	5,943
Monapo	33,548	30,409	- 3,139
Nacala Porto	84,649	96,585	11,936
Pemba	54,115	57,252	3,137
Montepuez	28,674	33,197	4,523
Moçimboa da Praia	16,579	16,579	
Lichinga	47,056	54,405	7,349
Cuamba	40,238	41,588	1,350
Metangula	4,837	5,278	441
Totals	2,208,892	2,372,021	163,129

The January 2004 total number of registered voters is 163,129 voters (or 7.4 percent) higher than the number published in August 2003. It is understandable that the preliminary results of the voter registration update could change (the published August figures), which is why the registration law allows 30 days for the CNE to publish final figures in the official gazette (art. 38 of law 18/2002). Yet, this never happened. The existing discrepancies can only be explained by the fact that the 2003 registration and the 1999 registration books were not reconciled. Therefore, the 2003 registers still contain transferred voters and second emissions of voter cards. Generally speaking, these voters probably appear twice in the current databases. Again, the discrepancies are not consistent, thereby indicating that some of the numbers may be different from the number of voters effectively in the register.

The Constitutional Council indirectly refers to this problem in its ruling of Jan 14, 2004, by insisting that in the future only one voter register should be used. This coincides with the Carter Center's comments on this subject in the Nov. 21 statement (see Appendix).

Computerization of the voters roll

The computerization of the voters roll is a story that starts in 1998 when the UNDP project for support to the first municipal elections had this as an objective. There were long technical discussions on whether the voters roll should be entered manually or whether the inscription forms of 1994 and 1997 could be scanned. Manual entering of data was finally started but was aborted when a political compromise emerged to do a new voter registration as a consequence of Renamo-UE protests over the existing roll.

Donors then explicitly negotiated with the government and the electoral authorities that a new registration would be financed if it was done in such a way that it could be computerized and then permanently updated for future elections. The CNE reluctantly approved the addition of an optical mark reading form to the handwritten registration forms for easy and quick scanning afterward. The original plan was that this would be done within months. In fact, it took STAE nearly five years to complete and verify the entries of the 1999 register. Although high-technology scanners were available, most of the work had to be done manually. The November elections demonstrated that the 1999 register is actually not yet complete (illustrated best by a CNE member that could not be found in a Maputo register) and still requires further correction.

Two steps, initially foreseen, were not taken after 1999. It was foreseen that the inscription forms would be scanned in each province. The resulting database would then be used to verify and correct the central OMR database. This never happened, although the necessary equipment was made available. Another essential step was the shift from a Microsoft Access platform to an Oracle platform. The first only allows a limited number of entries, and as a result the existing system is based on separate databases per district, complicating the management of the database in case of transfers of voters. An Oracle platform would allow one single integrated database.

Inadequate access to national tabulation. Center observers also received inadequate access to the national tabulation process. While the Center did gain access to a CNE computer monitoring tally sheets processed at national level, the location was physically detached from the room where the actual tabulation operations took place, and there were no means to verify the correctness of the data displayed on the observer computer. The observation of the reclassification of null and protested votes was not allowed because this was considered a session of the CNE, and these are, The Carter Center was told, closed to the public.

Therefore, it was not possible to observe the tabulation process in a satisfactory way.

The Petition Process

In its Deliberation 71/2003, the CNE responded to 18 complaints related to 14 municipalities (Angoche, Beira, Chimoio, Cuamba, Ilha, Manica, Maputo, Marromeu, Moçimboa da Praia, Mocuba, Monapo, Montepuez, Nampula, Quelimane). All complaints were rejected.

Two lists of citizens, Unidos pela Ilha in Ilha de Moçambique and Grupo Independente de Desenvolvimento de Angoche in Angoche, complained that their list symbol did not

appear on the ballots for the respective municipal assemblies and that this affected their results and thus the vote should be annulled. CNE countered by arguing that their presidential candidates had their photos on the ballots and that this did not result in more votes than in the assembly elections. Hence, the absence of the symbol did not affect the result.

In three cases Renamo-UE submitted a complaint related to the registration books (Nampula, Moçimboa da Praia, and Montepuez). In all cases the CNE rejected these complaints as extempore, i.e. relevant to the registration and not to the voting. For Monapo and Marromeu, the main opposition coalition claimed that the null votes were not duly reclassified. The CNE simply denies this.

In Beira and Chimoio, Renamo-UE charged that there were irregularities in the intermediate tabulation process (as cited above). For Beira, the CNE decided that the events had no significant effect on the result and that for Chimoio, no evidence was provided by Renamo-UE.

In Cuamba, Renamo-UE claimed police intimidation, but again the CNE concluded that there was no evidence. In Manica, the same coalition complained that all their delegates were denied access to the intermediate count. The CNE replied that there were only two cases where this had taken place, and these were resolved immediately through a direct CNE intervention.

In Maputo, Renamo-UE asked to nullify the voting because four voters cast their ballots without being registered, but the CNE responded that this complaint was not submitted at that particular polling table and thus void. In Quelimane, the intermediate tally was thought to have mistakes, but the CNE argued that Renamo-UE based the complaint on their own arithmetical error.

