



Mozambique Presidential, National and Provincial Assembly Elections

9 October 2024



The Commonwealth



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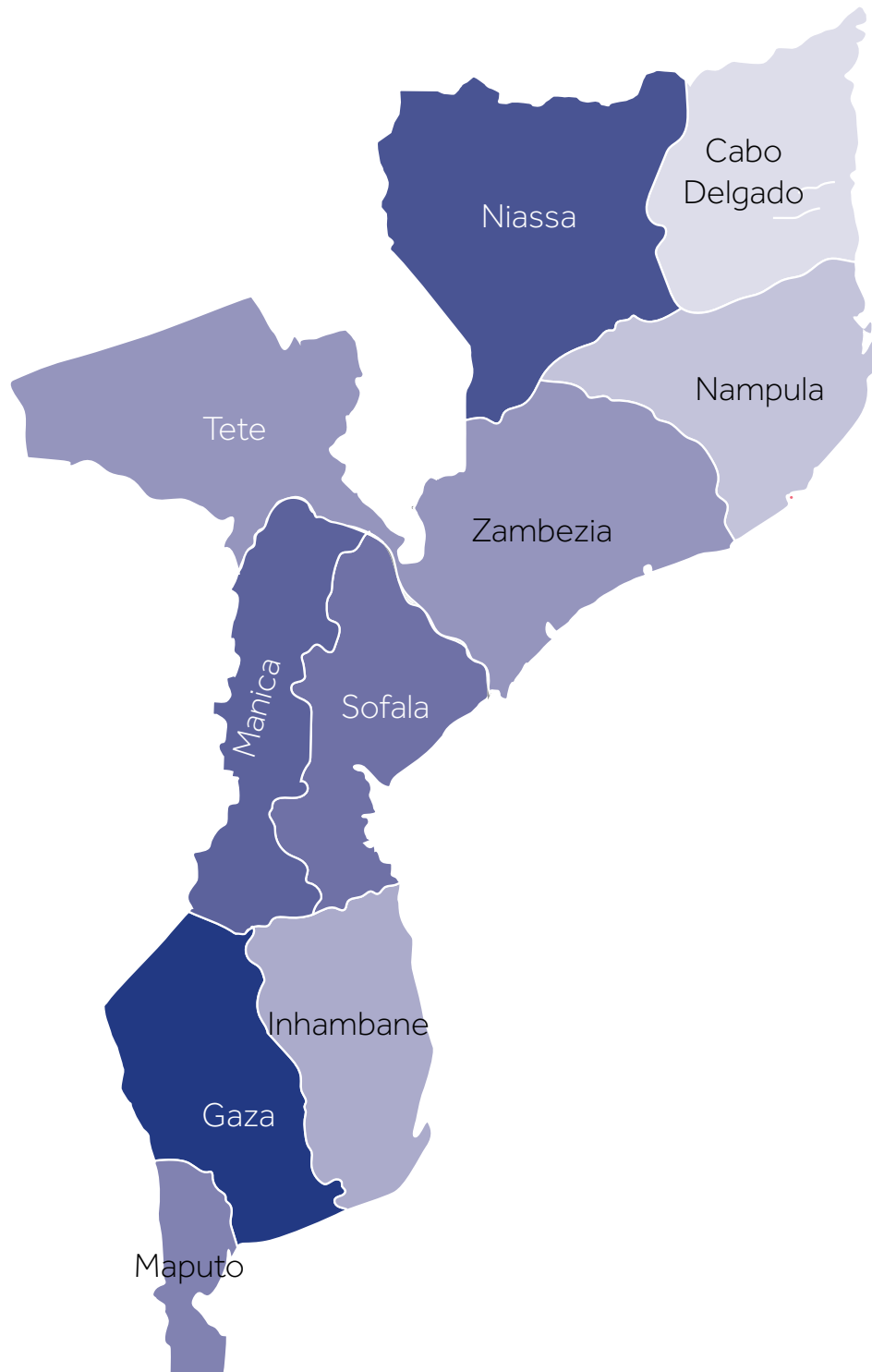
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Map of Mozambique



