

MOZAMBIQUE **Presidential,** **National and** **Provincial Assembly** **Elections**

15 October 2019



The Commonwealth



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Acronyms and abbreviations

AMUSI	United Movement for Action and Integral Salvation
AU	African Union
AU-EOM	African Union Electoral Observer Mission
CESC	Centre of Learning and Capacity Building of Civil Society
CNE	<i>Comissão Nacional de Eleições</i> (Mozambique National Electoral Commission)
COG	Commonwealth Observer Group
CPE	Provincial Election Commission
CSO	civil society organisation
ECF-SADC	Electoral Commissions Forum-SADC
EISA	Electoral Institute for Sustainable Democracy in Africa
EMB	election management body
EU	European Union
EU-EOM	EU Electoral Observer Mission
FRELIMO	<i>Frente de Libertação de Moçambique</i> (Mozambique Liberation Front)
HE	His/Her Excellency
IAC	International Anticrisis Center
INE	National Statistics Institute
LLB	Bachelor of Laws (degree)
MDM	<i>Movimento Democrático de Moçambique</i> (Mozambique Democratic Movement)
ND	New Democracy
PODEMOS	Optimist Party for the Development of Mozambique
PWDs	persons with disabilities
RENAMO	<i>Resistência Nacional Moçambicana</i> (Mozambique National Resistance)
SADC	Southern African Development Community
SADC-EOM	SADC Electoral Observer Mission
STAE	<i>Secretariado Técnico de Administração Eleitoral</i> (Technical Secretariat for Electoral Administration, operational arm of CNE)

Letter of Transmittal

Commonwealth Observer Group Mozambique Presidential, National & Provincial Assembly Elections 15 October 2019

Dear Secretary-General,

I am pleased to forward to you the final report of the Commonwealth Observer Group you constituted to observe the 2019 Presidential, National and Provincial Assembly elections in Mozambique on 15 October 2019. It was my honour and privilege to chair this eminent group, and to be present for these elections following the peace agreement concluded in August 2019.

We are deeply appreciative of the warm welcome extended to us by all Mozambicans we interacted with across the country. Ahead of the elections, we were briefed by the Mozambique National Electoral Commission (*Comissão Nacional de Eleições*, CNE), political parties, civil society representatives, young people and gender-focused groups, among others.

On Election Day, we deployed across five provinces of the country, where we continued our interactions with local stakeholders. Our report, therefore, has been informed by these extensive consultations, as well as our observations on all aspects of the process.

We commend the positive aspects of these elections: the signing of the peace agreement between the two leading parties, FRELIMO and RENAMO, which created a conducive pre-election environment; deepening the country's decentralisation process through the indirect election of governorships for the first time; and the commendable recovery efforts undertaken in the wake of Cyclones Idai and Kenneth, which hit Mozambique in March and April 2019 respectively. These recovery efforts were such that elections were held in the provinces that had been most affected.

We are mindful that our value as election observers lies in providing constructive observations and recommendations that can contribute to an enhanced democratic culture in Mozambique. In this respect, our report highlights the positive features of the electoral system, as well as areas that require improvement. In particular, the heightened scale of violence and tensions, as well as incidents of serious irregularities and reports of intimidation of voters, gave us cause for concern.

It is our hope that these incidents will be investigated, and perpetrators brought to justice. This will be critical in preventing a culture of impunity from taking root in Mozambique's future democratic processes.

I conclude by expressing the Group's appreciation, once again, for the privilege to have accompanied Mozambicans through this democratic process. Let me also take


this opportunity to express the Group's appreciation to the staff team who provided invaluable support to us.

We wish the people of Mozambique well.

HE Stephen Kalonzo Musyoka
Former Vice-President of the Republic of Kenya
Chair of the Commonwealth Observer Group to Mozambique



HE Mr. Kalonzo Musyoka
Former Vice-President of the Republic of Kenya
Chairman



Mr. Musa Mwenye
Former Attorney General
Republic of Zambia



Dr. Nomsa Masuku
Commissioner
Electoral Commission of South Africa



Dr. Alex Vines
Director, Africa Programme
Chatham House



Ms. Emma Wilson
Lecturer in Conflict Mediation
Cambridge University

EXECUTIVE SUMMARY AND CONCLUSIONS

The Commonwealth Observer Group was constituted by the Commonwealth Secretary-General, The Rt Hon. Patricia Scotland QC, to observe the Presidential election in Mozambique on 15 October 2019, at the invitation of the Government of Mozambique.

The Group's mandate was, inter alia, to observe and evaluate the pre-election environment and polling day, as well as the post-election period according to the national, regional, Commonwealth and international standards to which Mozambique has committed itself.

In briefing sessions in Maputo, the Group engaged with a range of stakeholders including political parties, civil society, the Mozambique National Electoral Commission (CNE) and members of the diplomatic community.

On 13 October, members of the Group were deployed to Maputo City and Maputo, Gaza, Nampula, Sofala and Zambézia provinces, where they consulted with local stakeholders and observed the elections.

The Group's conclusions and recommendations, therefore, were informed by these extensive consultations, as well as its observations on all aspects of the electoral process it observed.

The Group took note of the positive aspects of these elections.

The conclusion of the Maputo Peace and Reconciliation Agreement, signed on 6 August 2019 between the governing party FRELIMO and the main opposition political party, RENAMO, created an improved environment for the holding of these elections.

Additionally, in spite of the destructive and fatal impact of Cyclones Idai and Kenneth, which hit Mozambique in March and April 2019, respectively, recovery efforts were such that elections were still held in the provinces that had been most affected.

The Commonwealth Observer Group would like to commend the staff of the CNE, and its operational arm STAE (the *Secretariado Técnico de Administração Eleitoral*), polling officials and all other institutions who worked tirelessly to ensure these elections took place in the aftermath of these serious natural disasters.

The Group further noted that with continued improvements, certain features of Mozambique's electoral system could further level the playing field in future elections. These included the provision of public campaign funds, consistent implementation of the existing prohibition on the redirecting of public assets for the support of the incumbent, as well as the allocation of regular and equitable broadcasting time on public radio and television stations for eligible political parties.

We were disturbed to learn from our extensive consultations, that there had been an increase in violent incidents earlier, during the pre-election period: in the Arrival

Statement issued on 12 October, we condemned all incidents of violence, including the killing of the local observer, Mr Anastácio Matavele.

On Election Day, we were impressed by the confidence and enthusiasm of polling officials, a significant number of whom were young men and women. We commend the use of young people and women in election administration.

The majority of Mozambicans who came out to vote on Election Day did so peacefully and in an orderly manner, reaffirming their commitment to the values of democracy.

We were therefore deeply concerned when stakeholders brought to our attention allegations of intimidation and serious incidents of electoral malpractice during the polls. In two provinces our observers, and other international and citizen observers, were witnesses to occurrences that gave credence to some of these allegations.

Given the shadow cast over these elections by the incidents of pre-election violence and the irregularities on polling day, we were unable to conclude that all aspects of the process were credible, peaceful and transparent.

These were only the sixth general elections in Mozambique: political parties, the election management body, civil society, media representatives and all stakeholders have a role to play in nurturing this country's relatively young democracy, and in ensuring improved elections in the future. This is necessary for durable peace in Mozambique. It is within this context, and in the Commonwealth family spirit, that we bring the following recommendations to the attention of key stakeholders.

Key Recommendations

The election management body

- Following these elections, we encourage the CNE and STAE to work with the National Assembly and other relevant stakeholders to review the electoral laws, with a view to streamlining and consolidating them into an accessible body of law ahead of the next electoral cycle. For example, clarity in law over the subordinate hierarchy between the central and lower levels of election management would be an improvement.
- There is need for improved voter education ahead of the next election. A bottleneck in the processing of voters for this election was the provision of detailed voting instructions to each and every individual voter before he/she cast their ballot, regardless of need.
- The limited role of the 'president' of the polling station (the presiding officer), requires reflection. In other jurisdictions, he or she also has oversight of all the polling stations' operations, including effective queue management. In the alternative, large polling centres may require a centre manager with overall

management functions separate from those of the individual presidents, without impinging on the autonomy of individual polling stations.

- A method should be found to streamline the counting process for two main reasons: i) to consider handling each ballot paper once, thereby avoiding the need for unsealing and resealing ballot boxes multiple times; and ii) to eliminate the risk of human errors due to tired staff.
- Publication of original copies of polling station results for public verification on the CNE website would increase transparency and confidence.
- Civil society organisations (CSOs) play a critical role in ensuring credible and peaceful elections. The Group encourages the CNE to continue to engage with it during the electoral process and provide it with access to information to adequately perform its monitoring, advocacy, voter education and evaluation functions. These partnerships are crucial to reaching voters in more remote, marginalised and rural parts of Mozambique that are traditionally excluded from electoral processes.

The National Assembly

- The National Assembly should review the law establishing CNE and STAE, with the aim of enhancing co-ordination between the two arms of the election management body: there should be a single and clear line of authority across the CNE and its provincial and district structures, with clear reporting and accountability lines. Likewise, the governance arrangements between CNE and STAE must be reviewed, with a view to ensuring greater cohesiveness between the oversight and operational arms of election management in Mozambique. Having separate oversight and operational functions within an election management body (EMB) is not unique to Mozambique. However, this need not give the appearance of having two separate election management bodies if governance structures are integrated and streamlined.
- In conjunction with the National Assembly, the CNE and STAE must review the entire voter registration process to build in the necessary checks and balances in the law in order to ensure transparency. The timeframe for closing the voter register must be reviewed to allow enough time for an independent audit.
- Given the low participation of women in contested seats in this election, the National Assembly, political parties and other relevant stakeholders should consider the use of temporary special measures, such as a quota system and the creation of women-only seats, to guarantee the participation of women in elected bodies and on party lists.

- The Group encourages the National Assembly to consider the legal provision of a quota system for youth representatives (aged 18 to 35) to the Local Authority and National Assembly elections.
- Positive legal provisions and regulations should be created to guarantee the political participation of vulnerable groups, including persons with disabilities, in Mozambique, accompanied by adequate resources, training and enforcement.

Political parties

- The multiparty composition of Mozambique's EMB responds to its political journey and context. The Group recommends that political parties review how best the model can be made fairer and more inclusive, ensuring that decisions are taken in the interest of the electorate and of the country, and not of one or two political parties only.
- Noting the important role that political parties in particular can play in addressing gender imbalance in political leadership, we urge political parties to consider adopting and implementing special measures, such as voluntary quotas, to achieve gender balance within their own decision-making structures.
- The Group encourages political parties to create empowered youth-led wings and youth caucuses designed to actively involve young people in policy- and decision-making.
- The Group also encourages political parties to implement the existing prohibition on the misuse of state resources to avoid state authorities redirecting public assets for supporting the incumbent or mobilising civil servants for political campaign purposes.

Chapter 1 - INTRODUCTION

Invitation

Following an invitation from the Government of Mozambique, the Commonwealth Secretary-General, The Rt Hon. Patricia Scotland QC, constituted a Commonwealth Observer Group (hereinafter referred to as ‘the Group’ or ‘the COG’) to observe the general elections held on 15 October 2019, in which the electorate simultaneously voted in Presidential, National and Provincial Assembly elections. The Group was chaired by HE Stephen Kalonzo Musyoka, former Vice-President of the Republic of Kenya, and comprised five eminent persons in total, supported by a four-member staff team from the Commonwealth Secretariat. These were the sixth multiparty elections in the country’s electoral history and the fifth that the Commonwealth had observed.¹ A full list of the members of the Group can be found at Annex I.

Terms of Reference

The Group is established by the Commonwealth Secretary-General at the request of the Government of Mozambique. It is to observe relevant aspects of the organisation and conduct of the Mozambique Presidential, Parliamentary and Provincial Assembly elections scheduled to take place on 15 October 2019, in accordance with the laws of Mozambique.

The Group is to consider the various factors impinging on the credibility of the electoral process as a whole. It will determine in its own judgment whether the elections have been conducted according to the standards for democratic elections to which Mozambique has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Group is expected to act impartially and shall conduct itself according to the standards expressed in the International Declaration of Principles to which the Commonwealth is a signatory. It has no executive role; its function is not to supervise, but to observe the process as a whole and to form a judgment accordingly. In its Final Report, the Group is also free to propose to the authorities concerned recommendations for change on institutional, procedural and other matters as would assist the holding of future elections.