In Mocuba, the CNE had barred the Renamo-UE candidate from running after a Frelimo complaint during the candidate nomination process. The candidate appealed to the Constitutional Council, which overruled the CNE's decision on Nov. 17, only two days before the elections. Renamo-UE then asked for a postponement of the elections in Mocuba because their candidate did not have the right to run. The CNE turned down this request, and the elections went forward on Nov. 17. Once again, Renamo-UE appealed this decision.

Besides the frustration over the rejection of their complaints, Renamo-UE-appointed members in the CNE also disagreed with the manner in which the general tabulation was conducted. They claimed that the CNE had illegally delegated this responsibility to STAE and that no complete verification was done of the tally sheets that make up the intermediate and final results. According to art. 100, the CNE must verify whether all tally sheets come from legally existing polling tables. The coalition appealed to the Constitutional Council that this verification did not happen in a satisfactory way.

The dispute over art. 100 resulted in the Renamo-UE members abandoning the CNE on the evening of Dec. 3. They also boycotted the first public announcement of results on Dec. 4, returning to the CNE the next day.

In Deliberation 16/CC/04, the Constitutional Council rejected all appeals submitted by both Renamo-UE and Frelimo. The council dealt with all appeals before validating the results. The last appeal that entered the council was on Dec. 31. Appeals submitted by smaller parties PAMOMO and PIMO were not considered because they were submitted after the legal deadline.

The Constitutional Council also highlighted that throughout the electoral process, protests and appeals were not dealt with in a timely manner.

Election Results

Frelimo won 28 elections for municipal president and 29 absolute majorities in municipal assemblies. Frelimo thus consolidated its hold on a strong majority of municipalities, winning elections in many areas that had voted for Renamo-UE in the 1999 general elections.

However, Renamo-UE won five elections for municipal president and the majority of seats in four municipal assemblies. Renamo-UE will, therefore, hold formal executive power for the first time in Mozambique in the following municipalities: Nacala-Porto, Ilha de Moçambique, Angoche, Beira, and Marromeu. Three of these municipalities are in Nampula province and two in Sofala.

In Marromeu municipality, the Renamo-UE mayor will have to share power with a Frelimo majority in the municipal assembly. Other parties and civic organizations only won a total of 13 seats across all municipalities.

The final distribution of seats in municipal assemblies can be found in the table that follows:

Municipality	Lists	Seats
Pemba	Frelimo	21
	Renamo-UE	10
Montepuez	Frelimo	14
	Renamo-UE	3
Moçimboa da Praia	Frelimo	7
	Renamo-UE	6
Lichinga	Frelimo	21
	Renamo-UE	10
Cuamba	Frelimo	20
	Renamo-UE	10
	PIMO	1
Metangula	Frelimo	12
	Renamo-UE	1
Nampula	Frelimo	24
	Renamo-UE	19
	PIMO	1
Nacala Porto	Frelimo	15
	Renamo-UE	23
	OCINA	1
Ilha de Moçambique	Frelimo	6
	Renamo-UE	10
	UPI	1
Monapo	Frelimo	9
	Renamo-UE	8
Angoche	Frelimo	13
	Renamo-UE	17
	PIMO	1
Quelimane	Frelimo	21
	Renamo-UE	18
Mocuba	Frelimo	16
	Renamo-UE	5
Milange	Frelimo	10
	Renamo-UE	3
Gurué	Frelimo	12
	Renamo-UE	4
	UM	1

Municipality	Lists	Seats
Tete	Frelimo	23
	Renamo-UE	8
Moatize	Frelimo	10
	Renamo-UE	3
Chimoio	Frelimo	24
	Renamo-UE	15
Manica	Frelimo	11
	Renamo-UE	2
Catandica	Frelimo	11
	Renamo-UE	2
Beira	Frelimo	19
	Renamo-UE	25
	IPADE	1
Dondo	Frelimo	13
	Renamo-UE	7
	IPADE	1
Marromeu	Frelimo	7
	Renamo-UE	6
Inhambane	Frelimo	15
	Renamo-UE	2
Maxixe	Frelimo	27
	Renamo-UE	4
Vilankulo	Frelimo	12
	Renamo-UE	1
Xai-Xai	Frelimo	30
	Renamo-UE	1
Chokwé	Frelimo	17
Chibuto	Frelimo	16
	Renamo-UE	1
Mandlakazi	Frelimo	13
Manhiça	Frelimo	16
	Renamo-UE	1
Matola	Frelimo	41
	Renamo-UE	5
Maputo	Frelimo	48
	Renamo-UE	8
	JPC	5

The results for the elections of municipal presidents were:

Municipality	Winning candidate	Party	%
Pemba	Agostinho N'tauali	Frelimo	66.86
Montepuez	Rafael Manuel Correia	Frelimo	79.80
Moçimboa da Praia	Camissa Adamo Abdala	Frelimo	51.07
Lichinga	Cristiano Paulo Taimo	Frelimo	69.02
Cuamba	Teodósio Simão Uatata	Frelimo	61.87
Metangula	Nafe Achimo	Frelimo	88.96
Nampula	Castro Armindo Safins Namuaca	Frelimo	57.09
Nacala Porto	Manuel José Dos Santos	Renamo-UE	57.00
Ilha de Moçambique	Gulamo Mamudo	Renamo-UE	53.16
Monapo	Daniel Hermínio Bento	Frelimo	50.75
Angoche	Alberto Omar Assane	Renamo-UE	52.60
Quelimane	Pio Augusto Matos	Frelimo	52.56
Mocuba	Rogério Francisco dos Santos Gaspar	Frelimo	75.28
Milange	Loborino Alamane	Frelimo	73.68
Gurue	João Bernardo	Frelimo	72.69
Tete	César de Carvalho	Frelimo	75.08
Moatize	Cassiano Marcelino	Frelimo	73.66
Chimoio	Alberto Manuel Sarande	Frelimo	60.21
Manica	Moguene Materisso Candieiro	Frelimo	80.94
Catandica	Eusébio Lambo Gondiwa	Frelimo	78.83
Beira	Davis Mbepo Simango	Renamo-UE	53.43
Dondo	Manuel Cambezo	Frelimo	61.61
Marromeu	João Germano Agostinho	Renamo-UE	50.01
Inhambane	Lourenço António da Silva Macul	Frelimo	83.37
Maxixe	Narciso Pedro	Frelimo	87.94
Vilankulo	Sulemane Esep Amugy	Frelimo	89.12
Xai Xai	Ernesto Filipe Mausse	Frelimo	95.43
Chokwe	Jorge Samuel Macuacua	Frelimo	95.92
Chibuto	Francisco Chichongué	Frelimo	94.09
Mandlakazi	Casimiro Mondlane	Frelimo	75.80
Manhiça	Alberto Fafetine Chicuamba	Frelimo	86.58
Matola	Carlos Almerindo Filipe Tembe	Frelimo	88.46
Maputo	Eneas da Conceição Comiche	Frelimo	75.15

Notably, no women were elected to a municipal presidency. However, Frelimo does have a party quota of 30 percent women candidates for the party lists to the municipal assemblies.

Low voter turnout. The official voter turnout figure published by the Constitutional council is 24.16 percent. Real turnout is probably slightly higher, as the council figures are calculated on generally inflated registration numbers. While voter participation doubled in comparison with the first municipal elections in 1998, it still remains at a disappointing level. Considering that around 80 percent of potential voters are registered, one must conclude that only one citizen out of five participated in the 2003 elections for local government.

Many of the arguments that were used to explain the low 1998 voter turnout may not apply to the 2003 elections since this time around there was no opposition party boycott, the elected bodies have had five years to prove their value, and so on. It will be important to research the reasons for voter abstention in the 2003 elections, as it may represent a form of protest as much as citizen disengagement. Whatever the case, Mozambique's local elections appear to share this worrying trend with other established and emerging democracies.

Parallel Vote Tabulation

Parallel vote tabulation is a quantitative election observation technique that enables independent observers to monitor and record election results, either on the basis of a random sample or if possible, a comprehensive tabulation of the total vote. If credibly implemented, a PVT can project results quickly and offer a basis for comparison with the official results. The main purpose of a PVT is to verify the accuracy of the official results and thereby enhance confidence in the process and the likelihood that all stakeholders will accept the results as legitimate.

Prior to the 1999 elections, The Carter Center explored the feasibility of conducting a PVT with domestic election observers. Unfortunately, the issue was politicized and the Center was told by the CNE that “Mozambican law does not provide for a PVT, and, therefore, it would be against the law for the CNE to permit it.” However, given the highly contested tabulation process of the 1999 general elections and its conflict-charged aftermath, several domestic actors subsequently acknowledged the potential value of a PVT.

Based on this expression of clear interest on the part of domestic observers, The Carter Center discussed the issue with the CNE in early 2003 and received no objection for observation techniques that could enhance the transparency of Mozambique’s elections. The newly established Electoral Observatory, a partnership of the Mozambique Association for the Development of Democracy, Center for Studies on Democracy and Development, Christian Council of Mozambique, and the Islamic Council of Mozambique, served as the organizational host for the conduct of a PVT in several municipalities.

A plan was drafted and publicly presented by the OE to carry out a PVT in 10 municipalities: three based on a random sample of election results and seven comprehensive tabulations. This plan involved the immediate mobilization of 10 municipal coordinators and 450 national observers, a challenge that could only be met thanks to the effective networks of the participating organizations.

The Carter Center assisted the Electoral Observatory with the following activities:

- Identification and contracting of national consultants specializing in database design, statistical analysis, and elections;
- Provision of international consultants and expertise;
- Establishment of the Electoral Observatory’s PVT office and provision of logistical support;
- Training of municipal coordinators.

Although the PVT was carried out under serious time pressures, the results of the exercise were technically satisfactory, and they provided the participating organizations and the wider public with an independent verification that confirmed the official results

as announced by the CNE. For The Carter Center, the provision of technical assistance for the conduct of a PVT marked an important step in building Mozambican capacity to undertake this observation technique and in helping to facilitate confidence in the outcome of the elections.

