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Deloitte & Touche

USAID - United States Agency for International Development

Audit Report for the Funds Provided to Political Parties for the Purpose of 1999 Campaign Financing

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10 May 2000
Ref: 212/DT/00

United States Agency for International Development
Av do Zimbabwe 103
Maputo

Report of the Independent Auditors

Dear Sirs

We have audited the disbursements made by the CNE/STAE to the political parties in Mozambique for purpose of funding the general election campaign of 1999.

We conducted the audit in accordance with the U.S. Government Auditing Standards issued by the Comptroller general of the United States. These standards require that we plan and perform the audit to obtain reasonable assurance whether the amounts disbursed to the political parties are free of any material misstatement.

We have completed our audit of the funds provided to the CNE/STAE for purposes of the election campaign, and our findings together with the description of the entire funding process, how it was planned to function and how it functioned, are set out below.

Objectives

In terms of the Terms of Reference, we should audit all funds provided for campaign financing and should provide the CNE/STAE and the USAID Mission with two copies of our report. The report should:

a. Contain a title page, table of contents and transmittal letter and summary which includes a background section with a general description of the receipts reviewed and a summary of total expenditure reimbursed for each political party, as well as the period covered.
b. Contain a schedule of receipts reviewed by political party, with a breakdown of pay orders issued for reimbursement, as well as amounts disallowed.

Background

The Mozambican legislature, in drafting the 1998 Electoral Law that governed the 1999 general elections, recognised the inappropriateness of any foreign government directly providing funds to political parties for electoral campaigning. Such direct support is prohibited by Article 33 of the Electoral Law. The same article however, allows foreign governments to contribute funds to the Mozambican Government's State Budget to establish a public campaign fund to provide financing for electoral campaigns of contending parties and individuals. Thus, key aspects of Mozambique's electoral legislation are:

(1) to prohibit direct financing by foreign governments to influence the outcome of elections; and
(2) to establish a sustainable facility for public campaign finance.

The national Electoral Commission (CNE) and the electoral administration under its authority, the Secretariado de Técnico da Administração Eleitoral (STAE), are mutually responsible for the management of the public campaign finance program. The CNE has established general guidelines and some procedures for the functioning of the program. The entire campaign finance fund was estimated to contain the equivalent of USD 2.000.000 in Meticais, which was to be equally divided into three parts. The first would be equally allocated amongst political groups fielding presidential candidates. The second portion would be allocated in proportion to the seats held among the two political parties and one party coalition with current representation in the Assembleia de Republica. The final portion would be equally divided among the extra-parliamentary political parties contesting the legislative elections.

The system of financial flows would work in a general sense as described below. As illustrated in the attached diagram, the system contains several accountability points and permits double oversight of several of the key points. The entire procedure would be subjected to a post-election independent audit.

USAID funds would be disbursed into a separate account established by the Bank of Mozambique in the New York Federal Reserve Bank. A Central Bank local currency special account in the name of the program would be opened, and the metical equivalent of the USAID disbursement would be placed in the account. Certification of the full deposit would be required before any drawdowns. After the initial two tranches of Government funds are allocated to the CNE and disbursed by STAE to the political parties, USAID funds would be transferred into the General treasury account and made available along with other State Budget resources for the CNE's campaign finance facility.

Using established allocation procedures, the CNE/SATE would release the first two tranches of campaign finance funds, comprised solely of government resources, to the eligible groups. Upon expenditure of the funds, parties would submit receipts to the accounting firm contracted by USAID on behalf of the CNE/STAE that would review the expenditure documentation to determine eligibility established by the CNE. The accounting firm would issue a pay order to the CNE/STAE authorising third and subsequent tranches of campaign financing to the particular party in the amount

corresponding to the valid receipts, i.e., the amount of any ineligible expenditure would not be reflected in the pay order and thus withheld from the tranche. Upon CNE concurrence with the pay order(s) USAID and/or another donor funds would reimburse the Government for the initial tranche of approved expenditures by authorising draw down of funds from the Treasury account. The pay order process would be repeated for all subsequent tranches.

The CNE recognises that the process of disbursing, accounting for and claiming subsequent campaign funding tranches based on expenditure documentation would benefit from a thorough explanation to the recipients of the financing. In response, the CNE would require that representatives of all political parties, party coalitions and groups of citizens eligible for campaign finance allocations participate in a one-day seminar that would:

(1) comprehensively explain the process and the requirements to be followed by the financing recipients; and
(2) present measures and procedures which should be followed by the recipients in order to strengthen their ability to manage and account for campaign funds, and thus help ensure that each group is able to receive the funds to which it is entitled.

Funding made available

The amount of funding made available is as follows:

	MZM	**%**
Government of Mozambique	6,230,000,000.00	25.30%
USAID	6,435,000,000.00	26.14%
Sweden	6,292,000,000.00	25.56%
The Netherlands	4,347,826,087.00	17.66%
Switzerland	1,315,000,000.00	5.34%
Total	24,619,826,087.00	100.00%

Split as follows:		
- Presidential Campaign	8,206,608,695.00	33.33%
- Parties represented in the A.R.	8,206,608,695.00	33.33%
- Extra-Parliamentary Parties	8,206,608,695.00	33.33%
Total	24,619,826,087.00	100.00%

The financing process during the election campaign

As was stipulated in the Terms of Reference, Deloitte & Touche held a seminar on 15 October 1999, with the objective of explaining to representatives of the political parties:

(1) the process and the requirements to be followed by the recipients of the financing; and

(2) present measures and procedures which should be followed by the recipients in order to strengthen their ability to manage and account for campaign funds, and thus help ensure that each group is able to receive the funds to which it is entitled.

Representatives of all political parties attended this seminar. Each representative received a copy of a Procedures Manual for the Financing of the Election Campaign.