Activities

The Commonwealth Observer Group was present in Mozambique from 10 October 2019. It attended a welcome briefing for observer groups at the Ministry of Foreign

¹ Mozambique held its first multiparty elections in 1994 and the country joined the Commonwealth the following year. Commonwealth Observer Groups subsequently observed the December 1999, November 2003 (local elections), December 2004, October 2009 and October 2014 national elections. Each of the Commonwealth Observer Group reports for the above elections are available at the Secretariat’s e-Library:

<https://library.commonwealth.int/Library/Common/CollectionsMaintenance.aspx?RetName=1&menuid=150>

Affairs and Cooperation in Maputo and issued an Arrival Statement the following day (**Annex III**). During two days of intensive briefing in Maputo, the Group met with the Chairperson of the Mozambique National Electoral Commission (CNE), representatives of the three political parties in Parliament, civil society organisations and Commonwealth High Commissioners or their staff and honorary consuls resident in Maputo, as well as with other international observer missions.² Members of the Group observed some final rallies prior to Election Day.

On 13 October, members of the Group were deployed to Maputo City and Maputo, Gaza, Nampula, Sofala and Zambézia provinces. A copy of the deployment plan can be found at **Annex II**.

During deployment in their respective provinces, the teams met and held discussions with provincial officials of the CNE and of its operational arm, the *Secretariado Técnico de Administração Eleitoral* (STAE), senior police officials, national and local political party leaders, some voters, and with civil society and citizen and international observers. The meetings with other observers were intended to establish wider information-sharing networks for an enhanced and more comprehensive coverage on Election Day.

On 14 October, the Group attended a pre-Election Day meeting of international observer missions, chaired by the Head of the Southern African Development Community (SADC) Electoral Observer Mission (SADC-EOM). The meeting was also attended by the African Union Electoral Observer Mission (AU-EOM), the Electoral Commissions Forum of SADC (ECF-SADC), the Electoral Institute for Sustainable Democracy in Africa (EISA) and the European Union Electoral Observer Mission (EU-EOM).

To share their findings on Election Day, the Chairperson attended a post-Election Day meeting of international observer groups, chaired by the Head of the African Union Electoral Observer Mission (AU-EOM). The meeting was also attended by the Electoral Commissions Forum of SADC (ECF-SADC), the Electoral Institute for Sustainable Democracy in Africa (EISA), the European Union Electoral Observer Mission (EU-EOM) and the Southern African Development Community (SADC) Electoral Observer Mission (SADC-EOM).

On 17 October, the Chairperson issued an Interim Statement (**Annex IV**) based on the observations and findings of the Group. The Group reconvened in Maputo on 17 October to deliberate and draft this Final Report. The Group departed Mozambique on 20 October.

² The CNE accredited 520 international observers: African Union (AU), 36; Commonwealth, 9; Community of Portuguese Language Countries (CPLP), 17; Electoral Institute for Sustainable Democracy in Africa (EISA), 40; European Union (EU), 170; Southern African Development Community (SADC), 61; SADC-Electoral Forum, 15; and the lesser-known Association for Free Research and International Cooperation (AFRIC), 62. There was also a small assessment team of the Francophonie Organisation (OIF) and the US Embassy deployed a 70-strong diplomatic watch, including Canadian High Commission staff on Election Day.

Chapter 2 - POLITICAL BACKGROUND

Colonial Period

The Portuguese moved into the country in the fifteenth century in an effort to control Mozambique's strategic ports and the gold and ivory trade. They expanded the territory under their control through the *prazo* system, under which land was taken from the African chiefs and given to Portuguese settlers.

In the early 1820s, the slave trade led to the transportation of millions of Africans, mainly to Brazil and Cuba. Meanwhile, inside the country peasant farmers were forced to cultivate cotton or work on plantations controlled by Portuguese companies.

Resistance to colonial rule gained momentum in the mid-twentieth century. The turning point came in 1962, when groups of political exiles, led by Eduardo Mondlane, came together in Tanzania to form the *Frente de Libertação de Moçambique* (Mozambique Liberation Front, FRELIMO). In 1964, FRELIMO launched its first military operation, which marked the beginning of Mozambique's protracted struggle for independence. When Mondlane was murdered in a move orchestrated by the Portuguese police in 1969, Samora Machel took over the leading position within FRELIMO. The war intensified and by the early 1970s, the FRELIMO military was penetrating central Mozambique. Exhausted by 15 years of colonial wars, army officers toppled the dictatorship back in Portugal, and the new government moved to offer FRELIMO a ceasefire that was to lead to self-determination, but not independence. FRELIMO rejected the offer and, eventually, the Portuguese government granted independence.

Independence

The agreement granting Mozambique's independence was signed on 7 September 1974 in Lusaka. A transitional government led by Joaquim Chissano as interim Prime Minister - including six representatives from FRELIMO and four appointed by the Portuguese - was installed on 20 September 1974 and took the country to independence on 25 June 1975.

Samora Moisés Machel became the country's first President at independence in 1975. He led the country until his death in 1986, when his presidential aircraft crashed in a mountainous terrain around where the borders of Mozambique, Swaziland and South Africa converge.

Meanwhile, a one-party system was established between 1977 and 1978, with elected bodies at the village or neighbourhood levels and a People's Assembly at the national level.

Samora Machel's government committed to supporting the liberation movements in Namibia, South Africa and Zimbabwe. President Machel allowed the Zimbabwe African National Liberation Army (ZANLA), the military wing of the Zimbabwe African National Union (ZANU), to operate from bases in Mozambique against Ian Smith's white minority

regime in the then-Rhodesia. Working with Mozambican and Portuguese collaborators, the Rhodesian intelligence service set up in 1977 the *Resistência Nacional Moçambicana* (Mozambique National Resistance, RENAMO), with the objective of destabilising Mozambique and forcing its government to withdraw its support to ZANLA.

After Zimbabwe's independence in 1980, RENAMO continued receiving support from the South African apartheid government. This support was instrumental in undermining Mozambique's assistance to, and support for, the African National Congress (ANC). By 1983, RENAMO was strong enough to deny the government control of vast parts of the Mozambican countryside. The war took a heavy toll on human lives and there was considerable damage to Mozambique's infrastructure.

In 1984, in an effort to end South African support for RENAMO, the Mozambique government began talks with the South African government. These first proximity talks failed and were not resumed before 1989, when a delegation of Mozambican church leaders met with RENAMO in Nairobi, where they presented proposals to initiate a dialogue. The first round of formal talks began in July 1990 in Rome, with mediation from the Catholic Church and the Italian government, leading to the signature of the General Peace Agreement in October 1992.

Multiparty Elections

Multiparty politics was reintroduced in Mozambique in 1990. The first multiparty Presidential and Parliamentary Elections were overseen by the United Nations (UN) and were held on 27-29 October 1994, based on the framework agreed upon in the peace agreement. Of the twelve presidential candidates, only three besides Joachim Chissano (FRELIMO) and Afonso Dhlakama (RENAMO) - who obtained 53.3 and 33.7 per cent of the vote, respectively - managed to obtain more than 2 per cent of the vote.

Twelve political parties and ten coalitions participated in the Parliamentary elections. A minimum of 5 per cent of the national vote was required to secure seats in the legislature. Apart from FRELIMO and RENAMO, only the Democratic Union (UD) coalition secured this: they won 5.15 per cent and obtained nine seats in the 250-seat Parliament. Mr Dhlakama accepted the results of the vote, despite allegations of irregularities. Mr Chissano formed an entirely FRELIMO-led government, despite pressure from RENAMO and some Western governments for a government of national unity.

The second multiparty national elections took place in December 1999 and were described as 'free and fair' by international observers. FRELIMO's margin of success was lower than in 1994, but once again, the party secured a majority in Parliament. It was the most popular party in only four of the ten provinces, namely the three southern regions and Cabo Delgado in the far north. Mr Chissano's share of the vote dropped to 52.3 per cent (from 53.3 per cent in 1994), while the share gained by RENAMO's candidate, Afonso Dhlakama, rose from 33.7 to 47.7 per cent.

RENAMO reacted to the results by alleging fraud, refusing to recognise the government and threatening to establish a parallel administration in the provinces where it had won a majority. The election outcome was endorsed by international observers.

Mounting political tension led to police raids on RENAMO offices. This was followed by demonstrations throughout the country, all held on the same day. One such protest, in Montepuez, Cabo Delgado province, degenerated into violence, leaving 40 dead (including police officers); a subsequent police crackdown led to the death of 80 alleged RENAMO supporters in an overcrowded police cell.

In the elections in December 2004, Armando Guebuza, the new FRELIMO candidate who replaced President Joachim Chissano, won with 63.7 per cent of the vote. This was more than twice as many as RENAMO's candidate Afonso Dhlakama's (31.7%). In the Parliamentary Election, FRELIMO won 62 per cent (1.8 million) of the votes cast, while RENAMO got 29.7 per cent (905,000 votes), and 18 minor parties shared the remaining 8 per cent. FRELIMO obtained 160 parliamentary seats while RENAMO obtained 90. These elections were widely criticised on issues of transparency and credibility. Several cases of electoral fraud reportedly took place. The irregularities were, however, deemed not sufficient to have altered the overall outcome of the elections.

In 2009, Presidential, National Assembly and Provincial Assembly elections were held in Mozambique on 28 October. Incumbent President Armando Guebuza ran for re-election as the FRELIMO candidate. President Guebuza was again challenged by opposition leader Afonso Dhlakama, who had stood as the RENAMO candidate in every Presidential Election since 1994. Also contesting for the Presidency was Daviz Simango, the Mayor of Beira, who was an affiliated RENAMO member before founding his own party, the *Movimento Democrático de Moçambique* (Mozambique Democratic Movement, MDM) earlier in 2009.

On 11 November, the National Electoral Commission officially announced that Guebuza had won the election with 75 per cent of the vote; Dhlakama and Simango trailed with 16.5 per cent and 8.6 per cent, respectively. Results for the Parliamentary Election were also announced, showing that FRELIMO had won 191 seats, followed by RENAMO with 51 seats and 8 for the MDM. RENAMO was unhappy with the conduct of the elections and demanded, unsuccessfully, that the election be annulled. RENAMO alleged that FRELIMO supporters had stuffed ballot boxes in several areas and were assisted in doing so by the Electoral Commission, which allegedly provided them with additional ballot papers.

2014 General Elections

The 15 October 2014 elections in Mozambique were the fifth national elections since the introduction of multiparty politics in the country in 1990. The elections took place at a time when the country was undergoing several transitions. At the political level, the country was transitioning from one president to another, as it was President Guebuza's last term in office. There was also a transition in the ruling party as a result of the change of presidential candidate - from Mr Guebuza to Mr Filipe Nyusi. Economically, the country was also undergoing a transition with the discovery of huge natural gas fields. These transitions and the accompanying need for the preservation of individual and collective interests, as well as access to resources and the levers of power, opened up avenues for political tensions.

RENAMO's decision in 2013 to rescind the 1992 peace deal and return to the bush to resume military activity, mainly in Sofala province, cast a cloud of uncertainty over preparations for the elections. Recurring armed attacks in 2013 and 2014 by alleged RENAMO elements on convoys travelling on the North-South highway and clashes with security forces, mainly in Sofala province (but with isolated incidents in a numbers of other provinces), left 140 people dead and more than 300 injured. In August 2014, several months of negotiations between the government and RENAMO culminated in the signing of a peace agreement which was subsequently endorsed in early September by the leader of RENAMO, Afonso Dhlakama, and President Guebuza in a formal ceremony held in Maputo. Before then, Mr Dhlakama had been based at a RENAMO base deep in the forests of central Mozambique for about two years.

The signing of the peace deal, previous concessions made by the government in revising the electoral laws to RENAMO's satisfaction and Afonso Dhlakama's decision to register for and take part in the elections, were reassuring signals of a more stable political environment in the lead up to the 2014 elections. The elections were generally peaceful, although the outcome was rejected by RENAMO, citing several irregularities, including ballot stuffing, institutionalised bias in favour of FRELIMO, intimidation from the police and state media bias. The tally gave President Nyusi 57 per cent of the votes cast, while RENAMO's Afonso Dhlakama won 36 per cent and Daviz Simango of the Mozambique Democratic Movement (MDM) obtained almost 7 per cent.

In early 2015, RENAMO again threatened conflict if it did not obtain concessions - particularly the approval of a parliamentary bill for autonomous provincial governments. Despite two face-to-face meetings between RENAMO leader Dhlakama and President Nyusi, Parliament failed to approve the bill and military hostilities resumed in 2015, resulting in fatalities. Additionally, up to 11,000 Mozambicans had fled and registered as refugees in Malawi by mid-2016.

Dhlakama and his own security detail were attacked twice in September 2015, resulting in his retreat again to the safety of the Gorongosa region. A mediation attempt bringing Dhlakama to Beira in October was aborted after an armed stand-off and this resulted in an increase of armed clashes.