The Center hopes that this positive experience will be repeated for the 2004 general elections through the conduct of a national PVT.

Conclusions and Recommendations

The Center commends CNE and STAE for the overall preparations of Mozambique's second democratic municipal elections. This is an important factor in building the trust of all citizens and parties in preparation for the 2004 general elections.

Moreover, a new institution, the Constitutional Council, established its authority and confirmed its credibility in a very short time. This was clearly underscored by the widespread acceptance of its ruling on the appeals and final results. The Center regards this as a positive contribution to the electoral process.

The Center has two major concerns in view of the general elections: ***the voters roll*** and ***the tabulation of results***.

The ***voters roll*** needs to be further corrected, completed, and integrated. The Center considers this as essential to avoid early controversy during the preparation of the forthcoming general elections. If not resolved in a timely manner, the existing problems could result in a voters roll that is artificially inflated by up to 10 percent or nearly 1 million voters, after the next update. The Center is convinced that these problems can best be resolved on the basis of the existing register (a new registration exercise would wipe out the slow and difficult progress made over the past years) but is concerned about the time STAE requires to do this in a credible and transparent manner. Specific recommendations include:

- The 1999 and 2003 registers need to be reconciled in order to annul double entries; this will need to happen under time pressure for the forthcoming update.
- The existing computerized register needs to be, as much as possible, further corrected and completed. This could be accomplished through verification at the provincial level of the computerized register and the original inscription forms, but such an exercise requires immediate and massive action. Another possibility is to conduct verification through the registration brigades by calling all voters to go and confirm their registration. This could be done in collaboration with the parties, who all have an interest in mobilizing the electorate.
- The existing separate databases need to be integrated in one single database platform. STAE has already acquired the necessary technology and capacity for this transformation and should thus not further delay it.

The ***tabulation of results*** was problematic and controversial for the third consecutive time (municipal elections in 1998 and 2003, national elections in 1999). This may indicate a structural weakness that requires full attention and, if necessary, targeted support. This time, no results were disputed, and the Center welcomes the universal acceptance of the Constitutional Council ruling by all political parties and candidates. Yet, the fact that the results were not contested does not preempt the need to produce correct tally sheets. Getting the numbers right is crucial for the credibility of the tabulation process and the electoral authorities. The CNE must ensure that all electoral

officials are well-trained in the tabulation process on the basis of clearly established and timely regulations acceptable to all parties.

The tabulation process also continues to suffer from a transparency deficit, as there are no satisfactory conditions for adequate observation of the process or verification of the data. The Center, therefore, recommends that the electoral authorities facilitate a complete observation of the tabulation. This means that all levels of tabulation (from polling station to CNE), all steps in the process (transport and handling of all relevant documents), all relevant documents (tally sheets or *editais*, polling station reports or *actas*, invalid ballots, deliberations of CNE, etc.), and all involved software and hardware (information technology equipment, counting program, etc.) should be accessible to observation.

The electoral process in general and tabulation in particular have gradually turned into matters controlled by the two major political parties in Mozambique. It is essential for the consolidation of democracy that this trend is reversed: Elections are primarily a matter for all voters and politicians, not for some selected politicians, however dominant and important they may be. The CNE can make an important contribution to this reversal toward more inclusion by allowing other parties and independent observers full access to all aspects of the tabulation.

The ***announcement of credible results*** must be made in a timely fashion, and the electoral law governing the CNE's responsibilities in this regard should enable the CNE to complete this job properly.

Other aspects of the electoral process in Mozambique that require specific attention are:

- 1) Prior to the next municipal elections, detailed official information on the *delimitation* of each municipality should be published widely.
- 2) Electoral authorities and civil society organizations should collaborate to ensure maximum success and coverage of civic education campaigns.
- 3) Media workers should receive additional training on aspects of the electoral process, changes in the electoral law, and how best to cover election campaigns free of political bias.
- 4) All political parties should ensure that internal party democracy prevails in the selection of candidates for the party lists. Particular effort to ensure the participation of women and youth, as is the case with Frelimo, should be undertaken by all parties.
- 5) Electoral authorities and political parties should work together to produce a code of conduct to govern the behavior of political parties and their supporters to ensure a peaceful and tolerant election campaign in 2004.
- 6) Although political party representation on both CNE and STAE structures is likely to remain in place for the 2004 elections, both bodies should create mechanisms to reassure Mozambicans that they are acting in a credible, impartial, and transparent manner. The Center welcomes the selection of the CNE chairman, Reverend Arão Litsure, from civil society, but the Center also reiterates its

- recommendation that over the long term, important consideration be given to reducing the size of the CNE and limiting the role of political parties.
- 7) The Center calls upon all Mozambicans to reflect upon the low voter participation in the 2003 municipal elections and to identify the means to reverse this trend.
 - 8) As stated by the Constitutional Council, the schedule for the release of official national results should be reviewed to ensure that the CNE has sufficient resources for the timely announcement of final results.
 - 9) The CNE should engage in clear and structured dialogue with international and domestic observers to ensure improved geographic mobility and access of election observers to all aspects of the electoral process, including intermediate and national tabulation, for the 2004 elections.