The election campaign officially commenced on 19 October 1999. On that date, the CNE, by means of Deliberation No 33/99 approved the criteria for the distribution of funds to the various political parties.

Between 26 October 1999 and 5 November 1999, the STAE disbursed to the participants, the funds made available to it by the Government. This amounted to 6.230.000.000 MT and represented 25.3% of the total campaign funding of 24.619.826.087 MT. As from 9 November 1999, the participants started presenting expenditure justifications to Deloitte & Touche who in turn presented the first communication of allowable expenditure to the STAE on 18 November 1999.

Between 19 and 24 November 1999, the STAE made additional disbursements amounting to 12.727.000.000MT, which together with the Government's funds represented approximately 77% of the total funding. This amount represented the contributions made by USAID and by Sweden. However for purposes of these disbursements (i.e. the contributions of USAID and Sweden), the rules laid down in the Procedures Manual for the Financing of the Election Campaign were not strictly adhered to. It had been intended that disbursements would be as follows:

- 50% of the amount allocated to each party would be advanced with the remaining 50% being paid with the presentation of justification for expenditure of the first advance. The idea was that no participant could at any time have more than 50% of the amount allocated to it still to be justified.
- Disbursements would all be through bank transfers.

The reason for non-compliance with these rules has been attributed to the short period of time between the first advance payment and the end of the election campaign, this being 30 November 1999. The delay on the part of the CNE in approving the criteria for the distribution of funds between the participants, and delays by the donors in making the funds available to the STAE contributed to the fact that only on 24 November 1999 was the final amount attributed to each party known. Furthermore, until this date, the CNE/STAE had not established a mechanism whereby it could control the funds disbursed to and justified by each participant. Only on 25 November was a schedule devised whereby the amounts disbursed until that date could be determined and controlled.

Errors relating to the amounts distributed to two political parties were detected during the preparation of this schedule (entitled Ponto de Situação sobre os Valores Distribuídos até 25 de Novembro de 1999"). The two political parties are PT and UMO, and the errors are as follows:

a. The amount allocated to PT amounted to 464,417,957.00 MT, but disbursements in the amount of 700,865,115.00 MT had been made to the party. The party

reimbursed the difference, in the amount of 236,447,158.00 MT on 8 December 1999.

b. An amount of 40,885,999.50 MT had been paid in excess of the justified had been paid to UMO as at 25 November. The arty reimbursed this amount on 30 November 1999.

FRELIMO and RENAMO-UE are the only parties that presented no problems insofar as the adequacy of their justifications are concerned. They were also the first parties to justify 100% of the funding allocated to them. Only UD also justified 100% of the funding allocated to it. However, UD together with all the other parties at some stage or other presented justifications that in one way or another was not acceptable. The main problems we encountered with the justifications are as follows:

- Presentation of justifications that had no indication of the name and address of supplier of the goods or services;
- Inadequate description of the good or service being purchased.

The PANOC party also justified 100% of the funding made available to them. However, due to delays in presenting their first justifications, and inadequate justifications, it did not receive the full amount of funds allocated to them.

The CNE had established 4 March 2000 as the cut-off date for the justification of expenditure relating to the election campaign. Nevertheless some participants presented expenditure justifications during the period 5 to 10 March 2000. The final communication of Deloitte & Touche to the STAE concerning the justification of expenditure was done on 29 March 2000.

Below we present a table listing the funds made available to each political party and the percentage that was justified by each party.

Political Party or Coalition	Amount Allocated	Amount Justified
PALMO	910,227,227.50	96.63 %
FRELIMO	9,198,902,010.10	100.00 %
RENAMO-UE	8,739,331,923.15	100.00 %
PASOMO	105,586,358.39	90.89 %
PT	910,227,227.50	56.42 %
UD	1,205,665,140.54	100.00 %
PADELIMO	422,345,433.56	82.96 %
PPLM	338,604,528.63	64.08 %
UMO	910,227,227.50	80.86 %
PANAOC	469,677,249.39	100.00 %
SOL	910,227,227.50	70.50 %
PIMO	498,804,520.67	81.37 %
TOTAL	**24,619,826,074.43**	**95.25 %**

In annex A, we have included a schedule detailing the disbursements made to each party and total amounts justified by each. Note that in the case of PANAOC, the amount actually disbursed amounted to 361,213,586 MT as the STAE followed a

different approach to the justifications presented by this party. The party submitted the first justifications very late, and in a form that was unacceptable. The STAE took a position that future disbursements to this party would be made only on a reimbursement basis.

It should be noted that the amount of time the political parties were given to justify their expenditure permitted expenditure disallowed one week, for reasons relating to the quality of the justification, to be allowed the following week, with different, yet acceptable justification.

Bank Account Reconciliation

We reviewed the reconciliation of the bank account opened by the STAE at the Bank of Mozambique for purposes of funding the election campaign. We traced all payments made to the political parties and funds received from the Government and the Donors. We have nothing significant to report.

Schedule of Receipts by Political Party

We have included as annex B, a listing of total receipts reviewed by political party, classified into four main categories of expenditure, namely publicity, transport, accommodation and feeding and other. This listing also includes expenditure, which we considered allowed/acceptable and that which was not. As mentioned earlier, the main reasons for not accepting expenditure was the presentation of justifications that did not indicate the name and address of supplier of the goods or services, or where there an inadequate description of the good or service being purchased.

Listing of Pay Orders

In annex C, we have listed the disbursements made by the STAE to each political party from its bank account with the Bank of Mozambique. As mentioned above, these disbursements were not made in the manner originally intended, i.e. through bank transfers, and following the presentation of justification for the initial advance of 50% of the amount allocated to each party. Only payments made after 25 November 1999 were based on expenditure justified by the political parties. Also, as is shown in the schedule, the majority of payments were made by cheque and not by bank transfer.