This paved the way for a third round of peace talks, assisted by external mediators. However, in November 2016, President Nyusi and Dhlakama decided to take a firmer grip of the process themselves. This led to a short ceasefire, which quickly extended indefinitely to allow for new peace talks to progress. Supported by a contact group of diplomats, led by the Swiss Ambassador, by August 2017, sufficient progress had been achieved for President Nyusi to meet Dhlakama at his bush base in central Mozambique. They met for a second time in February 2018 in the bush and a lasting agreement was nearly ready to be signed. Unfortunately, Dhlakama died on 3 May 2018 in Gorongosa.

The unexpected death of Dhlakama set back the peace process for a year. RENAMO subsequently appointed Ossufo Momade (an ex-general and secretary-general of RENAMO), initially as its interim leader and subsequently, as its permanent leader after a party congress in January 2019. The mediation process also resumed, including three meetings of Momade with President Nyusi (two in Maputo and one in Chimoio).

This resulted in a cessation of hostilities ceremony on 1 August in central Mozambique, and on 6 August, a final peace deal ceremony.

On 1 August, RENAMO commenced the symbolic start of a disarmament, demobilisation and reintegration process, with a small number of its residual forces still holding a handful of firearms. This process is expected to cover 5,221 RENAMO militia supporters currently in the provinces of Sofala, Inhambane, Tete, Niassa and Nampula.

2018 Municipal Elections

Municipal elections were held on 10 October 2018 in the country's 53 municipalities. FRELIMO won 44 municipalities, while RENAMO and MDM won 8 and 1 municipalities respectively. In terms of actual votes cast, FRELIMO obtained 51.95 per cent, RENAMO (which had boycotted the 2013 municipal elections) 38.71 per cent, with 8.5 per cent for the MDM. RENAMO contested the results in some of the municipalities in which it alleged that serious fraud and irregularities had characterised the process. Nonetheless, the 2018 municipal elections showed a spike in voter turnout and a dramatic decrease in the percentage of total votes for FRELIMO in Nampula, Tete and Cabo Delgado provinces. As occurred after the 1999 Presidential Election results, this result sharpened FRELIMO's electoral focus for the subsequent election.

Build-Up to 2019 Elections

The political context in which the 15 October 2019 general elections were organised presented some challenges and opportunities for the consolidation of peace and democracy in Mozambique. The main political contenders for the Presidential election were incumbent Filipe Nyusi of FRELIMO, Ossufo Momade of RENAMO and Daviz Simango of the MDM. These elections would be the first national elections held without RENAMO's historic leader, Afonso Dhlakama, who had died in May 2018.

Importantly, the elections took place in the context of a peace agreement, as mentioned above, the Maputo Peace and Reconciliation Agreement, signed on 6 August between the government and the main opposition political party, RENAMO. Due to a revision of the electoral law, the 2019 elections offered a new electoral dispensation which made provision for the election of provincial governors to replace the previous system of presidential appointees.

The build-up to these elections was mainly characterised by the following issues:

1. Concerns with the voter registration process, especially serious allegations of inflation of the voter registers in FRELIMO party strongholds such as in Gaza province, where there was allegedly a significant discrepancy between statistics offered by the National Statistics Office and the number of registered voters. Gaza, the second smallest electoral constituency in 2014, became the fourth largest. The electoral effect of this registration of 453,170 voters in Gaza province became evident after polling results were released. In Chokwé

district, the voter register increased by 159 per cent to 238,447 votes and in Chibuto, it was up 110 per cent to 181,793 votes compared with 2014. The voter turnout for Chokwé was 163,269, with 152,328 votes for Nyusi, while Chibuto had a similar pattern. On 27 December 2019, in response to opposition party and civil society legal challenges, the Attorney General concluded that the Gaza registrations and elections were legitimate.

2. High levels of mistrust between the opposition and the governing party, and mistrust in national institutions such as the police and the judiciary.
3. Sensitivities arising from the 6 August 2019 peace agreement, as a faction within RENAMO's military wing continued to reject the agreement and challenged current RENAMO President Ossufo Momade's legitimacy. The group, commonly referred to as the military junta, threatened to disrupt the polls if the government did not engage it with dialogue. Ahead of the elections, there were some reports of armed RENAMO-style attacks in Manica and Sofala provinces, in which at least one person was killed.
4. These elections were organised against a backdrop of devastating cyclones, Idai and Kenneth, which hit Mozambique in the first quarter of 2019. The devastation caused by the cyclones complicated the electoral administration in the affected areas.
5. Concerns around electoral violence and political intolerance, mostly between FRELIMO and RENAMO. Opposition political parties were allegedly obstructed from campaigning in certain FRELIMO strongholds, such as in Gaza province.
6. Islamic insurgency in the north (Cabo Delgado province) of the country remained a major challenge for efficient electoral administration, participation and observation, particularly in three districts in this province.³

Presidential and Party Candidates for the 2019 Elections

The four candidates approved by the Constitutional Council for the Presidential election were Mr Ossufo Momade of RENAMO, Mr Felipe Nyusi of FRELIMO, Mr Daviz Simango of the MDM and Mr Mário Albino of the United Movement for Action and Integral Salvation (AMUSI).

A total of 27 political groupings contested the national and provincial assembly elections, including newly registered parties such as the Optimist Party for the Development of Mozambique (PODEMOS) and New Democracy (ND). The electoral process was dominated by FRELIMO, RENAMO and MDM.

³ A few days ahead of the polls, the CNE announced that polling would not take place in six polling stations: Macomia (3); Muidumbe (2); and Mocímboa de Praia (1). EU and AU observers informed the Commonwealth Observer Group that on Election Day, a further five polling stations did not operate.

Electoral Results

On 23 December 2019, the Constitutional Council proclaimed the official election results. FRELIMO was victorious in every district, winning the presidency with 73.46 per cent of valid votes. FRELIMO won over 75 per cent of the National Assembly (184 seats) and also the majority of the Provincial Assembly seats (628) and all ten provincial governors.

RENAMO's Ossufo Momade obtained 21.48 per cent and MDM's Daviz Simango 4.33 per cent. Mário Albino from the United Movement for Action and Integral Salvation (AMUSI) got 0.73 per cent of votes. RENAMO secured 60 National Assembly seats and MDM, 6. Meanwhile in the ten Provincial Assemblies, RENAMO obtained 156 seats and MDM, 10. There was an increase of 16 women elected to the Assembly of the Republic (106).

Chapter 3 - THE ELECTORAL FRAMEWORK AND ELECTION ADMINISTRATION

Legal Framework for Elections

The legal framework for the Presidential, National and Provincial Assembly elections in Mozambique comprises the 1990 Constitution (as amended in 1994, 2004 and 2008), and a raft of legislation which has undergone amendments over the years. The most relevant ones are the following:

- Law 8/2013 of 27 February 2013, revised by Law 12/2014 of 23 April 2014 and Law 2/2019 of 31 May (governing elections of the President and the National Assembly);
- Law 3/2019 of 31 May 2019, establishing the legal framework for the election of members of the Province Assembly and the Province Government;
- Law 4/2013 of 22 February 2013, revised by Law 11/2014 of 23 April 2014 (governing election of Provincial Assemblies);
- Law 5/2013 of 22 February 2013, revised by Law 8/2014 of 12 March 2014 (governing voter registration);
- Law 6/2013 of 22 February 2013, revised by Law 9/2014 of 12 March 2014 (governing the National Electoral Commission);
- Law 7/2013 of 22 February 2013, revised by Law 10/2014 of 23 April 2014 (governing local government elections);
- Law 15/2009 of 9 April 2009 (which established the system of holding simultaneous Presidential, National Assembly and Provincial Assembly elections);
- Law 6/2006 of 12 April 2006 revised by Law 5/2008 of 9 April 2008 (on the Constitutional Council); and
- Law 9/1991 of 18 July 1991 and Law 7/2001 of 7 June 2001 (on freedoms of association and demonstration).

Mozambique has committed itself to or acceded and/or ratified major international and regional treaties and frameworks that set standards for elections. These include:

- International Covenant on Civil and Political Rights;
- Universal Declaration of Human Rights;
- African Charter on Human and Peoples' Rights;
- Convention on Elimination of All Forms of Discrimination against Women;
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa;
- International Convention on the Elimination of All Forms of Racial Discrimination;
- Convention on Rights of Persons with Disabilities;
- SADC Principles and Guidelines Governing Democratic Elections;
- African Charter on Democracy, Elections and Governance;
- African Union Declaration on the Principles Governing Democratic Elections in Africa;
- Guidelines for African Union Electoral Observation and Monitoring Missions; and

- Commonwealth Charter.

Electoral System

The Constitution of Mozambique (as amended) provides for direct, equal, secret, free and regular elections for the President of the Republic and Members of Parliament. It enshrines the principle of political pluralism, the doctrine of separation of powers and provides a bill of rights. It emphasises that its interpretation should always be consistent with the Universal Declaration of Human Rights. Presidential, Parliamentary and Provincial Assembly elections are held concurrently every five years.

The President is elected directly by popular vote with an absolute majority of valid votes cast (50 per cent plus one) in a single national constituency. There is provision for a second round between the two top candidates if no candidate wins more than 50 per cent of the votes cast. In such a case, a second round is held within 30 days of the validation and proclamation of the results of the first round. The candidate who receives the majority of votes in the second round is elected. The President is elected to serve a five-year term and can serve two consecutive terms.

Mozambique's 250-member unicameral National Assembly is elected for a five-year term under a closed party list proportional representation system (using the d'Hondt formula with no threshold) from 13 multi-member electoral districts that relate to Mozambique's 10 administrative provinces, the city of Maputo and 2 overseas constituencies. The number of members of the National Assembly per province is proportional to the number of registered voters in the province. The two overseas constituencies are allocated to Mozambicans in the diaspora: one for Africa and the other for the rest of the world, each of which elect one member of the National Assembly.

In advance of the 2019 elections, a series of constitutional reforms were agreed, necessitating revisions to the electoral laws and regulations. These amendments focused primarily on facilitating the decentralisation process, which was one of the key outcomes of political dialogue between FRELIMO and RENAMO. The essential amendments are as follows:

- For the first time, there were to be indirectly elected governors. Whoever heads the list of the political party, coalition of political parties or group of electoral voters in the election of a Provincial Assembly will become the governor. In effect, voters would be electing both the assembly and the governor on the same ballot paper. From 2024, district administrators will also be indirectly elected. Likewise, at the municipal level, the head of the winning party will become the Mayor.
- In past elections, all candidate nomination (presidential, parliamentary and provincial) and submission processes were to be made at the national level to the CNE. However, with the new amendment to the Electoral Act, the

candidate nomination and submission process for provincial candidates could now be completed at the provincial level.

For these elections, a total of ten gubernatorial posts and 794 Provincial Assembly seats were to be contested nationwide. Similar to the National Assembly election, Provincial Assembly seats are allocated on a closed party list proportional representation basis.

Law No 4/2019 of 31 May establishes the legal framework for the executive bodies of decentralised province governance. Articles 28 to 31 provide that the Republic of Mozambique is organised territorially into provinces of which there are ten, including the capital city, Maputo, which has provincial status. Below the provinces are the following tiers: districts, administrative posts, localities and settlements.

Election administration

The Constitution of the Republic of Mozambique creates an independent electoral management body, the National Elections Commission (CNE). The CNE is supported by a Technical Secretariat for Electoral Administration (STAE), which manages the technical and operational aspect of the elections.

The CNE was established in 2007 by Law 8/2007. This was revised by Law 6/2013 of 22 February 2013, which was in turn revised on 12 March 2014 by Law 9/2014. The CNE is responsible for supervising voter registration, the conduct of elections and holding of referenda.

At the national level, the CNE has seventeen members: five from FRELIMO, four from RENAMO, one from MDM and seven from civil society. The Chair is chosen from the civil society members. Two deputy chairpersons are nominated by FRELIMO and RENAMO. Members serve six-year terms. The current Chair is Mr Abdul Carimo Nordine Sau.

Nine of the seventeen members of the National Election Commission (CNE), including the Chair, ended their six-year mandate in May 2019. Their tenure was extended by another year to enable them to oversee these elections.

At the provincial and district levels, the CNE is composed of fifteen members: three from FRELIMO, two from RENAMO, one MDM and nine representatives from civil society organisations.

At the national level, STAE has a permanent staff which is headed by a director-general and three directors of departments (organisation, training and administration, and finance). The director-general participates in the 'plenary sessions' of the CNE and has speaking rights, but not voting rights. The Electoral Law states that during electoral periods (from the start of registration to the validation of results by the Constitutional Council), there will be 26 additional political appointments; 2 deputy directors-general (one FRELIMO and one RENAMO), 6 deputy department directors (three FRELIMO, two RENAMO and one MDM) and 18 other politically appointed staff (nine FRELIMO, eight RENAMO and one MDM). At the provincial and district levels,

there are eight senior figures in the STAE, namely two deputy directors and six deputy heads of department (three FRELIMO, two RENAMO and one MDM).