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Acronyms and Abbreviations

AP	Provincial Assembly (<i>Assembleias Provinciais</i>)
CAD	Democratic Alliance Coalition
CC	Constitutional Council
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CNE	National Election Commission (<i>Comissão Nacional de Eleiç</i>)
COG	Commonwealth Observer Group
CPE	Provincial Elections Commission
CSO	civil society organisation
EMB	election management body
FAMOD	Forum of Mozambican Associations of People with Disabilities (<i>Forum das Associações Moçambicanas de Pessoas com Deficiência</i>)
FRELIMO	Mozambique Liberation Front (<i>Frente de Libertação de Moçambique</i>)
GDP	gross domestic product
GPA	General Peace Agreement/Accords (signed in Rome, 1992)
ID	identification (card)
IDP	internally displaced person
IOM	International Organization for Migration
ISM	Islamic State Mozambique
MDM	Democratic Movement of Mozambique (<i>Movimento Democrático de Moçambique</i>)
MMVs	polling staff (<i>membros da mesa da votação</i>)
MT	Mozambique metical (plural – meticaís)
NGO	non-governmental organisation
PNAM	National Action Plan for the Advancement of Women 2018–2024
PODEMOS	Optimist Party for the Development of Mozambique (<i>Partido Otimista pelo Desenvolvimento de Moçambique</i>)
PRM	Mozambique Republic Police (<i>Polícia da República de Moçambique</i>)
PWDs	persons with disabilities

RENAMO	Mozambique National Resistance (<i>Resistência Nacional Moçambicana</i>)
SADC	Southern African Development Community
STAE	Technical Secretariat for Election Management (<i>Secretariado Técnico de Administração Eleitoral</i>)
UN CRPD	UN Convention on the Rights of Persons with Disabilities
UNDP	United Nations Development Programme
UNHCR	UN High Commissioner for Refugees

Letter of Transmittal

Dear Secretary-General,

I am pleased to convey the Final Report of the Commonwealth Observer Group which you had constituted, to observe the Presidential, National and Provincial Assembly elections held on 9 October 2024 in Mozambique.

It was our honour to be present for these significant elections, and also a special privilege for the Group to be in Mozambique on 4 October, when the country marked the thirty second (32nd) Peace and Reconciliation Day, representing a significant achievement in its political history. We wish to express our heartfelt appreciation to the people of Mozambique for the warm welcome shown to our Group throughout our time in the country, and for the co-operation extended by all stakeholders with whom the Group interacted.

The Group observed these elections in accordance with our mandate and considered various factors impacting the administration of these elections. We also considered the broader political, social and historical context in which these elections took place. It is in this context that we have also assessed the evolution of successive election cycles in Mozambique, including the path of reform that the country has taken. We were also cognisant of the challenging security environment in northern Mozambique. The CNE [National Election Commission/ *Comissao Nacional de Eleicoes*], STAE [Technical Secretariat for Election Management/ *Secretariado Tecnico de Administracao Eleitoral*], security services and polling staff are to be commended for their efforts in administering these elections in the face of the aforementioned, and other, challenging circumstances.

We noted that there were some positive developments during these elections, including allowing journalists, media personnel and other stakeholders to observe, for the first time, all aspects of the electoral process, including the tabulation process. While we note the commendable progress made on advancing women's representation, both in Parliament and within party hierarchies, we would encourage efforts to extend these gains to other groups, including the youth and persons with disabilities.

A number of shortcomings were, however, observed by the Group. We noted that several amendments to the legal framework were introduced within two months of the elections, contrary to international good practice, and that proposed legislative reforms on significant areas identified by international observers in previous national elections have not been implemented.