Overall opinion of the funding of the election campaign

In our opinion, the system that was created for funding the general election campaign in Mozambique is adequate. However, this system could only have operated in the form it was designed had the total amounts available for funding been known, and the first advance payments made before the election campaign was initiated.

Recommendation

It was the intention of the CNE/STAE that any funding that the political parties could not justify would have to be refunded. Accordingly, it is our recommendation that the CNE proceed to recover these funds from the respective political parties.

We noted that there were a significant number of payments made in the form of cash, which at times involved amounts in excess of 200,000,000 MT. This offers little transparency insofar as the application of funds is concerned. Should the International Community decide to fund future election campaigns in Mozambique, or indeed in other countries, we recommend that payments beyond a predetermined threshold (say the equivalent of USD 5,000) be made only through bank transfers in order to guarantee greater transparency in the application of funds.

The contents of this report have been presented to the CNE/STAE for their comments, which are included as annex D of this report.

This report is intended for the information of the CNE/STAE and the U.S. Agency for International Development. However, upon acceptance by the A.I.D. Office of the Inspector General, this report is a matter of public record and its distribution cannot be limited.

Deloitte & Touche
Maputo, 10 May 2000

ANNEXES

A – Disbursements and Justifications
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Disbursements and Justifications

Politial Party or Coalition	Amount Allocated *1*	Amount Disbursed *2*	Balance *3=1-2*	Justification Accepted *4*	Amounts not Justified *5=2-4*	Justification % *6=4/2x100*
PALMO	910,227,227.50	910,227,226.00	1.50	879,592,310.00	30,634,916.00	96.63 %
FRELIMO	9,198,902,010 10	9,198,902,010.00	0.10	9,198,902,010.10	-0.10	100.00 %
RENAMO-UE	8,739,331,923 15	8,739,331,922 00	1.15	8,739,331,923.15	-1.15	100 00 %
PASOMO	105,586,358.39	105,286,356.00	300,002.39	95,694,094.00	9,592,262.00	90 89 %
PT	910,227,227 50	910,227,217.00	10 50	513,586,500.00	396,640,717.00	56 42 %
UD	1,205,665,140.54	1,205,655,139 00	10,001.54	1,205,655,140 54	-1.54	100 00 %
PADELIMO	422,345,433.56	422,345,431 00	2.56	350,387,367 00	71,958,064.00	82 96 %
PPLM	338,604,528.63	338,604,527 00	1.63	216,962,500 00	121,642,027.00	64.08 %
UMO	910,227,227.50	905,501,275 00	4,725,952.50	732,212,672 00	173,288,603.00	80 86 %
PANAOC	469,677,249 39	361,213,586.00	108,463,663.39	361,213,588 50	-2.50	100 00 %
SOL	910,227,227.50	910,227,225 00	2.50	641,719,004.00	268,508,221.00	70 50 %
PIMO	498,804,520 67	498,804,519.00	1.67	405,877,143 00	92,927,376.00	81 37 %
Total	**24,619,826,074.43**	**24,506,326,433.00**	**113,499,641.43**	**23,341,134,252.29**	**1,165,192,180.71**	**95.25 %**

Schedule of Allowed and Disallowed Expenditure
per Political Party or Coalition

Political party of Coalition	Publicity	Transport	Accommodation and Feeding	Other	TOTAL
PALMO					
Allowed expenditure	743,661,640 00	68,204,738.00	51,441,000 00	16,284,932 00	879 592,310 00
Disallowed expenditure	0 00	445,000 00	53,000 00	78,026,500 00	78,524,500 00
Total reviewed by D & T	743,661,640.00	68,649,738.00	51,494,000.00	94,311,432.00	958,116,810.00
FRELIMO					
Allowed expenditure	1,973,953,091.44	7,151,824,388 56	0 00	73,124,530 00	9,198 902,010 00
Disallowed expenditure	0 00	0 00	0 00	0.00	0 00
Total reviewed by D & T	1,973,953,091.44	7,151,824,388.56	0.00	73,124,530.00	9,198,902,010.00
RENAMO -UE					
Allowed expenditure	7,046,199,883.15	764,132,040.00	929,000 000.00	0 00	8,739,331 923 15
Disallowed expenditure	0 00	0.00	0.00	0 00	0 00
Total reviewed by D & T	7,046,199,883.15	764,132,040.00	929,000,000.00	0.00	8,739,331,923 15
PASOMO					
Allowed expenditure	85 169,834 00	0 00	10,524,260 00	0 00	95,694 094 00
Disallowed expenditure	0 00	0 00	795 000 00	0 00	795 000 00
Total reviewed by D & T	85,169,834 00	0.00	11,319,260.00	0.00	96,489,094.00
PT					
Allowed expenditure	470,500,000 00	5,128,000.00	20,545,000 00	17,413,500 00	513 586 500 00
Disallowed expenditure	0 00	0.00	140,000,000 00	258 500 000 00	398 500 000 00
Total reviewed by D & T	470,500,000.00	5,128,000.00	160,545,000.00	275,913,500.00	912,086,500.00
UD					
Allowed expenditure	792,285,320 00	268,030,430 54	132,025 000 00	13,314,390 00	1,205 655,140 54
Disallowed expenditure	0 00	0 00	5 135,000 00	150 000 00	5 285 000 00
Total reviewed by D & T	792,285,320 00	268,030,430.54	137,160,000 00	13,464,390 00	1,210,940,140 54
PADELIMO					
Allowed expenditure	311,199,457 00	28,003,686 00	8,450,200 00	2,734,024 00	350,387 367 00
Disallowed expenditure	2,600,000 00	14,350,000 00	6,768 000 00	56,367,000 00	80,085,000 00
Total reviewed by D & T	313,799,457 00	42,353,686.00	15,218,200 00	59,101,024 00	430,472,367 00
PPLM					
Allowed expenditure	209,962,500 00	0 00	7 000 000 00	0 00	216,962,500 00
Disallowed expenditure	0 00	0 00	120,000,000 00	0 00	120 000 000 00
Total reviewed by D & T	209,962,500.00	0.00	127,000,000 00	0.00	336,962,500 00
UMO					
Allowed expenditure	304,406,250 00	236,477,000.00	71,699 500 00	119,629,922.00	732,212,672.00
Disallowed expenditure	0 00	153,575,000 00	800 000 00	35,438,787 00	189 813 787 00
Total reviewed by D & T	304,406,250.00	390,052,000 00	72,499,500.00	155,068,709.00	922,026,459 00
PANAOC					
Allowed expenditure	6,146,888 50	102,124,000 00	248,455,000 00	4,487,700.00	361 213,588 50
Disallowed expenditure	0 00	90,100,000 00	143,465,000 00	0 00	233 565,000 00
Total reviewed by D & T	6,146,888.50	192,224,000.00	391,920,000.00	4,487,700.00	594,778,588.50
SOL					
Allowed expenditure	626,691,900.00	8,358,576 00	2,953,000 00	3,715,528 00	641,719 004 00
Disallowed expenditure	520,772,000 00	1,238,000.00	450,000 00	25,043,226 00	547,503,226 00
Total reviewed by D & T	1,147,463,900.00	9,596,576.00	3,403,000.00	28,758,754 00	1,189,222,230 00
PIMO					
Allowed expenditure	219,938,339 00	139,756,049.00	36,188,051 00	9,994,704 00	405,877 143.00
Disallowed expenditure	105,000 00	113,015,850 00	1,624,000 00	8,548 692 00	123,293,542 00
Total reviewed by D & T	220,043,339 00	252,771,899.00	37,812,051.00	18,543,396.00	529,170,685.00
Grand Total	13,313,592,103.09	9,144,762,758.10	1,937,371,011.00	722,773,435.00	25,118,499,307.19