As noted above, the revised law of the CNE gave the two main political parties, FRELIMO and RENAMO, a much larger representation in the election management body than they had in previous elections. The third party in Parliament, the Mozambique Democratic Movement (MDM) also gained some representation, though much smaller when compared to that of FRELIMO and RENAMO.

Functions of the National Electoral Commission

The functions of CNE include:

- supervising voter registration and elections;
- registration of political parties, coalitions of parties or citizen groups;
- civic education of voters;
- handling and processing nominations;
- approving Codes of Conduct for candidates, political parties, coalitions of parties or citizen voter groups, and agents of law and order during elections;
- distribution of broadcasting time on public sector radio and TV channels equitably;
- providing and allocating campaign funding for political parties, coalitions of parties and candidates; and
- informing the Public Prosecutor of electoral offences.

Voter eligibility and voter registration

The voter roll is updated in each election year by STAE under the supervision of the CNE. In order to be eligible to vote a person must be:

- a citizen of Mozambique;
- at least 18 years of age; and
- registered to vote.

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

Voters are expected to present a valid identification document (passport, birth certificate or any legal document with a photograph, fingerprint or signature) or be identified by two witnesses registered as voters in the area. A voter card is then issued.

For the 2019 elections, according to the CNE, a biometric voter registration process was adopted. In advance of the registration process, the CNE estimated an eligible electorate of 14 million.

According to the commission's electoral calendar, voter registration was to commence on 1 April 2019. However, due to the devastating impact of Cyclones Idai and Kenneth on the country, including the destruction of infrastructure and the displacement of

persons, a 15-day delay was agreed. Consequently, voter registration began on 15 April and lasted for approximately 45 days. According to the CNE, the usual infrastructure for elections, such as schools, had been destroyed by the cyclones. Hence, the CNE and STAE put up tents and other temporary structures for this exercise.

Upon conclusion of the voter registration exercise, there were 13,161,063 registered voters, of which 12,945,921 were registered within Mozambique and 215,142 were registered abroad in Kenya, Malawi, South Africa, Tanzania, Zambia and Zimbabwe in Africa, and Portugal and Germany in the rest of the world. More than half of registered voters were women (53.4%).

The number of seats allocated to each Province Assembly is based on the respective number of registered voters in each province. Table 3.1 highlights the breakdown by province and for Maputo City.

Table 3.1 Final voter registration figures, 2018/19

Order	Province	Forecast	Men	Women	Total	Percentage
1	Niassa	845,219	330,500	347,264	677,764	80.19
2	Cabo Delgado	1,176,754	579,426	605,598	1,185,024	100.70
3	Nampula	2,793,912	1,138,019	1,223,954	2,361,973	84.54
4	Zambézia	2,098,545	989,926	1,150,199	2,140,125	101.98
5	Tete	1,311,682	534,392	584,986	1,119,378	85.34
6	Manica	949,279	413,582	479,844	893,426	94.12
7	Sofala	1,149,184	495,341	533,033	1,028,374	89.49
8	Inhambane	799,453	252,124	405,018	657,142	82.20
9	Gaza	1,144,337	472,238	693,773	1,166,011	101.89
10	Maputo	1,161,225	483,164	532,634	1,015,798	87.48
11	C. Maputo	736,731	346,821	354,085	700,906	95.14
Total		14,166,321	6,035,533	6,910,388	12,945,921	91.39

Source: CNE, STAE

Candidate eligibility and nominations

To be eligible to be a presidential candidate, a person must:

- be a citizen of Mozambique (not naturalised) and not possess any other nationality;
- be over 35 years of age;
- be supported by a minimum of 10,000 registered voters, duly identified;
- be a registered voter; and
- be presented by a legally constituted political party or coalition of political parties or a group of citizen voters.

A range of additional supporting documentation is required under Law No 8/2013 of 27 February 2013 for submission to the Constitutional Council. These include a declaration containing the following:

- complete identification of the candidate, which shall obligatorily contain his/her age, parentage, marital status, profession, residence, number and dates of issue, and validity of his/her identity card;
- document which shows that he/she is enrolled in the updated voter register;
- complete narrative certificate of his/her birth record;
- certificate of original nationality;
- certificate of the candidate's criminal record;
- declaration that the candidate agrees to stand;
- declaration by the candidate, refutable at any time, that he /she is not affected by any fact that would make him/her ineligible;
- passport-style coloured photograph;
- election symbol of the candidate;
- document appointing the electoral agent; and
- file of the electoral agent.

Citizens are not eligible to stand for the presidency if they:

- do not have the right to vote;
- have been President of the Republic for two consecutive terms of office;
- have been sentenced to long-term imprisonment for intentional crime, while the penalty has not expired;
- have not lived habitually in the country for at least 12 months prior to the date of the elections;
- have been sentenced to imprisonment for theft, robbery, abuse of confidence, embezzlement, forgery or for an intentional crime committed by a public functionary, or are habitual delinquents whom it is difficult to correct, when they have been declared as such by a court; or
- have resigned from an immediately previous term of office.

Four presidential candidates were approved by the Constitutional Council. They were Mr Ossufo Momade of RENAMO, Mr Filipe Jacinto Nyusi of FRELIMO, Mr Daviz Mbepo Simango of MDM and Mr Mário Albino Muquissince (AMUSI).

For the first time, Mozambique had a female presidential aspirant: Alice Mabota, a lawyer and human rights activist. Ms Mabota's candidacy was rejected by the Constitutional Council on grounds of technicalities.

National Assembly candidate eligibility criteria

To be eligible to be a National Assembly candidate, a person must be:

- a citizen of Mozambique (not naturalised);
- over 18 years of age at the time of nomination;
- a registered voter; and
- not subject to any electoral disqualification.

Citizens are not eligible to stand for the National Assembly if they:

- do not have the right to vote;
- have been sentenced to imprisonment for theft, robbery, abuse of confidence, embezzlement, forgery or for an intentional crime committed by a public functionary;
- have been declared as habitual delinquents by a court;
- have resigned from an immediately prior term of office; or
- are a member of government, a magistrate, diplomat, active soldier or policeman, provincial governor or administrator, or a member of a provincial assembly or municipal body.

Complaints, appeals and election petitions

It is good practice for electoral frameworks to provide mechanisms for dealing with electoral complaints and disputes in a timely, transparent and impartial manner.⁴

Article 192 of Law 12/2014 outlines the process for lodging complaints. It states that: ‘appeals shall be made within forty-eight hours, counted from the posting of the notice which publishes the election results, to the Law Court in the District where the irregularity occurred, or in the Constitutional Council in cases of the general or national count’.

The law stipulates that the District Court will adjudicate on an appeal within 48 hours, and inform the National Electoral Commission, the complainant and other interested parties of its decision. Decisions of the District Court may be appealed to the Constitutional Council.

The District Court must rule within 48 hours. This can be appealed to the Constitutional Council within three days. The Constitutional Council must, in turn, rule within five days.

All appeals are to be accompanied by evidence, witnesses and relevant materials. The legal framework further makes provision for complaints to be filed throughout the election period, and not just after the results have been published. In effect, irregularities that occur during the voting or counting process, may also be the subject of a complaint.

Another feature of the process is that it appears to be free. According to Article 193, ‘the electoral judicial process is free of charge, free of duty and any charges’.

Key electoral issues for the 2019 general elections

Mozambique's electoral framework provides an adequate basis for the holding of credible, inclusive and peaceful elections. The system has a number of positives: the deepening of the decentralisation process, through the indirect election of governorships for the first time, presents yet another opportunity for promoting durable peace. Additionally, certain features of the electoral process constitute good

⁴ Commonwealth Secretariat (2016), *Election Management a Compendium of Commonwealth Good Practice*.

practice, even if some require improvement in practice. Three such features are: the provision of public campaign funds to eligible political parties; the allocation of regular and equitable broadcasting time on public radio and television stations for the same category of parties; and diaspora voting.

The Group, however, noted the following challenges, many of which the past four Commonwealth Observer Group missions highlighted in their election reports.⁵

Legal framework

The legal framework for elections in Mozambique, as outlined above, constitutes a growing body of pieces of legislation which are often amended from one election to another. These amendments, such as those affecting the establishment of CNE and STAE, often respond to the outcome of political dialogue between the main parties, RENAMO and FRELIMO, rather than taking a holistic review of the electoral framework. It is noteworthy that on 28 August 2019, the Chairperson of CNE criticised ‘the instability of the electoral legislation, the permanent changes in the legislation, almost from one electoral cycle to the next, and on the eve of each election, which brings consequences to the process’.⁶

The Group noted that to avoid operational or implementation delays, confusion and potentially conflicting provisions, international good electoral practice advocates desisting from introducing substantive changes to the legal and electoral framework six to twelve months prior to an election. However, the Group recognised that there are acceptable exceptions to this. For instance, ahead of these elections, the introduction of the crucial decentralisation amendments was important in advancing lasting peace in Mozambique. Going forward, and leading on to the second point, it would be good practice to streamline and consolidate these, as well as the vast pieces of legislation referred to above, to ensure ease of access to one body of electoral laws which all stakeholders, including the ordinary voter, can access with greater ease.

The election management body: CNE and STAE

A number of stakeholders expressed concerns about three overlapping aspects of election management in Mozambique: the architecture of CNE itself; the relationship between CNE and STAE; and the multiparty composition of the election management body.

On the architecture of CNE, as previously outlined, the law provides for provincial and district level commissions. Stakeholders expressed concern that the central body in Maputo has little control over the decentralised commissions. A case that was often highlighted as demonstrating this point was the challenges in accrediting a significant

⁵ See the past Commonwealth Observer Group reports: December 1999; December 2004; October 2009; and October 2014.

⁶ Mr Carimo was speaking at the launch of the Network for Monitoring, Response to and Mitigation of Electoral Violence and Conflicts.

level of citizen observers at the provincial levels for these elections, even in instances where the central body had provided assurances that such accreditation would be granted. In some cases, as corroborated by the CNE Chairperson to the Group, it took the Chairperson's physical intervention at the provincial level to facilitate such accreditation. In other cases, it appeared instructions from the central structure were unimplemented. The Group noted an apparent disconnect between the central and decentralised structures of the CNE.

Likewise, the Group noted a similar disconnect between the CNE and STAE, which appeared to operate as two distinct election management bodies. The law provides that STAE is subordinate to CNE. However, in practice, stakeholders expressed the view that STAE appeared to operate autonomously.

The heavily multiparty composition of CNE, and to an extent STAE, is a unique feature of Mozambique's electoral framework, borne out of political dialogue and agreements. The Group did not receive any complaints from either FRELIMO or RENAMO about this model. It appeared that it had provided a satisfactory way of running elections for both parties. However, stakeholders noted that the politicised structure of the election management body meant that decisions were taken by voting rather than by consensus, with the effect and risk that party positions prevail, rather than policies in the interest of all electorates.

Voter registration

An issue that generated much controversy and concern was the allegation that the voter register had been inflated in the governing party's strongholds, in particular in the provinces of Gaza, Cabo Delgado and Sofala, while the numbers had been reduced in the main opposition party's strongholds. Opposition political parties brought this issue to the attention of the Group during briefing sessions.

The Gaza situation appeared to be the most serious of the three, given the significant discrepancy between the national census figure for adults of voting age in that province, and the results of the voter registration. The 2017 national census by the National Statistics Institute (INE) concluded that there were 836,581 adults of voting age in Gaza. In contrast, CNE and STAE registered 1,166,011 voters - 329,430 more than the INE figure. Consequently, this gave Gaza an extra eight seats in the National Parliament.

The Group sought an explanation of this issue from the CNE. The response received was unclear. The CNE seemed to suggest that the voter registration process - including the approval of voter registration sites at the provincial and district levels - was not entirely within its control. The CNE further informed the Group that there had been some agreement by the political parties for the Attorney-General to conduct an audit of the register, rather than submit it to an independent audit. Notably, this contrasted with RENAMO's account of events. RENAMO expressed concern to the Group that there

was no willingness to address this controversy, and further highlighted its preference for an independent audit.

Recommendations

1. Following these elections, the CNE and STAE must work with the National Assembly and other relevant stakeholders to review the electoral laws with a view to streamlining and consolidating them into an accessible body of law ahead of the next electoral cycle.
2. The National Assembly should review the law establishing CNE and STAE: there should be a single spine of authority across the CNE central and decentralised structure, with clear reporting and accountability lines. Likewise, the governance arrangements between CNE and STAE must be reviewed, with a view to ensuring greater cohesiveness between the oversight and operational arms of election management in Mozambique. Having separate oversight and operational functions within an election management body (EMB) is not unique to Mozambique. However, this need not give the appearance of having two separate election management bodies if governance structures are integrated and streamlined.
3. The multiparty composition of Mozambique's EMB responds to its political journey and context. The Group recommends that political parties review how best the model can be made fairer and more inclusive, ensuring that decisions are taken in the interest of the electorate and of the country, and not of one or two political parties only.
4. In conjunction with the National Assembly, the CNE and STAE must review the entire voter registration process to build in the necessary checks and balances in the law in order to ensure transparency. The timeframe for closing the voter register must be reviewed to allow enough time for an independent audit.