Perceptions about the political composition of the electoral body and the administration of previous elections also resulted in a trust deficit with the CNE. We would encourage efforts to enhance the trust, credibility and integrity of the electoral process, most notably the lack of clarity regarding the distinct responsibilities of CNE and STAE, and in the delegation of responsibilities between central and lower levels of election management.

It was clear too that the legal mechanisms and processes for redress of electoral offences, disputes, and complaints were cumbersome and unwieldy, and require legislative adjustments to resolve issues of jurisdiction and access.

We are mindful that the fundamental challenges impacting the credibility and transparency of these elections were not only technical, but also political in nature. There were also limitations on fundamental political rights, including freedom of association and assembly. While we noted that political parties and the presidential candidates in particular placed an emphasis on peace in their messaging to the electorate, there were nevertheless regrettable incidents throughout the electoral period, both prior to and after the elections, in which a number of citizens were killed.

It is our hope that all electoral stakeholders, especially political parties, can seek accommodation and continue to uphold the principles of the Constitution, dignity, respect and good citizenship, as the country looks forward to its next election cycle. We have therefore recommended that a thorough post-election review exercise be undertaken by the CNE, and that the country considers the adoption of domestic mechanisms to address all issues that have given rise to tensions throughout the electoral process. In particular, we are of the view that the

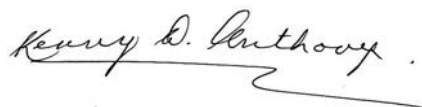
results management system should be reviewed to improve efficiency, and to ensure consistency and transparency in all processes.

These issues have been addressed in our Report, and our Group makes a number of carefully considered recommendations for improving future elections in Mozambique, which we hope will be received in the Commonwealth spirit of mutual learning and co-operation.

I wish to acknowledge and commend the people of Mozambique for their courage, resilience and determination, as they continue their democratic journey.

I commend too the support which the Group received from the support staff of the Commonwealth Secretariat. They were knowledgeable, professional and absolutely committed to the work of the mission.

Yours sincerely,

A handwritten signature in black ink, reading "Kenny D. Anthony", with a long, sweeping horizontal line extending from the end of the name.

Dr Kenny D. Anthony
Chairperson


Observers' Signatures

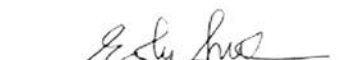

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Executive Summary

On 9 October 2024, the Republic of Mozambique held its seventh general election, featuring a ballot that included the presidency, 250 National Assembly seats, 10 Provincial Assemblies and 10 Provincial Governors. These elections occurred against a backdrop of multifaceted challenges, including a persistent security crisis in Cabo Delgado, fallout from the 2023 municipal elections marked by violence in several major cities – such as Nampula and Maputo – which claimed at least three lives and seriously injured others, and growing mistrust in the security and the electoral management system. This scepticism was driven largely by the dominance of the long-standing governing party, FRELIMO (Mozambique Liberation Front/ *Frente de Libertação de Moçambique*), which has historically shaped Mozambican politics. The 2024 general elections also underscored the country's ongoing economic struggles and deep concerns over corruption, the management of state resources, and the misuse of public funds. The youth population, in particular, voiced a strong desire for change, calling for leadership that genuinely represents young political actors. Collectively, these factors set the stage for a period of transitional leadership in Mozambique.