Schedule of Allowed and Disallowed Expenditure

Political party of Coalition	Publicity	Transport	Accommodation and Feeding	Other	TOTAL
Total Allowed Expenditure	12,790,115,103 09	8,772,038,908 10	1,518,281,011 00	260,699,230.00	23,341,134,252 19
Total Disalloed Expenditure	523,477,000 00	372,723,850.00	419,090,000 00	462,074,205 00	1,777,365,055 00
TOTAL	13,313,592,103 09	9,144,762,758 10	1,937,371,011 00	722,773,435 00	25,118,499,307 19
Percentage Allowed	54.8%	37 6%	6.5%	1 1%	100.0%
Percentage Disallowed	29 5%	21 0%	23 6%	26 0%	100.0%
Percentage per Category	53 0%	36 4%	7.7%	2 9%	100 0%

Disbursements by Political Party or Coalition
From STAE Acc at BM 0000.2223.519.000.3

Reference	Date	Party or Coalition	Amount
186/DAF/STAE/99	99/11/01	PALMO	137,250,462 00
199/DAF/STAE/99	99/11/03	PALMO	98,306,100 00
Ch. 200198718	99/11/19	PALMO	237,910,381 00
Ch. 200198685	99/11/24	PALMO	189,049,172.00
Ch. 200198688	99/11/26	PALMO	238,821,638 00
Ch. 200198710	00/02/07	PALMO	8,889,473.00
			910,227,226.00
178/DAF/STAE/99	99/10/26	FRELIMO	304,800,000.00
186/DAF/STAE/99	99/11/01	FRELIMO	1,056,350,462 00
199/DAF/STAE/99	99/11/03	FRELIMO	973,639,433.00
Ch. 200198717	99/11/19	FRELIMO	2,404,360,381.00
Ch. 200198667	99/11/24	FRELIMO	2,345,704,837.00
Ch. 200198703	99/12/06	FRELIMO	2,114,046,897.00
			9,198,902,010.00
178/DAF/STAE/99	99/10/26	RENAMO - UE	284,400,000.00
186/DAF/STAE/99	99/11/01	RENAMO - UE	1,005,390,462 00
199/DAF/STAE/99	99/11/03	RENAMO - UE	925,106,099 00
Ch. 200198722	99/11/19	RENAMO - UE	2,284,240,381.00
Ch. 200198668	99/11/24	RENAMO - UE	2,228,254,171.00
Ch. 200198699	99/11/27	RENAMO - UE	2,006,715,501 00
Ch. 200198706	99/12/09	RENAMO - UE	5,225,308 00
			8,739,331,922.00
186/DAF/STAE/99	99/11/01	PASOMO	15,621,053 00
199/DAF/STAE/99	99/11/03	PASOMO	11,403,507 00
Ch. 200198721	99/11/19	PASOMO	27,597,604.00
Ch. 200198669	99/11/24	PASOMO	26,378,188 00
Ch. 200198698	99/11/27	PASOMO	20,186,919 00
Ch. 200198695	99/12/06	PASOMO	4,099,085 00
			105,286,356.00
186/DAF/STAE/99	99/11/01	PT	137,250,462 00
199/DAF/STAE/99	99/11/03	PT	98,306,100 00
Ch. 200198720	99/11/19	PT	237,910,381.00
Ch. 200198670	99/11/24	PT	227,398,172.00
Ch. 200198689	99/11/26	PT	445,809,270 00
	99/12/08	PT - reimbursement of overpaid amount	- 236,447,168.00
			910,227,217.00
178/DAF/STAE/99	99/10/26	UD	10,800,000.00
186/DAF/STAE/99	99/11/01	UD	170,010,462.00
199/DAF/STAE/99	99/11/03	UD	129,506,100.00
Ch. 200198719	99/11/19	UD	315,130,381.00
Ch. 200198687	99/11/24	UD	301,002,352.00
Ch. 200198680	99/11/26	UD	279,205,844.00
			1,205,655,139.00