Chapter 4 - PARTICIPATION AND INCLUSION

The Commonwealth Charter and international human rights instruments recognise the inalienable right of individuals to participate in democratic processes, in particular through free and fair elections, to shape the society in which they live. Governments, political parties and civil society are responsible for upholding and promoting democratic culture and practices and are accountable to the public in this regard.

Mozambique has agreed to some significant international and regional instruments and commitments relevant to the conduct of inclusive elections (see Chapter 3). These instruments provide the framework for good governance, citizen participation, gender equality and inclusion of youth, the elderly and persons with disabilities (*inter alia*), as a means of achieving sustainable democracy.

Civil Society

The role of civil society in the 2019 elections

Organised civil society (CSOs) in Mozambique dates back to the 1990s and has been a diverse civic community comprising social and political associations, faith-based organisations, charities, community-based organisations, women's groups, youth groups and developmental non-governmental organisations. Article 78 of the 2007 Mozambique Constitution recognises that social organisations play an important role in promoting democracy and in the participation of citizens in public affairs. It notes civil society has a particular role in raising awareness regarding the fulfilment of civic duties.

For the 2019 elections, CSOs covered various thematic aspects of the electoral cycle in a bid to nurture a credible and participatory democratic outcome. The Commonwealth Observer Group was briefed by several CSOs in the lead up to Election Day. CSOs whom the team met with appeared well-informed and had a robust understanding of the political and social context within their thematic areas for the elections.

CSOs appeared to have the space to engage in a wide range of monitoring and evaluation activities in the lead up to the elections, including advocacy related to the inclusion of women and youth, promotion of human rights, campaign-related violence and capacity building of various vulnerable groups, allowing the latter to effectively participate in the process.

CSOs were particularly effective in targeting and reaching populations and provinces at risk of exclusion from the electoral process, including remote rural areas, the urban poor, religious and ethnic minorities, provinces prone to election-related violence, women and youth. Given the connection between social and political exclusion and the current risk of conflict and insurgency in the North of Mozambique, including Nampula province, the work of CSOs to include these areas during the electoral cycle

was important for the continuing development of a peaceful democracy in Mozambique.

CSOs and the election management body

The Electoral Management Board of the CNE of Mozambique comprises representatives of the two major political parties - FRELIMO and RENAMO (see Chapter 3). It is also composed of civil society representatives, chosen by the political party representatives on the board. Several civil society groups told Commonwealth observers they lacked confidence in the CNE's impartiality and independence from political influence. They advocated for civilian oversight of the CNE that would be independent of any political party affiliation.

Additionally, CSOs (and faith-based organisations) played a crucial role in filling the gap in pre-election preparedness, forming partnerships with CNE to implement voter registration and education initiatives to widen participation in elections. The Centre of Learning and Capacity Building of Civil Society (CESC) was the largest civil society provider of civic and voter education in Mozambique, providing civic education and voter registration programmes in provinces where the public had expressed concerns regarding exclusion from credible democratic process in the past, including Gaza, Zambézia, Cabo Delgado and Niassa provinces. CESC was found to have a strong working relationship with CNE at the national, province and district levels.

Faith-based organisations

Religion has a significant influence in culture, society, beliefs and practices among Mozambicans. Christianity is the dominant religion in Mozambique. There is a significant Muslim minority concentrated in the Northern provinces, including Nampula and Zambézia.

Faith-based organisations - from both Christian and Islamic denominations - played a crucial role in reducing tensions and promoting peace and conciliation during the 2019 elections. These religious bodies hosted political parties, organised prayer sessions, sponsored peace pledges and supported local observers in polling stations. Religious leaders urged political parties, civil society and security services to embrace the values of peace and tolerance throughout the electoral cycle. Islamic faith-based organisations were key to the voter education and registration of Muslim minorities.

Citizen observers

In contrast to pre-election activities, the space for CSOs to act as observers of Election Day processes appeared to be contracted. CSOs expressed a lack of confidence in the process of accreditation of citizen observers. In some cases, despite submitting timely requests, established citizen observer groups experienced difficulties with accreditation, frustrating their efforts to have a wide national coverage. Some Provincial Election Commissions (CPEs) requested more documents than those required by law; some claimed there was an unusually high number of national

accreditation applications, while others claimed technical problems with the equipment that produced the accreditations.

Notwithstanding human resources constraints, national observer platforms issued regular briefings to keep the public informed on Election Day.

The Group's attention was drawn to cases where some accredited citizen observers were unknown to the national observer community of Mozambique: Commonwealth observers in Zambézia noted the presence of citizen observers in the rural voting districts of Namacurra and Nicoadala with accreditation credentials that appeared to be printed copies of official CNE credentials and cases where no organisation at all was listed on the observer credentials. These observers were reluctant to disclose their host organisation to Commonwealth observers.⁷ National observer platforms indicated in media briefings to Commonwealth observers and local journalists in Zambézia province that the unknown citizen observers often voted more than once, gave instructions to polling station staff and attempted to slow down the process. The Group was unable to verify these claims.

Commonwealth observers were also informed of incidents where local and international observers were expelled from the room where the district polling results were being tabulated in Milange, Zambézia and in Mocuba in Nampula province. The Group was unable to verify the circumstances surrounding these incidents and the reasons for their removal.

For these elections, one of the most robust civic engagements came from the interventions of the Peace Room (*Sala dal Paz*), a network of local grassroots civil society organisations formed in 2018 in response to scenes of violence and voter intimidation in previous Mozambique elections. In the 2019 elections, the Peace Room operated through more than 1,200 live observers in the provinces of Nampula, Tete, Sofala, Zambézia, Gaza and Manica. The live observers sent information regarding incidents of violence, fraud and voter obstruction to delegates in the Peace Room situation rooms, located in the capital of each province. Delegates gave regular non-partisan media briefings for local journalists, international and citizen observers, and elections officials. Despite issues with the accreditation of citizen observers, in Zambézia province, 77 per cent of Peace Room observers were accredited, allowing them to cover 73 per cent of the province. The Peace Room used its networks with other citizen observer groups to access information regarding polling stations not attended by its own observers.

Commonwealth observers visited a situation room and attended media briefings in Zambézia province to get a sense of the nature and types of incidents being reported in the communities where they were deployed. Although the Peace Room compiled and disseminated a significant amount of information, Commonwealth observers noted

⁷ The Group observed a number of unnamed observer groups securing accreditation by the CPEs in the days immediate to the elections - estimated to reach 42,000. The Commonwealth Observer Group witnessed some CPE accreditation occurring in Nampula province on the day of the election.

the technical capacity and resources of Mozambique situation rooms were in need of further strengthening.

One week after the elections, a coalition of national observer groups issued a statement concluding that the election was not free and fair.⁸

Recommendations

- CSOs play a critical role in ensuring a credible and peaceful election. The Group urges Mozambique to continue to support and guarantee their contribution to the development of peaceful elections in the country, particularly in the northern provinces, which are increasingly vulnerable to insurgency.
- The Group encourages the CNE to continue to engage with CSOs during the electoral process and provide them with access to information to adequately perform their monitoring, advocacy, voter education and evaluation functions. These partnerships are crucial to reaching voters in more remote, marginalised and rural parts of Mozambique that are traditionally excluded from electoral processes.

CSOs expressed concerns regarding the efficiency, fairness and transparency of the accreditation process for citizen observers. Citizen observers often have the numbers on the ground and local knowledge that international observers lack. The Group urges the CNE to streamline accreditation processes and provide public lists of accredited organisations to lend transparency to the accreditation process. Such transparency mechanisms will build trust between the election management officials and citizen observers on the one hand, and within the observation community itself on the other.

The Commonwealth Observer Group encourages CSOs to continue engaging in voter education with all sections of the population, with an emphasis on marginalised groups and provinces.

Women

Legal Instruments and Institutions

In Mozambique, women make up 51.5 per cent of the total population according to the World Population Review. Article 122 of the Mozambique Constitution mandates the state to promote, support and value the development of women and support their growing role in all spheres of Mozambican public life. It also requires the state to recognise the participation of women in the promotion of democracy. Article 36 of

⁸ This coalition comprised the Centre for Public Integrity (CIP); Centre for Democratic Development (CDD); Centre of Learning and Capacity Building of Civil Society (CESC); National Forum of Community Radios (FORCOM); Rural Environment Observatory (OMR); Assistance Mechanism for Civil Society (MASC); WLSA Mozambique; and Votar Moçambique.

the Constitution enshrines the principle of equality, stating that men and women shall be equal before the law in all spheres of political, economic, social and cultural life.

Women's participation in the 2019 elections

Women's participation as voters and as polling officials was significantly higher compared to their political participation. With the recent introduction of capturing aggregated gender data during the voter registration exercise, women represented 52 per cent of registered voters for the 2019 general elections. Women actively participated in conducting elections, serving at all levels, including as polling officials, presiding officers and constituency electoral officers.

The legal framework does not provide for any special measures such as quotas to guarantee women's representation in elected bodies or on party lists. Nevertheless, the 2014 elected Parliament had 90 women out of 250 members. Women also held prominent positions in the outgoing Parliament, for example: Speaker of Parliament; two out of the three parliamentary benches; the Presidency of the Constitutional Council; the Attorney-General and the deputy Attorney-General; and a number of other leadership positions in public institutions.

Overall, the participation of women as candidates for office across all three elections in 2019 was considerably lower than that of men. Women made up 16.6 per cent of the candidates in the general elections. There were no female candidates for the Presidency, as the only proposed female candidate, Alice Mabota, failed to meet the regulatory requirements for candidacy according to a ruling by the Constitutional Court. Some 256 women successfully registered for the National Assembly elections and 988 for the Provincial Assembly elections, including five women candidates for the gubernatorial elections. There was an increase of 16 women elected to the Assembly of the Republic (106) as a result of the October 2019 national elections.

The Commonwealth Observer Group met with a number of gender-focused civil society groups. They noted structural barriers to entry, such as the nomination fee and the cost of campaigning, which posed challenges for women who considered running for office, along with a general lack of access to resources. Other challenges that hindered women's political participation included cultural barriers and the violence often associated with elections.

Recommendations

- Given the low participation of women in contested seats in this election, the Commonwealth Observer Group recommends that the National Assembly, political parties and other relevant stakeholders consider the use of temporary special measures, such as a quota system and the creation of women-only seats, to guarantee the participation of women in elected bodies and on party lists.

- Noting the important role that political parties in particular can play in addressing gender imbalance in political leadership, we urge political parties to consider adopting and implementing special measures, such as voluntary quotas, to achieve gender balance within their own decision-making structures.
- To alleviate the weight of the financial burden on women seeking to contest elections and to encourage more women to run for office in Mozambique, we urge political parties to consider ways to encourage the participation of more female candidates, including the establishment of special funds for women candidates.

Youth

Youth participation in the 2019 elections

Article 123 of the Mozambique Constitution mandates the state to ‘promote, support and encourage young people’s initiatives in consolidating national unity and in the reconstruction, the development and the defence of the country’. Given that 55 per cent of registered voters were youth (defined as those between 15 and 35 years of age) these elections represented a significant opportunity to engage young people in the political life of Mozambique.

In the lead up to the 2019 elections, there was a concerted effort from civil society and youth organisations to encourage youth electoral participation and, most importantly, to improve the electoral literacy of voters. The CESC made use of targeted TV commercials and social media to create dynamic messages across media platforms. Social media is becoming more prominent among youth in Mozambique, allowing many young persons to have direct access to the country’s leadership and share important information in a timely manner.

Political parties also made significant attempts to capture the youth vote by using social media platforms. They crafted messages targeting the key concerns of young people, such as unemployment, on WhatsApp, Instagram and Facebook. Political parties also tried to engage youth in political campaigns and rallies by using Twitter hashtags as an advertising tool.

Commonwealth observers who attended FRELIMO political rallies noted a significant number of young people in attendance, as well as groups of young RENAMO supporters peacefully campaigning on the streets during the campaign phase. Observers also noted that the long queues of voters waiting to vote towards the end of Election Day were predominantly made up of young people attempting to exercise their vote just before polls closed.