The Center welcomed the invitation to observe the 2003 municipal elections and looks forward to joining Mozambicans once again for the 2004 presidential and parliamentary elections. It is in this spirit that this report and its observations are made public.



REPÚBLICA DE MOÇAMBIQUE

COMISSÃO NACIONAL DE ELEIÇÕES

Nota nº15/CRIE/CNE/03

À
Fundação The Carter
Centre

MAPUTO

Assunto: Observação das Eleições Autárquicas

Exmos Senhores

Como é de conhecimento de Vossas Excelências, as eleições autárquicas foram marcadas para 28 de Outubro de 2003.

A preceder estas eleições, e nos termos do calendário eleitoral já programado, a actualização do recenseamento eleitoral vai decorrer de 4 de Junho a 4 Julho próximos.

Pretende a Comissão Nacional de Eleições que o processo de 2003 tenha a maior transparência e justiça. Assim, a Comissão Nacional de Eleições tem a honra de convidar Vossas Excelências para tomar parte na observação das eleições autárquicas bem como na actualização do recenseamento.

A Comissão Nacional de Eleições gostaria de obter de Vossas Excelências, com a brevidade que for possível, a manifestação de interesse em participar, adiantando-se desde já que a observação eleitoral estará sujeita a normas a serem oportunamente adoptadas por este órgão nos termos da lei.

Aproveitamos esta oportunidade para apresentar a V.Excias os protestos da nossa elevada consideração.

POR ELEIÇÕES LIVRES, JUSTAS E TRANSPARENTES!



NEWS

THE
CARTER CENTER



ONE COPENHILL, ATLANTA, GA 30307

FOR IMMEDIATE RELEASE

Thursday, Oct. 30, 2003

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CARTER CENTER TO MONITOR NOV. 19 MUNICIPAL ELECTIONS IN MOZAMBIQUE

ATLANTA....The Carter Center opened an office this week in Maputo to begin assessing the Nov. 19 municipal elections in Mozambique, a part of a larger electoral assistance project leading up to observation of the 2004 national elections.

“The 2003 municipal elections in Mozambique offer voters an important opportunity to voice their preferences for democracy and development,” said Dr. David Pottie, senior program associate of the Center’s Democracy Program. “If these are accountable, transparent and democratic elections, Mozambique will have demonstrated its commitment to sustainable and peaceful democratisation.”

The project also includes supporting civil society groups in their efforts to have a voice in the electoral process and a 30-person observer mission to the presidential elections in 2004. The project was established in response to an invitation to observe by the National Elections Commission and follows assessment trips in March and October during which election authorities, political parties, and local observer groups welcomed the Center’s presence. The Center also observed the 1999 national election and has remained engaged in Mozambique through the Center’s Global Development Initiative, which has supported the national consensus-building initiative known as Agenda 2025.

“It is hoped that recent important electoral reforms will address the political suspicions that arose following technical problems and a lack of transparency in the final tabulation of results in the 1999 national elections,” said Dr. David Carroll, interim director of the Center’s Democracy Program.

Carter Center Field Office Director Marc de Tollenaere will oversee election observation in Mozambique, including the deployment of 10 observers around the country and coordination with local and international observers.

The Center will publish periodic statements on its findings and recommendations. Statements can be accessed through the Center's Web site, www.cartercenter.org.

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

NEWS

THE
CARTER CENTER



ONE COPENHILL, ATLANTA, GA 30307

FOR IMMEDIATE RELEASE

Monday, Nov. 17 2003

CONTACT: Marc de Tollenaire
In Mozambique, 258-082-31-18-81

Kay Torrance
In Atlanta, 404-420-5129

STATEMENT BY FORMER U.S. PRESIDENT JIMMY CARTER ON THE 2003 MOZAMBIQUE MUNICIPAL ELECTIONS

ATLANTA....Mozambicans will go to the polls Wednesday to select leaders in their country's second multiparty municipal elections. I urge all candidates and their supporters to maintain the generally peaceful atmosphere of the campaigns during election day and the vote counting process. The Carter Center, invited by the National Election Commission, has deployed 15 observers from 12 countries throughout Mozambique, and they will join the many domestic observers already in place. The Center has observed the dedication and preparation of the electoral authorities, and all eligible voters should cast their ballots freely with confidence that the international community is watching this process with interest.

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The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. To learn more about The Carter Center, please visit: www.cartercenter.org.

The Carter Center
Short-term Deployment
Mozambique Municipal Elections
November 19, 2003

Team	Delegates	Location
Team 1	Cyridion Rutta, Scott Taylor	Pemba, Montepuez
Team 2	Cecilia Luna Lopes, Frances Henderson	Nampula
Team 3	Sun-Ae Wang, Jorge Bardalez	Quelimane, Mocuba
Team 4	Ricardo Rodrigues, Margot Gould	Tete, Moatize
Team 5	Ed Cain, Mark Simpson	Chimoio, Manica
Team 6	Carlos Barros, Irene Matenjwa	Beira, Dondo
Team 7	Marc de Tollenaere, David Pottie, Eric Bjornlund	Maputo City



The Carter Center

**OPENING of Polling Station Observation Form
Mozambique November 2003**

Observer: _____

Municipality: _____

Polling Station Name: _____

Polling table number(s): _____ / _____ / _____

Arrival time: _____

Number waiting in line to vote: _____

Number of voters on register: _____

Outside the polling station

YES NO

1. Is the polling station easily identifiable for the voters?		
2. Is the police further than 300m away from the polling stations?		
3. Is the queue orderly?		
4. Is the environment calm? (explain if "no")		
5. Are examples of the ballot papers posted outside the polling stations?		
6. Is the area 300m around the polling station free of electoral propaganda?		