Disbursements by Political Party or Coalition
From STAE Acc at BM 0000.2223.519.000.3

Reference	Date	Party or Coalition	Amount
186/DAF/STAE/99	99/11/01	PADELIMO	63,684,214.00
201/DAF/STAE/99	99/11/03	PADELIMO	45,614,030.00
Ch. 200198665	99/11/22	PADELIMO	110,390,417 00
Ch. 200198684	99/11/24	PADELIMO	48,681,751.00
Ch. 200198690	99/11/26	PADELIMO	33,801,999 00
Ch. 200198701	99/11/27	PADELIMO	91,000,000 00
Ch. 200198705	99/12/08	PADELIMO	29,173,020 00
			422,345,431.00
186/DAF/STAE/99	99/11/01	PPLM	51,057,172.00
199/DAF/STAE/99	99/11/03	PPLM	36,569,869 00
Ch. 200198715	99/11/19	PPLM	88,502,661.00
Ch. 200198686	99/11/24	PPLM	14,592,120.00
Ch 200198697	97/11/27	PPLM	135,580,441.00
Ch. 200198700	99/12/06	PPLM	12,302,264 00
			338,604,527.00
187/DAF/STAE/99	99/11/02	UMO	109,800,370.00
201/DAF/STAE/99	99/11/05	UMO	78,644,880 00
Ch. 200198713	99/11/19	UMO	237,910,381 00
Ch. 200198664	99/11/22	UMO	41,886,000 00
Ch. 200198682	99/11/24	UMO	216,757,484 00
Ch. 200198696	99/11/27	UMO	261,388,160 00
	99/11/30	UMO - reimbursement of overpaid amount	(40,886,000.00)
			905,501,275.00
186/DAF/STAE/99	99/11/01	PANAOC	70,821,238.00
199/DAF/STAE/99	99/11/03	PANAOC	50,725,947 00
Ch 200198704	99/12/06	PANAOC	31,078,588 00
Ch. 200198707	00/01/12	PANAOC	94,000,000 00
Ch. 200198711	00/03/02	PANAOC	114,587,813 00
			361,213,586.00
186/DAF/STAE/99	99/11/01	SOL	137,250,462.00
201/DAF/STAE/99	99/11/03	SOL	98,306,100.00
Ch. 200198663	99/11/19	SOL	237,910,381.00
Ch. 200198681	99/11/24	SOL	17,461,172.00
Ch. 200198691	99/11/26	SOL	226,188,695 00
Ch. 200198694	99/11/27	SOL	193,110,415 00
			910,227,225.00
186/DAF/STAE/99	99/11/01	PIMO	75,213,253.00
201/DAF/STAE/99	99/11/03	PIMO	53,871,742.00
Ch. 200198724	99/11/19	PIMO	130,374,889 00
Ch. 200198683	99/11/24	PIMO	90,304,198.00
Ch. 200198692	99/11/26	PIMO	23,828,876.00
Ch. 200198693	99/11/27	PIMO	63,218,860.00
Ch. 200198702	99/12/06	PIMO	60,322,910.00
Ch. 200198708	00/02/07	PIMO	1,669,791.00
			498,804,519.00
TOTAL			**24,506,326,433.00**

ANNEX D

Comments of the CNE/STAE

REPÚBLICA DE MOÇAMBIQUE

COMISSÃO NACIONAL DE ELEIÇÕES

COMENTÁRIO DO RELATÓRIO DE AUDITORIA
AOS
FUNDOS DA CAMPANHA ELEITORAL DE 1999

Pág. 02, 2º paragráfo

A Comissão Nacional de Eleições informou a empresa de auditoria Deloitte & Touche, que os fundos a serem disponibilizados para o financiamento da campanha eleitoral eram de 1.880.000 nos termos do artigo 33.2 e 34, assim distribuidos:

Governo Moçambicano	480.000 USD
Doadores	1.400.000 USD, dos quais
USAID	500.000
Reino da Suécia	460.000
Confederação Suiça	100.000
Reino dos Paises Baixos	340.000

O montante global de 2000 000 USD referido no relatório é desconhecido da CNE, pois este órgão funcionou e trabalhou unicamente com aqueles montantes que totalizavam os 1 880 000 USD.

Haviam sido programadas três tranches - de 50%, 25% e 25%.

Os primeiros fundos desembolsados foram os 480 000 USD da contribuição do Governo seguindo-se os 500 000USD da USAID. Estes dois montantes (apesar de ligeiramente superiores) foram considerados os 50% iniciais,

MASO

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tendo em conta o valor global de 1880 000 USD para financiamento da campanha.

Pág. 04

A forma de distribuição dos fundos foi apresentada às entidades concorrentes em seminário organizado pela CNE para os Partidos e órgãos de Comunicacão Social a 30 de Setembro e 1 de Outubro de 1999.

Os critérios de distribuição haviam sido discutidos pela CNE em Setembro, apresentados aos doadores em início de Outubro, (vide documentos em anexo) e formalizados na deliberação de 33/99 de 19 de Outubro.

As tranches deliberadas pela CNE dos fundos eram de **50%, 25%, 25% e não duas de 50%** devendo cada concorrente justificar pelo menos 75% de cada tranche para aceder a mais fundos. Este procedimento era também uma forma de permitir que cada entidade concorrente tivesse fundos de forma contínua, evitando-se situações de rotura de disponibilidade dos Partidos e Coligações concorrentes.