Recommendations

- The Group encourages the National Assembly to consider the legal provision of a quota system for youth representatives (aged 18 to 35) to the Provincial Assemblies and the National Assembly elections.
- The Group encourages political parties to create empowered youth-led wings and youth caucuses designed to actively involve young people in policy- and decision-making.
- The Group encourages CSOs and CNE to continue to engage in voter education programmes targeting youth populations using social media platforms.

Vulnerable Groups

Efforts have been made to ensure inclusion of vulnerable groups, such as persons with disabilities (PWDs), the sick and the elderly, in electoral processes. Specifically, Article 125 of the Constitution guarantees priority treatment of disabled citizens by public services, including easy access to public places.

In the lead up to the 2019 elections, attempts were made to open up the political space for PWDs and the elderly to effectively participate in the elections. Access for vulnerable groups was a focal point of CNE training for polling staff officials. Some Commonwealth observers witnessed priority voting for vulnerable groups. However, not all accessibility challenges that face vulnerable groups were addressed as part of the 2019 elections. Some Commonwealth observers reported unfavourable treatment of vulnerable groups in polling stations they visited, with vulnerable people forced to wait in long queues. Commonwealth observers also noted there was no system in place to guarantee assistance for vulnerable groups unable to complete ballot papers themselves.

Beyond the civic exercise of voting, political participation by people with disabilities remained limited, with CNE and political parties lacking a comprehensive programme to include PWDs as polling staff, candidates or voters.

Recommendations

- The Commonwealth Observer Group encourages the Electoral Management Board to continue to emphasise access for vulnerable groups in polling staff training to address the shortcomings in the access provided in the 2019 elections. Such training could be supported by the development of a disability and inclusion manual.

- In addition to supporting PWDs to cast their vote on Election Day, deliberate efforts should be made by political parties and the election management body to facilitate their participation in all aspects of the electoral process, including: in voter registration exercises; as candidates for elective office; as polling officials; as local observers; as party agents; and as media monitors.
- Positive legal provisions and regulations should be created to guarantee the political participation of vulnerable groups in Mozambique, accompanied by adequate resources, training and enforcement.
- As Mozambique's democracy and its economy evolve, for future elections, the Commonwealth Observer Group encourages Mozambique to develop effective electoral information, education and communication materials tailored for PWDs, using various formats including braille, audio and closed caption.

Chapter 5 - ELECTION CAMPAIGN AND MEDIA

The Election Campaign

Election campaign officially commenced on 31 August 2019 and ended on 12 October, 48 hours prior to Election Day. During the period of the Group's presence in Mozambique, it was observed that fundamental freedoms of association, expression, assembly and movement were largely respected.

The period was largely peaceful and the rights of candidates and political parties to campaign were broadly respected. However, reports of election-related violence were of concern to several stakeholders, especially in Gaza, Zambézia and Nampula. The killing of Anastácio Matavele, the head of a citizen observer group, on 7 October, was of concern to several stakeholders the Group met. Furthermore, on 11 October, the MDM candidate for Governor of Maputo province, Mr Augusto Palembe, reportedly escaped an assassination attempt in Malwana, North of Maputo. All the main political parties the Group met with complained of violence against their members.

The signing of the peace agreement between RENAMO and the government on 6 August provided some reassurance of a peaceful environment for the campaigns. However, threats from a faction of RENAMO's militia to disrupt the polls loomed over the campaign period, with some attacks that led to at least one death attributed to them.

Political campaign posters for the three main political parties, FRELIMO, RENAMO and MDM, dominated across the country. Some posters for AMUSI were also visible. By far the most noticeable posters were those of the FRELIMO candidate, Filipe Nyusi, which was plastered on walls and billboards. In contrast, posters for MDM and RENAMO were harder to find. Rallies taking place in towns or rural centres were well attended and generally peaceful. The Group observed some concluding rallies in Maputo.

Funding for political parties, coalitions of parties and candidates is allowed for under the legal framework and allocated by the CNE. For this year's campaigns, a total of 180 million meticaís (approx. US\$2.9 million) was allocated for party campaign activities. This was higher than the 70 million meticaís (US\$1.1 million) allocated for the 2014 elections. The campaign funds were shared equally (60 million meticaís each) between the Presidential, Parliamentary and Provincial Assembly elections. Some political parties complained about the late disbursement of these campaign funds by the government.

The use of public assets in the campaign is barred by law. Campaigning is also prohibited in specific locations such as military and health facilities. Nonetheless, some local stakeholders commented that the governing party, FRELIMO, unduly benefitted from its incumbency in government using assets and civil servants for its campaigning efforts, with opposing parties claiming that it was difficult to match the resourcing and exposure available to those in government. In particular, accusations

were made that public resources such as vehicles may have been employed by party leaders working on FRELIMO's campaign. The Commonwealth Observer Group witnessed government vehicles transporting FRELIMO supporters in Nampula province.

Under the law, election propaganda materials are prohibited to be shown at state and municipal departments, educational institutions and other public institutions. In the 48 hours preceding the elections, and also during Election Day, election propaganda is specifically not permitted. The Group noted nonetheless that there were campaign posters still on display on Election Day.

Overview of the Media Landscape

Mozambique has a vibrant media landscape with more than 500 outlets across print, television, radio and online platforms. For these elections, public and state media allotted time slots for all political parties for campaign purposes. The state media was found to enjoy greater influence than private and independent media, which are often under-resourced and generally found only in major urban centres. Journalists were in most cases able to operate freely throughout the pre-campaign, campaign and Election Day periods.

Radio had the greatest influence, with Radio Mozambique (Rádio Moçambique), the public broadcaster, reaching most of the country - including remote rural areas - and programming in almost 20 languages. Radio Mozambique moved from state ownership to become a private company in 1994. However, it still receives around half of its operating budget from the government. In addition, there are many private FM stations and community radio stations.

The most circulated newspaper is the daily *Notícias*. The government has a majority stake in it and the newspaper is a major recipient of government advertising business. Another key source of information is the Mozambique News Agency (*Agência de Informação de Moçambique*), which is state funded. In terms of private media, a range of daily and weekly newspapers also exist.

Internet access in Mozambique is unrestricted and social media use is on the rise, aiding freedom of expression, although the estimated internet user population is only around 21 per cent. Several political parties, such as the *Nova Democracia* (New Democracy) party, used Facebook and other social media platforms to campaign.

There were some examples of disinformation disseminated, mostly from social platforms like WhatsApp. Polling produced during the election campaign (which is forbidden under Mozambican electoral law) was published on 4 October 2019 by a foreign-linked organisation, the International Anticrisis Center (IAC), and was then disseminated by false and real social media accounts. In October 2019, Facebook suspended three foreign-linked networks seeking to influence domestic politics in

seven African countries and Mozambique.⁹ Some of those fake pages, posing as Mozambican, praised FRELIMO and attacked its main rival, RENAMO, including falsely accusing it of signing a contract to allow Chinese nuclear waste to be stored in Mozambique.¹⁰

Media Coverage of the Election

The media provided extensive coverage of the elections. By law, no opinion polls could be published during the campaign period, up to the time that results were announced. This limited the media's capacity to report on the ebb and flow in the popularity of each campaign. In addition, there was no presidential debate between the candidates on either television or radio.

According to Mozambique's electoral law, public media is obliged to provide broadcasting time free-of-charge to the parties. Article 49 of the Constitution states:

Political parties that have seats in the National Assembly but are not members of Government shall, under the law and according to their degree of representation, have the right to broadcast time on public radio and television services in order to exercise their right of reply and the right to respond to the political statements of the Government.

In an electoral context, the Constitution states that candidates 'shall have the right to regular and equitable broadcasting time on public radio and television stations of national or local range, within the terms of the law'. The CNE is charged with distributing airtime on public radio and television.

On Election Day, journalists were seen at polling stations in urban centres and at local media briefings, though none were observed by the Group in rural areas. By and large, the media seemed to be unhindered in its access.

Recommendations

- Political parties should improve their media capacity to take full advantage of the free broadcast time allocated in public media.
- As highlighted in the 2014 COG Report, public campaign financing should be disbursed to political parties in a timely manner and sufficiently ahead of the campaign period, to ensure that they can make best use of these resources.

⁹ One of the pages Facebook listed as being 'inauthentic' was AFRIC, which deployed an electoral observation mission to Mozambique in October 2019.

¹⁰ The Group was made aware of these issues by civil society representatives. The issue is examined in greater depth in the final reports of other international observation missions, including the European Union.

Chapter 6 - VOTING, COUNTING AND RESULTS TABULATION

Background

As noted in Chapter Three, procedures for voting are prescribed in Law 8/2013 of 27 February 2013 as revised by Law 12/2014 of 23 April 2014 (governing elections of the President and National Assembly) and are laid out for polling staff in the *Manual of Polling Station Staff* issued by CNE and STAE.

A total number of 13,161,063 voters were registered during the voter registration period, approximately 91 per cent of eligible voters according to CNE estimates. Voters were required to vote at the place where they had registered. At each polling centre (which were called assemblies in the Mozambican context), several polling stations were established, which were allocated no more than 800 registered voters each. Upon registration, each voter received a voter's registration card, which had a serial number. The latter was used to determine the polling station to which the voter was allocated. Each polling station had a segment of the voter register. Nationwide, there were a total of 20,162 polling stations, as well as 407 polling stations in the diaspora. Voting facilities were provided at Mozambican diplomatic missions outside the country.

According to law, each polling station was staffed by a team of seven:

- a president (*presidente*);
- a vice-president (*vice-presidente*);
- a secretary (*secretário*); and
- four tellers (*escrutinadores*), three of whom were appointed by the political parties represented in the National Assembly and one of whom was appointed by STAE.

The presence of party representatives (*delegados*), national and international observers, and accredited media was also permitted.

Key Procedures for Opening and Voting

Polling stations opened at 07:00 with the empty ballot boxes being displayed to those present before being publicly sealed. Separate ballot boxes were provided for each election and were identified both by large stickers on the front of the box and by different coloured lids to match the colour of the respective ballots. Cardboard voting booths were provided and placed so as to protect the secrecy of the vote. The prescribed time for the close of the polling was 18:00, but any voter at the polling station at that time who had queued up to vote was entitled to do so.

The standard voting procedure is outlined below:

- Voters queue outside their designated polling station.
- When the voter reaches the front of the queue, his/her voter card is presented and checked against a list at the entry to the polling station.

- The voter is then admitted and invited to approach the desk, where he/she is required to show his/her hands (so that staff can check for indelible ink) before presenting his/her voter card once again.
- Once the voter has been identified and his/her registration confirmed, he/she is provided with the ballot papers and, if necessary, is given detailed instructions on what to do next.
- The voter then proceeds to a voting booth (having left any bags outside the booth). The booths both contain a pen and an ink pad for voters to mark the allocated area of the ballot with either a cross or a fingerprint before folding it as prescribed.
- The voter returns to the desk and places the ballots in the corresponding ballot box in view of polling staff and observers, then dips his/her right index finger in indelible ink.
- Staff record the vote by ticking the electoral register beside the voter's name and return the voter card.

Assessment of Opening and Voting

Voting was conducted in a largely peaceful and orderly manner. Polling stations generally opened on time, except in some cases where delays occurred for various administrative and technical reasons. Polling stations were equipped with the requisite polling staff and materials. Although there were some variations in the layout outlined in the training manual for polling officials, the secrecy of the vote was not compromised. The procedures for the opening of the polls were followed.

The Group had earlier been informed by the Chairperson of the CNE that, due to the insurgency in the far North of Cabo Delgado province, polling arrangements in some districts could be impacted. However, elections were held in much of the province, although the CNE announced that polling would not take place in six polling stations, in three districts. The Group noted that in spite of the destructive and fatal impact of Cyclones Idai and Kenneth, which hit Mozambique in March and April 2019, respectively, there were sufficient recovery efforts that enabled elections to be held in the provinces that had been most affected. Our observers in Sofala province confirmed the use of temporary structures for polling stations. Notwithstanding the difficult circumstances, including challenges to access by less able voters and in some cases, over-crowding in small huts, voting proceeded in these areas. The Group commends the staff of the CNE, STAE, polling officials and all other institutions who worked tirelessly to ensure the elections took place in the aftermath of these serious natural disasters.

It was noted, however, that there were several allegations of intimidation of voters and serious irregularities, largely by the governing party, FRELIMO, and in some cases, RENAMO, which were brought to the attention of our observers. These irregularities were especially prevalent in Zambézia and Nampula. In two districts of Nampula, the Group witnessed occurrences that gave credence to some of these allegations. These included reported incidents that some presidents of polling stations issued multiple ballot papers to alleged pro-FRELIMO voters. In addition, one of the Group's observers witnessed persons with ballot papers outside of polling stations in the Ilha de Moçambique District, and was informed by a separate international observer mission

in Nampula that it had witnessed the smuggling into polling stations of extra ballot papers. Fourteen (14) cases (of 32) submitted in October 2019 to district courts either for ballot-box stuffing or being caught with extra ballot papers during voting were in Nampula province. We noted also that in some cases, there were mounting tensions in the build-up to the closing and counting stages. For example, our observer present in Ilha de Moçambique in Nampula province, reported the deployment of a Rapid Intervention (police) Force on two occasions, both of which were later withdrawn.