Opening Process

YES NO

7. Are all 6 election staff present? Specify any absences:		
8. Are election officials wearing identification?		
9. Are delegates of candidates/lists? Specify which:		
10. Are domestic observers present? Specify organization:		
11. Are all election materials present? If not, specify:		

12. Are both ballot boxes shown to be empty?	
13. Are both ballot boxes sealed by the Presiding Officer and seal numbers registered?	
14. Are observers and delegates of candidates and lists allowed to inspect voter cabins and all documentation on the voting table?	
15. Are the voting cabins adequately positioned?	
16. Did the polling table open on time at 7:00 a.m.? If not, specify time:	

Other comments and issues brought to your attention



The Carter Center

**Polling Station Observation Form
Mozambique November 2003**

Observer: _____

Municipality: _____

Polling Station Name: _____

Polling table number(s): _____ / _____ / _____

Arrival time: _____

Number waiting in line to vote: _____

Number of voters on register: _____

NOTE: In obtaining the following information do not interfere with or disrupt the voting process.

Outside the polling station:

	YES	NO
1. Is there any visible police presence within a range of 300m from the polling station?		
2. Is the polling station easily identifiable for the voters?		
3. Is the immediate vicinity (300m) of the polling location free of campaign activity or attempt to influence voters?		
4. Estimated number of people in queue (if any)?:	-	-
5. Is the queue orderly?		
6. How long has the first person in the queue been waiting?		

Attendance inside the polling station:**YES NO**

7. Are all election officials present? If any absences, specify who:		
8. Are delegates of candidates and lists present? Specify which:		
9. Are domestic observers present? Specify organization:		

Operation of the polling station:**YES NO**

10. Are all registered voters able to vote?		
11. Are all ineligible voters prevented from voting?		
12. Are all election materials present? If not, specify:		
13. Are delegates of candidates and lists able to freely observe the polling?		
14. Are voters directed to the right polling table?		
15. Is the secrecy of the voter assured?		
16. Is indelible ink used?		
17. Are all eligible voters in the registration books?		
18. Are the ballot boxes sealed?		
19. Is the voting process free from disruption?		
20. Is assistance provided for eligible voters in need?		
21. Are unauthorized persons denied access to the polling table?		
22. Is the physical structure of the polling station adequate?		
23. Do any voters opt to vote for one election only? If so approx. number:		
24. Can ballot boxes easily be distinguished?		
25. Are the names of the voters ticked in the registration books?		
26. Do all voters have voter cards? If not what other ID's are presented?		
27. Do voters who make a mistake receive a second ballot paper?		
28. Do all voting cabins have an inkpad for illiterate voters?		
29. Is the electoral staff impartial and competent?		
30. How long does it take to vote (average of five voters)?		
31. Do voting procedures run smoothly? If not what causes delays?:		
32. Is there a fair male/female balance between voters (e.g. count voters in queue?)		

Overall impression of the polling station

Discuss the general operation of the polling station with other observers (O) or candidate agents (CA) and check the box that best summarizes their assessment and then note your own (TCC).

	<u>O</u>	<u>CA</u>	<u>TCC</u>
33. Station functioned well, no problems			
34. Some minor problems that will not affect results			
35. Serious problems potential for significant impact on results			
36. Grave violations, results of poll should be invalidated			

Comments and issues brought to your attention (use this space to record additional observations about the polling process, general environment, etc.):



The Carter Center

**CLOSING and COUNTING Observation Form
Mozambique 2003**

Observer: _____

Municipality: _____

Polling Location Name: _____

Polling station number(s): _____ / _____ / _____

Arrival time: _____

Number waiting in line to vote: _____

Number of voters on register: _____

Closing process

YES NO

1. Did the poll close on time at 6:00 pm?		
2. Was there a queue at closing time?		
3. If so, did an election official mark last voter in queue at closing time?		
4. Were voters in queue at closing time allowed to vote?		
5. Were voters NOT in queue at closing time prohibited from voting?		
6. Is the number of spoiled ballots registered, counted and packed separately?		
7. Are the remaining unused ballots marked with "S" and packed in sealed enveloppes?		
8. Are delegates of candidates and lists present? Specify:		
9. Are observers present? Specify which organizations:		

Counting Process

	YES	NO
10. Are all election officials present? Specify absences, if any:		
11. Is there adequate lighting in counting station?		
12. Are the registration books duly closed so that no more names can be ticked?		
13. Are the votes for the municipal elections counted first?		
14. Are there any protested votes?		
15. Does the number of cast ballots balance with the number of voters ticked in the registration books?		
16. Is there correct determination of valid/invalid ballot papers?		
17. Are delegates of candidates and lists able to inspect ballot papers and/or raise objections?		
18. Are the tally sheet and voting table report completed signed and stamped?		
19. Do delegates of candidates and lists receive a copy?		
20. Was the counting process free of disruption? If not, specify:		
21. Were unauthorized persons denied access to the counting station?		
22. Were all election materials accounted for and sealed in packets?		
23. Is a copy of the tally sheet posted outside the polling table?		
24. Do delegates of candidates and lists get the opportunity to accompany the transport of the original tally sheet, voting table report and registration book(s)?		