É importante sublinhar que os prazos eleitorais de aprovação definitiva de candidaturas e a campanha **estavam sobreponíveis** e a CNE procurou criar um ambiente e mecanismo de facilitação de desembolso de fundos. Apesar do órgão eleitoral (CNE/STAE) saber que o montante global prometido pelos doadores era de 1.400.000 USD, a distribuição efectiva só era efectuada quando o montante era versado na conta.

Refere o relatório e é certo, numa certa altura, foram efectivamente detectadas situações de erro de transferência ao PT e UMO situações essas detectadas pelos técnicos eleitorais envolvidos no processo e confirmadas pelo técnico da empresa da auditoria que estava envolvido no controlo contabilístico. Este erro foi imediatamente comunicado aos partidos em causa e solicitado o respectivo reembolso ao que eles acederam prontamente.

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O controlo permanente dos fundos desembolsados foi regularmente efectuado pelo técnico da CNE e pela equipa do STAE destacada para o efeito.

A 25 de Novembro, para a informação da CAF ao órgão (plenária da CNE) foi produzido o documento "Ponto de Situação sobre os Valores Disponibilizados até 25 de Novembro de 1999" sustentado pelo controlo regular que vinha sendo feito. Trata-se de um documento interno de trabalho, resumindo a situação de desembolso dos fundos de financiamento de campanha até ao momento e não como se refere o 1° plano de controle de distribuição dos fundos alocados a cada concorrente.

Pág. 5

As despesas da campanha só poderiam ser feitos até 5 dias depois da realização das eleições - inicialmente até 9 e posteriormente 10 de Dezembro com o acréscimo do 3° dia de votação, conforme o cronograma em anexo.

Na sequência de reclamações feitas pelos mandatários financeiros dos partidos/Coligações concorrentes acerca da morosidade nas transferências bancárias a CNE decidiu como forma de flexibilizar o processo e após consulta à Deloitte & Touche, a CNE decidiu desembolsar os fundos via cheque contra os procedimentos iniciais estabelecidos de transferência bancária.

Pág.6

A experiência vivida no desembolso dos fundos faz reconhecer que o processo adoptado é adequado, necessitando, contudo, de tempo para a sua efectivação. O elemento tempo esteve em falta no processo eleitoral de 1999.

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Sobre as recomendações, a CNE vai agir de acordo com o estipulado na Lei.

Um grande constrangimento vivido pela CNE foi a escassez de tempo, como se referiu já foi neste âmbito que a Deloitte & Touche ouvida sobre a possibilidade de utilização de cheque com vista a flexibilizar o mecanismo não levantou qualquer questão quanto as implicações no que respeita a transparência. Assim, a CNE introduziu o cheque para maior celeridade. Note-se, contudo, que os cheques emitidos eram cruzados. Pelo que havia obrigatoriedade de depósito pelos Partidos e Coligações concorrentes.

Por outro lado, a convicção da CNE era de que o envolvimento de Deloitte & Touche no processo de gestão dos fundos de campanha, visava precisamente assessorar para se assegurar a transparência na gestão dos fundos. Julgamos que os mecanismos foram estabelecidos e a Deloitte possui todos os instrumentos que lhe permitam emitir um parecer sem reservas no que respeita à transparência na utilização dos fundos de campanha.

Maputo, Junho de 2000

A Comissão de Administração e Finanças

MAsalomão

Annex 1

REPÚBLICA DE MOÇAMBIQUE

COMISSÃO NACIONAL DE ELEIÇÕES

COMISSÃO DE ADMINISTRAÇÃO E FINANÇAS

Financiamento da Campanha Eleitoral

1. Introdução

Nos termos do artigo 6 da Lei 4/99, é atribuida à Comissão Nacional de Eleições (CNE) a competência de assegurar a igualdade de tratamento dos cidadãos em todos os actos do processo eleitoral.

A Lei nº 03/99 de 02 de Fevereiro que define o quadro em que ocorrem as segundas eleições gerais multipartidárias estabelece, no seu artigo 34, que compete à CNE aprovar os critérios que garantam a distribuição dos fundos do financiamento público referentes às eleições presidenciais e legislativas, ...

Define igualmente a mesma lei que é "proibido o financiamento às campanhas eleitorais dos candidatos e dos partidos por parte do governos estrangeiros, organizações governamentais e instituições ou empresas públicas nacionais" (artigo 33.3.)

O mesmo artigo no seu nº 4 estabelece que "as entidades referidas no número anterior (artigo 33.3) podem contribuir para financiar ou para reforçar a verba do orçamento previsto para a campanha eleitoral, de acordo com o artigo 33.1"

No quadro jurídico legal estabelecido "a campanha é financiada por :

a) Contribuição dos próprios candidatos e dos partidos políticos;

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b) Contribuição voluntária dos eleitores;
c) Produto da actividade das campanhas eleitorais;
d) Contribuição dos partidos amigos nacionais e estrangeiros;
e) Contribuição de organizações não governamentais nacionais e estrangeiros."

2. Critérios e Concorrentes

A CNE deve, ao fixar os critérios de "distribuição do financiamento público referentes às eleições presidenciais e legislativas", ter em conta no caso das legislativas, "a representatividade parlamentar e a proporção das canditaturas apresentadas de acordo com os lugares a serem preenchidos" (artigo 34).

O número total de deputados pelos círculos eleitorais do território nacional é de duzentos e quarenta e oito deputados, distribuidos proporcionalmente ao número de eleitores de cada círculo eleitoral " (artigo 137.1).