As was the case in the 2014 elections, one of the key issues in the conduct of Election Day was the slow and cumbersome processing of voters. This resulted in an arduous polling experience for many voters, hindering effective queue management. While lengthy queues could usually be expected at the opening of polls, they should have diminished after a few hours of polling. The slow processing of voters was mainly due to the ballot-issuing process, in particular the practice adopted by polling officials of instructing each and every voter individually on the voting process. The *Manual of Polling Station Staff* only requires that an explanation of voting procedures be given ‘if the voter does not know them’. This aspect had remained unaddressed since the previous elections in 2014, and there was a need for this to be reviewed in CNE/STAE manuals and training.

In this respect, some of the observations and recommendations made by Commonwealth observers in 2014 aimed at streamlining the process remained valid. These included: reviewing the necessity of providing voting instructions to all voters irrespective of need; reviewing the role of the president (or presiding officer) to ensure the least constraint in his/her ability to manage the smooth running of the station; and ensuring ‘tellers’ have adequate training in queue management. In addition, at polling centres with a large number of polling stations, there was a need for a centre manager who could exercise overall management functions separate from those of the individual presidents, without impinging on the autonomy of individual polling stations.

Key observations noted by the Group:

Processing of voters: There are a number of options for improving the speed and efficiency of the processing of voters. These include:

- having a poster in graphic form outside each polling station, illustrating the voting process;
- ensuring that the method of voter identification and voting is thoroughly addressed in voter education programmes in advance of Election Day, and thereafter providing specific ‘education’ in the polling station only to voters who clearly need or request it; and
- bringing several voters into the polling station at the same time and conveying the education messages to them as a group.

Participation of women and youth: The Group was impressed by the confidence and enthusiasm of polling officials, a significant number of whom were young men and women. Women and young people also turned out in large numbers among voters.

Security: It was observed that, while police were present at all polling centres the Group visited, in a number of cases the police presence at polling stations breached the 300 metres perimeter limit indicated in the electoral law.

Media: We also noted the polling stations where media representatives were present, appeared to be able to perform their duties unhindered.

Party agents (*delegados*): In most polling stations the Group visited, except for Xai-Xai in Gaza province, party agents were present. A significant number of them were from FRELIMO, RENAMO and MDM. Party agents had access to hard copies of the register, which they used to verify voters as voting proceeded.

Presence of observers: The Group noted that, prior to Election Day, several independent observers had failed to be accredited in time.¹¹ It was regrettable that this matter remained unresolved and that on Election Day, certain areas may have been deprived of the scrutiny that citizens - who are often more familiar with local context - were able to provide. Nonetheless, our observers met and engaged with several citizen observers in the field, including the Peace Room, which comprises a network of local civil society groups, covering six districts. We were encouraged to hear from the Peace Room in Zambézia that 77 per cent of their observers had been accredited, allowing them to cover 73 per cent of that province. It was noted that several 'party observers' had also been accredited. The Group could not, however, verify the credentials of these observers.

Special voting: The Group witnessed some cases where special voting took place for categories of persons on duty on Election Day. It was noted that polling staff were allowed to vote in advance of other voters at the opening of the polls.

Priority voting: We observed that, in most instances, priority was accorded to the elderly; persons with disabilities (PWDs); pregnant women; and women with children, as provided under the electoral laws. We observed in both Nampula and Zambézia provinces, however, some cases of unfavourable treatment of vulnerable groups in polling stations. In some instances, in Nampula province, priority was given to party officials, which sparked scuffles. Also, in Zambézia, at a temporary polling station located on a sports field, elderly voters were unable to access the polling station to seek priority voting due to the cramped layout of the temporary structure.

Colour of ballot papers: As in 2014, the CNE once again opted to have green Provincial Assembly ballot papers, which were a very pale colour and were sometimes difficult to distinguish from the white National Assembly ballot papers. We reiterate the recommendation of Commonwealth observers in 2014, that this should be addressed when printing is being arranged in the future.

Presence of campaign materials: Another key observation was that, contrary to the prohibition of campaign materials in the 48 hours preceding the elections, and also during Election Day, campaign materials were nevertheless visible in some parts of the country on Election Day.

¹¹ See Chapter 3 for coverage of this issue in more detail.

Close of polls: Voters who were still in the queue were allowed to vote at close of polls at 18:00 hrs, in accordance with the law. The closing of polling stations was conducted transparently and in accordance with procedures. There were allegations that several polling stations in Nampula closed early for inexplicable reasons, and which the Group was unable to verify.

Transportation of sensitive materials: The Group noted that the bill of materials for polling stations included sensitive materials, namely the ballot papers and the indelible ink. Best practice is to separate sensitive materials from the bill of materials, and deliver the former as close as possible to the opening of the polling stations to enhance security.

Key Procedures for Counting and Results Tabulation

At the end of the voting, the president of the polling station closes the electoral register, which is then signed by all party representatives. Counting takes place at the polling station immediately after close of the station. After sealing the slots on the ballot boxes, the procedure is as follows:

- Staff count and mark the unused ballot papers remaining and count the number that were spoilt. The numbers so obtained are subtracted from the total number of ballot papers on hand at opening to deduce the number of ballots that should be in the ballot boxes.
- Unused and spoilt ballots are sealed in a clear tamper-evident plastic bag.
- The number of voters ticked off the electoral register is counted and compared to the number of ballots expected in the ballot box.
- The first ballot box is opened and the number of ballot papers it contains is counted and recorded. Ballots are then returned to the ballot box and it is resealed. The same process is repeated for the other two ballot boxes.
- The first ballot box is then reopened, and the president reads out the serial number of each ballot paper.
- As this is done, the secretary checks that the serial number is one of those on the ballot paper stubs.
- If it is, then the president displays the ballot and reads out the name of the candidate or list voted for. A tally of the candidates/lists is noted down on separate sheets of white paper, or on a large board, by the first teller.
- The second teller places the ballots in separate piles for each candidate, and for invalid and blank votes.
- When all votes are counted, the first and second tellers count the votes and the president announces the numbers of votes for each candidate.
- The procedure is then repeated for the National Assembly ballot box, and finally the Provincial Assembly ballot box.
- The original results sheet showing the number of votes received by each candidate and invalid votes, duly signed and stamped, is required to be displayed at the polling station.

Assessment of Counting

Counting procedures were transparent and generally adhered to in most cases. The recommendations of the Commonwealth observers in 2014 remained valid in this aspect of the process as well.

There is need to streamline the prolonged counting process in a manner that eliminates human error due to fatigue, and does not detract from the accuracy and transparency of the process. For instance, once a ballot box has been opened, the lid could be returned without resealing it. Additionally, the announcement of the vote cast on a ballot by two different officials has the potential to create confusion and mistakes. Finally, when sorted ballots are counted, they should be placed in stacked bundles with a standard number of papers, to make subsequent handling easier.

Key Processes for Results Tabulation

Election materials, including the results sheets, must be delivered personally by the president of each polling station, or sent by the most secure means available to the district/city elections commission within 24 hours of the close of polls. The commissions then have an additional 48 hours to tabulate results and forward them to the provincial elections commission. Party representatives are allowed to accompany the transport of materials if they wish.

The results are then passed to the CNE, so that it can tabulate and announce the result of the Presidential and Parliamentary elections. The maximum permitted time between the close of polls and announcement of the final results by the CNE is 15 days.

Assessment of Results Tabulation

Following the end of counting, polling officials had to proceed to a designated place in the district to hand over the documents showing the results of polling, return unused materials and receive payment for their work. As large numbers of people and volumes of material therefore converge at a single place, there is a considerable potential for delays, bottlenecks and loss of control of the process if it is not meticulously planned and organised. In a number of districts observed, the process was seen to be proceeding far from optimally, in less-than-ideal premises and with long delays clearly in prospect. Detailed staff guidelines for this process should be reviewed to ensure that in future it will proceed as smoothly as possible.

Notably, the results tabulation process was still ongoing at the time of departure of the Group from Mozambique.

Recommendations

- There is need for improved voter education ahead of the next election: a bottleneck in the processing of voters for this election was the provision of detailed voting instructions to each and every individual voter before he/she cast their ballot, regardless of need.

- The limited role of the ‘president’ of the polling station (the presiding officer), requires reflection. In other jurisdictions, he or she also has oversight of all the polling station’s operations, including effective queue management. In the alternative, large polling centres may require a centre manager with overall management functions separate from those of the individual presidents, without impinging on the autonomy of individual polling stations.
- A method should be found to streamline the counting process for two main reasons: i) to consider handling each ballot paper once, thereby avoiding the need for unsealing and resealing ballot boxes multiple times; and to eliminate the risk of human errors due to tired staff.

Annex I: BIOGRAPHIES OF CHAIRPERSON AND OBSERVERS

HE Stephen Kalonzo Musyoka (Chair)

HE Stephen Kalonzo Musyoka is a Kenyan politician who served as the tenth Vice-President of Kenya from 2008 to 2013. HE Musyoka served in the government of President Daniel arap Moi and was Minister for Foreign Affairs from 1993 until 1998.

Subsequently, under President Mwai Kibaki, he served as Minister of Foreign Affairs from 2003 to 2004 and Minister of the Environment from 2004 to 2005. HE Musyoka is leader of the Wiper Democratic Movement party (formerly the Orange Democratic Movement-Kenya), which he founded in 2007.

From 1993 to 1997, HE Musyoka was involved in the Somali-Sudanese peace process, serving as Chair of the talks. In 2008, HE Musyoka was honoured with a Doctorate in Humane Letters (*honoris causa*) in recognition of his achievements in peace-making, conflict resolution efforts, sustainable community development and humanistic ideals by Kenyatta University. HE Musyoka currently serves as Kenya Special Envoy to South Sudan.

HE Musyoka holds a Bachelor of Laws (LLB) degree from the University of Nairobi, a post-graduate diploma in law from the Kenya School of Law, a post-graduate diploma in business from the Mediterranean Institute of Management in Cyprus, and a master's degree in law from the University of Nairobi. HE Musyoka is also chancellor of the Uganda Technology and Management University (UTAMU).

Musa Mwenye, SC (Deputy Chair)

Mr Mwenye is currently founder and senior partner at Messrs Mwenye & Mwitwa - Advocates. He is immediate past Attorney-General of the Republic of Zambia by virtue of which he was ex officio member of the Zambian Cabinet, principal legal adviser to the government and leader of the Zambian bar. Mr Mwenye also served as Solicitor-General of the Republic of Zambia from the 29 December 2011 to 26 June 2014, when he was ratified as Attorney-General by the Zambian Parliament.

Mr Mwenye obtained his LLB degree from the University of Zambia and is a member of the Zambian Inner Bar (Silk). He is also admitted as a solicitor of the Supreme Court of England and Wales. He is a Commissioner of Oaths and has in the past held judicial office as a Commissioner of the Small Claims Court of the Republic of Zambia.

Mr Mwenye is a Notary Public in Zambia and was, at one time, President of the Law Association of Zambia. He has several times also chaired committees of the Law Association of Zambia, including the Disciplinary Committee.

He has also been Chairperson of the Zambia Institute of Advanced Legal Education (the only institution mandated to administer Bar Exams in Zambia), Chairperson of the Medical Council of Zambia Disciplinary Committee and Chairman of the Anti-Money Laundering Authority of Zambia.

Dr Alex Vines, OBE

Dr Alex Vines OBE (United Kingdom) is the Director the Africa Programme at Chatham House, London and also Managing Director for Risk, Ethics and Resilience at the institute. He is also an assistant professor at Coventry University, has chaired the UN Group of Experts on Côte d'Ivoire and has been a member of the UN Panel of Experts on Liberia.

He has more than 25 years' experience working on African peace, security and governance issues, including as a senior researcher for Human Rights Watch. He sits on a number of editorial boards, including the *South African Journal of International Affairs*, *Journal of Southern African Studies* and *Africa Review* (African Studies Association of India).

Dr Nomsa Masuku

Dr Nomsa Masuku is an academic and a champion of civic and democracy education. She joined the Electoral Commission of South Africa as a commissioner in November 2018.

Dr Masuku was previously the Electoral Commission's Deputy Chief Electoral Officer, responsible for outreach, for a period of six years. Before that, Dr Masuku headed Standard Bank's Corporate Social Investment Unit for seven years.