Other comments:

The Carter Center

**Municipal Tabulation Process Form
Mozambique November 20-22**

Observer Team:

Location:

Date:

1. Able to observe freely the tabulation process?
2. Are election materials arriving securely – e.g. contested ballots in sealed envelope?
3. Who is present – security, delegates, observers, and media?
4. Is the space adequate – e.g. lighting, seating, sound system and visibility?
5. Are results being tabulated incrementally or once all received?
6. By what means are results tabulated (manually, calculator, etc)?
7. How are results being presented/displayed?
8. Did any disruptions occur?
9. Other comments:

NEWS

THE
CARTER CENTER



ONE COPENHILL, ATLANTA, GA 30307

FOR IMMEDIATE RELEASE

Friday, Nov. 21, 2003

CONTACT: Marc de Tollenaire
In Mozambique, 258-082-31-18-81

Kay Torrance
In Atlanta, 404-420-5129

STATEMENT BY THE CARTER CENTER ON THE NOVEMBER 2003 MUNICIPAL ELECTIONS IN MOZAMBIQUE

MAPUTO, MOZAMBIQUE... Mozambique's second municipal elections were generally well conducted and peaceful, with no major problems likely to affect the results. The electoral authorities and local polling staff are to be congratulated for the administration of all aspects of the polling process on election day. Party delegates from two or more candidates or party lists were present in most polling stations. The participation of candidates from nine smaller parties and six civic groups, in addition to those of the ruling Frelimo party and main opposition Renamo-Electoral Union coalition, speaks to the desire for spirited multiparty competition in Mozambique's 33 municipalities.

While no significant problems were observed, initial reports of lower than 30 percent voter turnout are of concern. Preliminary indications suggest that turnout was consistently higher at polling stations that used the revised 2003 register compared to those that used the 1999 register. If this pattern is confirmed, it is hoped that electoral authorities and the government of Mozambique will renew their efforts to implement continuous voter registration as provided in the existing electoral legislation.

In addition, although most Carter Center observers were well received throughout Mozambique, CNE officials in one province disallowed an observer from fulfilling his observation duties because the CNE letter of credential indicated a different geographic designation than that of deployment. Observers in two municipalities were not allowed to observe the intermediate vote tabulation process. The fact that CNE issued final regulations for the intermediate tabulation process less than two days before the elections may have contributed to this lack of access. However, both instances appear to violate the CNE's own regulations that correctly grant mobility and access to international election observers. The Center notes that the mobility and access of international election

observers is an important aspect of ensuring transparency in Mozambique's electoral process.

Overall, The Carter Center was pleased with the positive steps taken by all Mozambicans to ensure that the 2003 municipal elections were a success. It is hoped that this experience will continue as the country begins to prepare for the general elections to be held in 2004.

The Carter Center, invited by the National Election Commission, deployed 15 observers from 12 countries throughout Mozambique. The observers visited more than 150 polling stations in 11 municipalities and seven provinces. The Center was pleased to join the efforts of other international and most importantly, domestic election observers.

The polling process generally started well, with nearly all polling stations opening on time with the required election staff and security personnel present. Essential election materials were in place and there was an absence of campaign activity in the immediate vicinity of polling locations.

The polling process was well administered in most places. Minor problems were observed in several locations, notably involving the placement of the polling booths in such a way that the secrecy of the vote was potentially violated. However, in general these were not judged to have an effect on the results.

The poll closing and counting process was also well administered with no major problems reported. The counting process was completed in most polling locations by midnight on election night.

The electoral process is not complete. The intermediate tabulation of results at the municipal level is ongoing and will be followed by a National Election Commission tabulation process and publication of official results by the Constitutional Council. The Center will continue to monitor the results process in the coming days and will evaluate the post-election period through a continued presence in Mozambique. A full report on the entire electoral process will be forthcoming.

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NEWS

THE
CARTER CENTER



ONE COPENHILL, ATLANTA, GA 30307

FOR IMMEDIATE RELEASE

Tuesday, Jan. 20, 2004

CONTACT: Marc de Tollaere
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Kay Torrance
In Atlanta, 404-420-5129

SECOND STATEMENT BY THE CARTER CENTER ON THE 2003 MUNICIPAL ELECTIONS IN MOZAMBIQUE

MAPUTO, MOZAMBIQUE... The Carter Center welcomes the Jan. 15, 2004, Constitutional Council of Mozambique announcement of final results for the Nov. 2003 municipal elections.