Presentemente, existem 26 partidos potenciais candidatos às legislativas e presidenciais, que poderão concorrer individualmente ou em coligação. Destes, alguns estão já no parlamento (Partido Frelimo, Partido Renamo e Coligação UD).
3 partidos

Nas eleições presidenciais, o país é um círculo único. As candidaturas ao cargo de Presidente da República são apresentadas pelos partidos políticos ou coligações de partidos legalmente constituidos...(artigo113.1.), ou por grupos de cidadãos eleitores...(artigo 113.2).
Um segundo grupo de potenciais proponentes de candidatos às presidenciais são os grupos de cidadãos.
Todos os concorrentes às eleições presidenciais e legislativas ainda não registados para fins eleitorais.

3. Critérios de elegibilidade

→ Candidatos a Presidente da República

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- Candidatura apresentada por partido/coligação de partido/grupo de cidadãos eleitores/ou candidatos nos termos do artigo 113. 1.e 2.

- As entidades proponenetes referidas devem estar registadas para fins eleitorais (na CNE)

→ **Candidatos ao Parlamento**

- Candidatura de acordo com os requisitos definidos nos artigos 150 e 151.

- As entidades proponentes devem estar registadas para fins eleitorais (na CNE).

4. Critérios de desembolso

Tendo em conta o período eleitoral se iniciou a 4 de Setembro e que os concorrentes se podem registar para fins eleitorais, a CNE entende que deve imediatamente ser atribuido um montante a cada concorrente.

Este montante deve permitir ao partido/coligação de partido/grupo de cidadaõs eleitores iniciar o processo de produção de materiais para a campanha.

Este valor é considerado mínimo, devendo o montante definitivo ser conhecido após inscrição de todos os concorrentes.

Nessa altura (data), a CNE irá fornecer um segundo montante que corresponde à diferença entre os 50% e o valor mínimo já fornecido.
Os restantes 50% deverão ser fornecidos em duas tranches de 25% cada, mediante a apresentação de justificativos (recibos legíveis).

O montante é concedido mediante solicitação através de formulário próprio a ser fornecido pelos órgãos eleitorais.
Os beneficiários do montante para a campanha estarão sujeitos a auditoria por ocasião da apresentação dos recibos referentes aos primeiros 50% e no final do processo. O auditor será uma empresa independente.

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O montante global para financiamento da campanha é depositado em conta própria gerida pelo STAE.
Cada beneficiário do fundo da campanha – partido, coligação de partidos ou grupo de cidadãos eleitores, deve criar uma conta especial para o efeito.

5. Despesas elegíveis

- Renda de instalações.
- Transporte (deslocações).
- Alojamento e alimentação em deslocações de campanha
- Materiais de propaganda, nomeadamente camisetes, bonés, palas, bandeirinhas e panfletos.
- Propaganda na rádio e televisão.
- Custos bancários relacionados com a gestão das contas.
- Imprevistos (despesas inesperadas e não incluidas nos itens anteriormente mencionados e que não excedam 5% do valor global).

6. Gastos não elegíveis

- Salários
- Aquisição de viaturas
- Aquisição de instalações
- Beneficiações além de mil (1000) dólares
- Despesas de representação além de dois mil e quinhentos (2500) dólares.

7. Contabilização de despesas e receitas

- Nos termos do artigo 35 da mesma lei os candidatos às eleições devem contabilizar descriminadamente todas as receitas e despesas efectuadas com a campanha eleitoral e comunicá-las à Comissão Nacional de Eleições no prazo máximo de sessenta dias após a proclamação oficial dos resultados do escrutínio.
- Todas as verbas atribuídas, referidas no numero anterior que não sejam utilizadas ou tenham sido utilizadas para despesas distintas do estabelecido, devem ser devolvidas à Comissão Nacional de Eleições.

TASO

- As entidades que concorram às presidenciais e legislativas poderão fazer uma gestão comum dos fundos, devendo indicar desde o início tal opção.

8. Responsabilidade e prestação de contas

- Os candidatos, os partidos políticos ou coligações de partidos consoante os casos, são responsáveis pelo envio das contas das candidaturas e da campanha eleitoral (artigo 36).

- A prestação de contas é feita no fim da campanha ou durante a campanha devendo ser feita através da apresentação de justificativos.

- É imperiosa a apresentação do balancete e uma relação das despesas com os respectivos justificativos.

9. Procedimentos administrativos

- Nos termos do artigo 37 da aludida lei, no caso de se verificar qualquer irregularidade nas contas, a Comissão Nacional de Eleições notifica o partido ou candidatura para proceder à rectificação no prazo de quinze dias.

- Se, como reza o nº 1 do artigo 35, as entidades concorrentes às eleições não prestarem contas nos prazos fixados ou se não procederem à rectificação no prazo de quinze dias (artigo 37.2) ou se se concluir que houve inflacção ao disposto no número 7 sobre contabilização de despesas e receitas, a Comissão Nacional de Eleições participa nos termos do nº 3 do artigo 37 ao Ministério Público para procedimentos nos termos da lei.

Maputo, aos 06 de Setembro de 1999

A Comissão de Administração e Finanças

A. Salomão

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REPÚBLICA DE MOÇAMBIQUE

COMISSÃO NACIONAL DE ELEIÇÕES

FUNÇÕES ESPECÍFICAS DA CNE E DO STAE NO ÂMBITO DO FINANCIAMENTO ELEITORAL

Comissão Nacional de Eleições

- Articulação com o Governo e Comunidade Doadora para a disponibilização de fundos públicos para a Campanha Eleitoral.
- Definir critérios de elegibilidade dos fundos públicos da Campanha.
- Informação aos concorrentes dos fundos disponíveis.
- Acompanhamento e supervisão do processo.
- Apreciação da regularidade das contas.
- Articulação permanente com a Comunidade Doadora sobre a execução do processo.
- Acompanhamento da formação dos elementos responsáveis pela execução financeira nas entidades concorrentes às 2 ªs Eleições Gerais Multipartidárias.