Prior joining Standard Bank, Dr Masuku spent eight years working for the Electoral Commission of South Africa, where her portfolio included the strategic development of programmes that assisted the commission in contributing to the entrenchment of constitutional democracy - including overseeing the provision and promotion of civic and democracy education.

Dr Masuku has a PhD in Applied English Linguistics from the University of Birmingham, UK.

Emma Wilson

Emma is a lecturer in Peace and Conflict Studies in the Department of Politics and International Studies at Cambridge, researching the adaptation of peace process design to new political economies of conflict.

Before Cambridge, she was a diplomat for the Australian Foreign Service, serving missions in Jakarta, Indonesia, and the UN, New York.

She also carries out peace mediation advisory work for international non-governmental organisations, such as the International Centre for Transitional Justice, the Lauterpacht Centre for International Law at Cambridge and the Institute for Peace and Security.

Annex II: DEPLOYMENT PLAN

Region	Location	Name
Maputo province; Maputo City	Maputo province; Maputo City	HE Kalonzo Musyoka Yvonne Apea Mensah
Gaza	Xai-Xai; Gaza province	Musa Mwenye, SC Koffi Sawyer
Nampula	Nampula City; Nacala; Ilha de Moçambique	Dr Alex Vines, OBE
Sofala	Beira; Dondo	Dr Nomsa Masuku Andy Baines
Zambézia	Quelimane	Emma Wilson Linford Andrews

Annex III: ARRIVAL STATEMENT

COMMONWEALTH OBSERVER GROUP 2019 MOZAMBIQUE GENERAL ELECTIONS

Statement by Acting Chair

**Musa Mwenye SC, Former Attorney-General of Zambia
11 October 2019, Maputo, Mozambique**

We are honoured to have been requested by the Commonwealth Secretary-General, The Rt Hon. Patricia Scotland QC, to observe the general elections in Mozambique scheduled for 15 October 2019 at the invitation of the Government of Mozambique.

We arrived on 10 October and will be in Maputo until 20 October. Members of our Group are drawn from various Commonwealth regions with backgrounds, ranging from the political, electoral and legal fields.

We are aware of the significance of these elections in promoting democracy in Mozambique. Our presence here affirms the Commonwealth's enduring solidarity with the people of Mozambique.

As a starting point, we would like to take this opportunity to strongly condemn all incidents of violence, including the killing of Mr Anastácio Matavele, head of a local observer group in Xai-Xai. We convey sincere condolences to his family and friends and urge a thorough investigation into this and any other incidents of violence. We encourage all stakeholders to demonstrate unwavering commitment to peaceful and credible elections.

Our mandate is to observe and evaluate the pre-election environment, polling day as well as the post-election period. We will consider the various factors impinging on the credibility of the electoral process as a whole, and report on whether it has been conducted to the national, regional, Commonwealth and international standards to which Mozambique has committed itself.

As independent observers, we will remain objective and impartial in discharging these duties. The Group's assessment will be its own and not that of any Commonwealth member country.

Over the next few days, we will receive briefings from relevant stakeholders, including election management officials, representatives of political parties, civil society groups, the police, members of the international community, and citizen and international observers.

On 13 October, our observers will deploy to selected provinces, where we will observe the pre-election environment. Subsequently, we will observe the opening of polls, voting, counting and the management of results from Election Day until our departure from Mozambique. We will issue an Interim Statement of our preliminary findings shortly after 15 October. Our Final Report will be submitted to the Secretary-General and will be made available to the public afterwards.

The Commonwealth Observer Group is composed of:

- **HE Mr Stephen Kalonzo Musyoka (Chair)**, Former Vice-President, Republic of Kenya
- **Mr Musa Mwenye**, Former Solicitor-General and former Attorney-General, Zambia
- **Dr Alex Vines**, Head, Africa Programme, Chatham House
- **Dr Nomsa Masuku**, Commissioner, Electoral Commission of South Africa
- **Ms Emma Lee Wilson**, lecturer in conflict mediation, Department of Politics and International Studies, Cambridge University

Note to editors

For more information or to organise a media interview with the Chair, please contact: t.kalejaiye@commonwealth.int

Annex IV: INTERIM STATEMENT

**Interim Statement by HE Stephen Kalonzo Musyoka
Former Vice-President, Republic of Kenya
Chair of the Commonwealth Observer Group**

15 October 2019

Your Excellencies,
Fellow Heads of Election Observation Missions,
Members of the media,
Ladies and Gentlemen,

On 15th October 2019, the people of Mozambique reaffirmed their commitment to our shared values of democracy by exercising their right to vote in the sixth multiparty elections in the country's political history.

They did so in a largely peaceful manner. The Commonwealth Observer Group commends them. We are honoured to have this opportunity to stand in solidarity with all Mozambicans.

Our Group was constituted by the Secretary-General of the Commonwealth, The Rt Hon. Patricia Scotland QC, following an invitation from the Government of Mozambique to observe these elections. We arrived on 10 October and will depart on 20 October.

Our preliminary findings will be shared in the following manner: I will first provide our key findings on the pre-election environment, after which I will focus on our observations on Election Day. Finally, I will share our impressions of the post-election stage so far, mindful that the results process is ongoing.

This holistic manner is in line with our mandate, underscored in the Arrival Statement we issued on 12 October 2019.

Let me state that in accordance with this mandate, we will be assessing this election according to the national, regional, Commonwealth and international standards to which Mozambique has committed itself.

Our final report will be submitted to the Secretary-General and will be made available to the public thereafter.

I will begin with our assessment of the pre-election environment.

The Pre-Election Environment

Since our arrival in Maputo on 10 October, we have met with a range of stakeholders including political parties, civil society, the Mozambique National Electoral Commission (CNE) and members of the diplomatic community. We observed some final rallies on 12 October.

On 13 October, members of our Group were deployed to Maputo City and Maputo, Nampula, Sofala and Zambézia provinces. Our observers in Maputo also covered Gaza province on Election Day.

I will start with the positives, two of which are the provision of public campaign funds, as well as the allocation of regular and equitable broadcasting time on public radio and television stations for eligible political parties.

That said, our value, as election observers, lies in making recommendations on areas that might require improvement.

One such area in these elections is voter registration: following reports of allegations around voter registration, especially the disputed statistics in Gaza, we raised the matter with the Chair of CNE. We remain concerned about the impact of these allegations on the elections in the affected areas and will continue to follow the outcome of the polls. We will provide our assessment in our final report.

We took note that all political parties were generally able to engage in campaign activities. However, we received reports from two opposition political parties about restrictions in accessing certain party strongholds and violent attacks on party members. The governing party also informed us of such attacks on their members.

A number of stakeholders reported a heightened scale of violence and tensions ahead of these elections.

In our Arrival Statement issued on 12 October, we condemned all incidents of violence including the killing of the local observer, Mr Anastácio Matavele. We continue to urge a thorough investigation into this and any other incidents of violence.

We encourage the use of the appropriate legal channels to pursue all complaints and grievances in order to ensure thorough investigations into these allegations.

Another issue brought to our attention was the delay in disbursement of public campaign funds. We will look into this matter in more detail and reflect our assessment in our Final Report.

A matter that was of particular concern to us was the delay, and in many reported cases, failure to accredit significant numbers of citizen observers. We raised this issue with the Chairperson of the CNE, who assured us of ongoing efforts to ensure the increased numbers of citizen observers for these elections would be accredited.

It is regrettable that this matter remained unresolved and that on Election Day, certain areas may have been deprived of the scrutiny that citizens - who are often more familiar with local context - are able to provide.

Nonetheless, our observers met and engaged with citizen observers in the field, including the Peace Room, which comprises a network of local civil society groups, covering six districts. We were encouraged to hear from the Peace Room in Zambézia that 77 per cent of their observers had been accredited, allowing them to cover 73 per cent of that province.

Election Day

On the eve of elections, our Group observed preparations by the Technical Secretariat for Electoral Administration (STAE) officials, and met with local police and political party officials. They did not report any major logistical challenges.

Our Group had earlier been informed by the Chairperson of the CNE that due to the insurgency in the far North of Cabo Delgado province, polling arrangements in some districts may be impacted. We are following the outcome of the polls in that province in order to assess the overall impact in our Final Report.

We noted that in spite of the destructive and fatal impact of Cyclones Idai and Kenneth which hit Mozambique in March and April 2019 respectively, recovery efforts were such that elections were held in the provinces that had been most affected.

Our observers in Sofala province confirmed the use of temporary structures for polling stations. Notwithstanding the difficult circumstances, including challenges to access by less-abled voters and in some cases, over-crowding in small huts, voting proceeded in these areas.

The Commonwealth Observer Group would like to commend the staff of the CNE, STAE, polling officials and all other institutions who worked tirelessly to ensure these elections took place in the aftermath of these serious natural disasters.

Another key observation was that contrary to the prohibition of campaign materials in the 48 hours preceding the elections, and also during polling day, campaign materials were visible in some parts of the country on Election Day.

On Election Day, polling stations generally opened on time. They were equipped with requisite polling staff and materials. Although there were some variations in the layout outlined in the training manual for polling officials, the secrecy of the vote was not compromised.

The procedures for the opening of the polls were followed.

In a number of cases, police presence at polling stations breached the 300 metres perimeter limit indicated in the electoral law.

We were impressed by the confidence and enthusiasm of polling officials, a significant number of whom were young men and women.

In most polling stations we visited, except for Xai-Xai in Gaza province, party agents were present; a significant number of them were from FRELIMO, RENAMO and MDM. Party agents had access to hard copies of the register, which they used to verify voters as voting proceeded.

We liaised with international and citizen observers we met. We also noted that in polling stations where media representatives were present, they appeared to be able to perform their duties unhindered.

We observed that the processing of voters remains cumbersome, resulting in an arduous polling experience for many voters, as well as queue-management challenges in some instances. In this respect, some of the observations and recommendations made by Commonwealth observers in 2014 aimed at streamlining the process remain valid.

These include: reviewing the necessity of providing voting instructions to all voters irrespective of need; reviewing the role of the president (or presiding officer) to ensure the least constraint in his/her ability to manage the smooth running of the station; and ensuring 'tellers' have adequate training in queue management.

Some of our observers witnessed special voting for categories of persons on duty on Election Day, as well as priority voting for those who needed it, including: the elderly; pregnant women; and women with children, as provided under the electoral laws. Observers in Nampula province, however, reported unfavourable treatment of vulnerable groups in polling stations they visited. They further reported that in some cases, priority given to government officials sparked scuffles.

Voters who were still in the queue were allowed to vote at close of polls at 18:00 hrs, in accordance with the law.

Closing and counting procedures were generally adhered to in most cases.

The recommendations of the Commonwealth observers in 2014 remain valid in this aspect of the process too: there is need to streamline the counting process in a manner that does not detract from the accuracy and transparency of the process. For instance, once a ballot box has been opened, the lid could be returned without resealing it. Additionally, the announcement of the vote cast on a ballot by two different officials has the potential to create confusion and mistakes. We will revisit this point in our Final Report.

The Group has also taken note of various allegations and reports brought to its attention. These involve electoral malpractices, including ballot stuffing, citizens found with unmarked and pre-marked ballot papers, and unregistered voters attempting to vote. We again strongly urge that these are brought to the attention of the appropriate institutions provided by law.

Furthermore, allegations of intimidation of voters and serious irregularities, largely by the governing party, FRELIMO, and in some cases, RENAMO, were brought to the attention of our observers in Zambézia and Nampula. In two districts of Nampula, our observers were witnesses to occurrences that gave credence to some of these allegations. We are validating our observations with the relevant authorities and other stakeholders and witnesses and will provide a more detailed account in our Final Report.

We note also that in some cases, there were mounting tensions in the build-up to the closing and counting stage. For example, our observer present in Ilha de Moçambique in Nampula province, reported the deployment of a Rapid Intervention (police) Force on two occasions, both of which were later withdrawn.

As details emerge, we will assess the impact of these incidents to understand the extent to which they may have affected the entire process.

Overall, in most of the polling stations where we were present, the voting and counting process was largely peaceful.

We wish to stress, however, that the process is ongoing. We will provide our definitive assessment in our Final Report. I will now turn to the results management phase, which is underway.

Post-Election

The day after the elections, our observers in the field met with district election officials, the police, political parties and civil society to receive their feedback on the process so far, and to follow up on the ongoing results stage.

Some of our observers witnessed some party supporters celebrating victory prematurely. This raised tensions in these areas.

We encourage all Mozambicans, regardless of party affiliation, to remain patient and tolerant while the election management body concludes the results processes.

This is the time for all critical stakeholders - including political parties and their leaders, the election management body, civil society and the media - to play their part in fulfilling the expectations of the people for credible and peaceful elections.

Thank you.