The Carter Center observed the November 19 municipal elections and found that Mozambique's second municipal elections were well conducted and peaceful, with no major problems likely to affect the results. Following election day and the counting process, the Center continued to monitor the post-election environment including the tabulation process, the petition process, and the release of final results. As noted in our Nov. 24 statement, Center observers had uneven access to the intermediate tabulation process. The Center attempted to observe the national tabulation process but was informed by the National Electoral Commission (CNE) that access was limited to a computer in a Technical Secretariat for Electoral Administration (STAE) office that was physically separated from the room where the tabulation takes place. The reclassification of invalid votes could not be monitored as this process was considered a session of the CNE and thus not open to the public. Yet, article 2 of the election observation regulations indicates that observers can "accompany the work of the CNE" and "verify the electoral operations."

Although the majority of intermediate results indicated large margins of victory in most municipalities, the general tabulation process remains a crucial phase of any election, and as such, should be conducted in a transparent and timely manner. The level of access granted to the Center was unsatisfactory to allow a proper verification of the final tabulation. The Center's confidence in the correctness of the results is partially based on its involvement in a parallel vote tabulation carried out by the Electoral Observatory, a partnership of Mozambican nongovernmental organizations.

The general results were issued verbally by the CNE on Dec. 4, the last day of the legal deadline. The announcement took place in the absence of the Renamo members who left the CNE offices in protest on the evening of Dec. 3 because the CNE rejected a

reconciliation between all individual polling station tally sheets and entries in the central result database.

Written copies of the deliberations of the CNE and the results were only made available on Dec. 11. The reason for the delay was mistakes in the initial announcement of seat distribution to winning parties. No information was given by the CNE on the causes of the errors or the correction process. These results, sent to the Constitutional Council, candidates, lists, the media, and observers, still contained surprising mistakes (in particular on the number of voters), errors in the lists of elected members of municipal assemblies, and changes in the number of seats in several municipalities. The Constitutional Council had to request clarifications from the CNE that were forwarded to the Constitutional Council on Dec. 18.

The result sheets released by the CNE also show a considerable discrepancy (8 percent overall for the 33 municipalities) between the number of registered voters published by the CNE on Aug. 20 and the number of voters on the final tally sheets. This confirms the need expressed in the Center's Nov. 24 declaration to correct and consolidate the voter register.

The Renamo Electoral Union (Renamo UE) coalition and two smaller lists submitted protests to the CNE on irregularities noted during the electoral process. The CNE published a deliberation addressing each single complaint and the reasons why they were all rejected. In most cases the CNE stated that the irregularity had no influence on the final results or lacked material proof. The CNE is to be commended for addressing all these protests before its publication of the results.

The Renamo UE coalition was not satisfied with the CNE's arguments and submitted appeals to the Constitutional Council concentrating on the non-compliance with article 100 of the electoral law. Frelimo also submitted appeals on the legality of certain Renamo UE candidates. The Constitutional Council rejected all appeals and validated the results on Jan. 15, 2004.

The Center considers the Constitutional Council's ruling as a positive contribution to the electoral process as it contains valuable suggestions (e.g. a more realistic electoral calendar and a single updated register) to both electoral authorities and legislators on necessary improvements to the conduct of elections in Mozambique.

A full report on the entire electoral process will be published in February 2004.

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The Carter Center At A Glance

Overview: The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

Accomplishments: The Center has observed 45 elections in 23 countries; helped farmers double or triple grain production in 15 African countries; mediated or worked to prevent civil and international conflicts worldwide; intervened to prevent unnecessary diseases in Latin America and Africa; and strived to diminish the stigma against mental illnesses.

Budget: \$36 million 2002-2003 operating budget.

Donations: The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations, corporations, and international development assistance agencies. Contributions by U.S. citizens and companies are tax deductible as allowed by law.

Facilities: The nondenominational Cecil B. Day Chapel and other facilities are available for weddings, corporate retreats and meetings, and other special events. For information, (404) 420-5112.

Location: In a 35-acre park, about 1.5 miles east of downtown Atlanta. The Jimmy Carter Library and Museum, which adjoins the Center, is owned and operated by the National Archives and Records Administration and is open to the public. (404) 331-3942.

Staff: 150 employees, based primarily in Atlanta.

Mission Statement

The Carter Center, in partnership with Emory University, is guided by a fundamental commitment to human rights and the alleviation of human suffering; it seeks to prevent and resolve conflicts, enhance freedom and democracy, and improve health.

While the program agenda may change, The Carter Center is guided by five principles:

1. The Center emphasizes action and results. Based on careful research and analysis, it is prepared to take timely action on important and pressing issues.
2. The Center does not duplicate the effective efforts of others.
3. The Center addresses difficult problems and recognizes the possibility of failure as an acceptable risk.
4. The Center is nonpartisan and acts as a neutral in dispute resolution activities.
5. The Center believes that people can improve their lives when provided with the necessary skills, knowledge, and access to resources.

The Carter Center collaborates with other organizations, public or private, in carrying out its mission.



Photo by Martin Frank