Secretariado Técnico de Administração Eleitoral

- Responsável pela execução.
- Abertura de conta específica.
- Libertação de valores de cada tranche aos concorrentes de acordo com as normas definidas.
- Recepção e remessa à empresa de auditoria dos justificativos de cada tranche.
- Ligação permanente com o Governo, através do Ministério de Plano e Finanças, para alimentação da conta.

Maputo,17 de Setembro de 1999

A Comissão de Administração e Finanças

A Salomão

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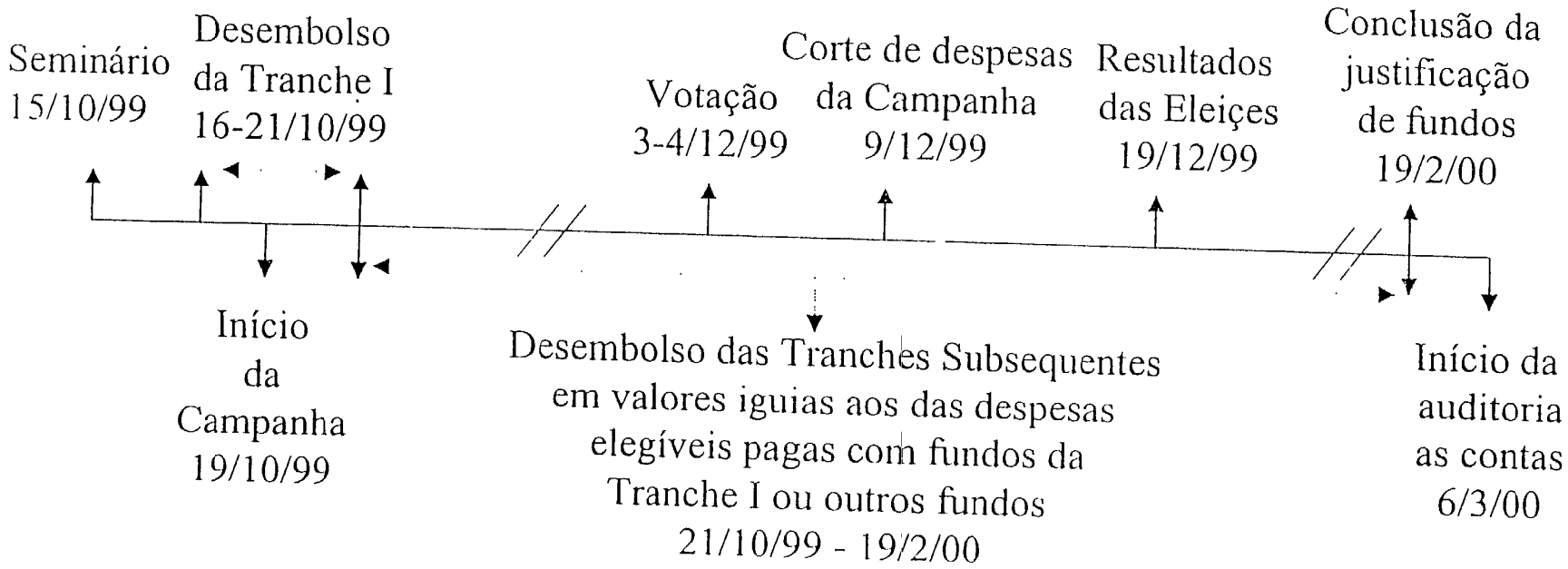
Descrição Geral dos Procedimentos (cont.)



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REPÚBLICA DE MOÇAMBIQUE

COMISSÃO NACIONAL DE ELEIÇÕES

Comissão de Administração e Finanças

DISTRIBUIÇÃO DE FUNDOS POR ENTIDADE CONCORRENTE ÀS ELEIÇÕES LEGISLATIVAS 1999

A Comissão Nacional de Eleições, CNE, aprovou na sua sessão de 14 de Setembro de 1999 e reviu, na sua sessão de 19 de Outubro, os critérios de distribuição de fundos para o financiamento da campanha eleitoral.

A distribuição de fundos faz-se em duas etapas.

Na 1ª , recolhe-se o número de mandatos (N) a que cada formação concorre e somam-se estes dados (valor **X**). Seguidamente, divide-se o montante global disponível do Governo e Doadores, valor **Y**, pelo número de mandatos, obtendo-se desta forma o valor monetário a alocar por mandato, ***C*** (=X/Y).

Na 2ª etapa, multiplica-se o número de mandatos N de cada concorrente pelo valor ***C***, **obtendo-se desta forma o montante global por concorrente às legislativas**.

Maputo, aos 21 de Outubro de 1999

A Comissão de Administração e Finanças

M. Salomão

1999 General Elections National Campaign Finance Fund Allocation Formula

Adopted by the National Electoral Commission (CNE)

September/October 1999

The fund will be divided into three parts, as follows:

One-third will be allocated equally between the presidential candidates;

One-third will be allocated to the two political parties and one political party coalition that currently have seats in the Assembleia da Republica, in proportion to the seats held; and,

One-third will be allocated to all parties and coalitions with legislative candidates, in proportion to the number of legislative seats each party or coalition is contesting. The formula for this allocation is:

$$(X / Y) = C$$
$$C \times N = \text{Amount per party or coalition}$$

Where:
- X = Amount of funding allocated to this one-third of the total fund
- Y = Total number of candidates from all parties and coalitions.
- C = Amount per candidacy
- N = Total number of candidates per party or coalition nationwide (up to 250)