In an effort to restore its image and respond to the electorate's shifting sentiments, FRELIMO, the long-governing party, put forward Daniel Chapo as its presidential candidate – the first nominee from central Mozambique and the first born after independence. This choice was widely interpreted as a strategic attempt to connect with disenfranchised young voters, who now constitute a significant portion of the electorate, and to transform FRELIMO's image from that of a liberation movement to a more inclusive and dynamic political force. In contrast, traditional opposition parties – such as RENAMO (Mozambique National Resistance/ *Resistência Nacional Moçambicana*) and MDM (Democratic Movement of Mozambique/ *Movimento Democrático de Moçambique*) – entered the election cycle without any notable leadership changes. Notable candidates included Ossufo Momade, the RENAMO leader since 2018 who had previously lost to President Filipe Nyusi in 2019, and Venâncio Mondlane, who left RENAMO following his unsuccessful and disputed mayoral bid in Maputo in 2023 and initially attempted to lead the Democratic Alliance – a newly established coalition of opposition parties but this was barred from directly contesting the election by the electoral authorities. He then affiliated with PODEMOS (Optimist Party for the Development of Mozambique/ *Partido Otimista pelo Desenvolvimento de Moçambique*), despite not yet being a formal member at the time of the polls. The dominant call for generational change in Mozambican politics shifted some of the electoral focus to who offers the better vision for change, after 49 years of FRELIMO government.

As was noted in the preliminary statement of the Commonwealth Observer Group (COG; 'the Group'), the pre-election environment was largely peaceful and campaigns proceeded without major incidents. Election day was similarly calm, with only minor issues reported at polling stations. The opening and closing procedures were generally followed, and voters in line at closing time were allowed to cast their ballots. The Group commended the security forces for their role in ensuring the orderly conduct of the election despite persistent security challenges, particularly in the north of the country. However, the observers expressed concerns about irregularities in the election process, notably a lack of transparency in the tabulation, verification and transmission of results. The delays in transmitting results from the district to provincial levels created an atmosphere of suspicion, further eroding trust in the electoral management bodies.

The integrity of the voter roll emerged as a significant issue in these elections. In several areas, the registration figures appeared alarmingly high – far exceeding the estimates of the National Statistics Board – raising concerns about possible irregularities. The COG recommended that greater transparency in the voter registration process could have been achieved by better public communication and the adoption of a continuous voter register. They reiterated the recommendation of the 2019 Commonwealth Observer Group that the government and National Assembly should further amend Law No. 8/2014 to provide

for independent external auditing of the voter register before its finalisation. Such a measure would not only enhance confidence in the process but could also help to mitigate the rising costs associated with Mozambique's elections.

Campaign finance also featured prominently in the 2024 elections. Although the state budget allocates funds to the National Election Commission (CNE) for distribution to political parties at least 21 days before the official campaign period, the Group noted that the funds were not disbursed within the required timeframe. This delay was attributed to the CNE receiving funds from the Central Government later than planned. Additionally, concerns arose regarding the misuse of state resources for campaigning, such as allegations of government vehicles being used for electioneering and alleged irregular registration and voting in and from some neighbouring states. Although difficult to verify, these concerns contributed to an atmosphere of distrust surrounding the elections.

While Mozambique's electoral framework aligns broadly with international standards, the Group highlighted a troubling pattern of significant legal amendments in the period leading up to general elections – a concern also noted in the 2019 report. Such extensive reforms close to an election cycle can undermine civic education efforts and lead to the misapplication of the new laws, often seen as conferring an advantage on the incumbent and deepening public scepticism of the process. Consequently, the Group reiterated its earlier calls for comprehensive electoral reform to promote consistency and predictability in Mozambique's electoral landscape.

In accordance with the Constitution, the National Election Commission (CNE) took 15 days to announce the central results, while the Constitutional Council (CC) validated them 75 days after election day. Although the elections were largely peaceful, international and local observers documented irregularities. PODEMOS presented some supporting paperwork to back its claims of victory, but this covered only 23 per cent of the total vote. On election day and during the count, 305 petitions alleging irregularities and electoral crimes were filed with the District Courts. Most were dismissed for procedural reasons, lack of evidence or were forwarded to the CC, which confirmed the District Court rulings. Some cases were referred to the Public Prosecutor for further investigation.

On 23 December, the CC, the sole legal authority empowered to validate election results in Mozambique, published and confirmed the official outcomes. It subtracted seats from FRELIMO, awarding twelve additional seats to PODEMOS, eight more to RENAMO and four more to MDM. It also adjusted the presidential vote share, reducing Daniel Chapo's total to 65.17 per cent and raising Venâncio Mondlane's to 24.19 per cent. This recalibration signalled the existence of irregularities in the *editais* (result sheets) and *actas* (minutes), although the CC did not order a full recount. The Mozambican Bar Association subsequently called for either a recount or the annulment of the elections to restore electoral integrity, emphasising that the CC's lack of detailed explanation regarding its validation process only compounded public distrust.

In the aftermath of the elections, Mozambique saw a surge in political violence, including the assassination of political figures such as Elvino Dias, Mondlane's legal adviser, and Paulo Guambe, the PODEMOS spokesperson. These killings remain unresolved, while Mondlane's unilateral declaration of victory further exacerbated tensions. From mid-October 2024 to mid-January 2025, Mozambique witnessed increasingly violent protests, resulting in over 300 deaths and more than 700 injuries.

Security forces were blamed for many of these casualties, accused of deploying excessive force, including live ammunition, against demonstrators. PODEMOS submitted a report to the Office of the Attorney General alleging that more than 100 party members were killed.

The Commonwealth Observer Group joined the international community in condemning this heavy-handed response, urging restraint and calm. While political conciliation efforts continue, the alarming escalation of violence and the persistent use of force in the Mozambican electoral context are deeply troubling. This dynamic not only strains state–citizen relations and undermines trust in the security apparatus – particularly in a country grappling with broader security challenges – but also deepens the sense of disenchantment among younger voters. Overall, the 2024 elections in Mozambique reveal an entrenched pattern of incumbency and reinforce the urgent need for comprehensive electoral reform to restore public trust and ensure future elections are genuinely democratic and peaceful.

Recommendations

Political context

Security

- Enhanced training and equipment should be provided for non-lethal crowd control response by the police to election-related protests.

Municipal elections

- International observers, including from the Commonwealth, should be invited for the 2028 municipal elections in order to observe and report on the implementation of electoral reforms being currently negotiated by the government with the opposition and other interested parties.

Legal framework and electoral administration

CNE and STAE

- The depoliticisation of the CNE should take place to ensure that it is composed of independent, respected members of society who have proven integrity and relevant experience.
- The depoliticisation and professionalisation of the STAE should also take place to ensure that it is staffed by skilled and experienced personnel providing competent technical and administrative support to the CNE, free from political influence or bias.

Electoral dispute resolution and electoral offences

- There should be a review of the electoral laws governing the electoral dispute resolution mechanism to remove barriers to accessing electoral justice and to make it possible for candidates and parties participating in national and provincial elections to have a genuine and real chance of bringing comprehensive electoral petitions that allege both endemic and nationwide irregularities and violations of the fundamental principles of electoral governance, administration and justice. Such a review should consider clarifying the jurisdiction of the Constitutional Council to consider petitions alleging widespread irregularities and violations of electoral laws. It should also make clear provision for timelines for submitting and adjudicating such complaints by the Constitutional Court in a fair and transparent manner and for specific remedies in cases where a litigant is successful.
- The appointment of members of the Constitutional Council should be depoliticised to remove the perception that the party-appointed members of the Council are there to protect the interests of their parties. All appointments of members of the Council should ideally be made by the President upon the recommendation of the Superior Council of the Judiciary.

Electoral offences

- There should be the creation of a special division within the Public Prosecution Service and the existing court system to prosecute and try electoral offences.
- There should be a review of electoral offences to ensure that those that unduly limit the exercise of the rights and freedoms related to elections, such as those specified in this report, are removed from the electoral statutes.
- There should be the incorporation of electoral offences into the disciplinary codes of the CNE and STAE and effective enforcement of such codes against employees and agents accused of committing electoral offences.

Voter registration

- The Government and National Assembly may wish to consider a legislative amendment to provide for electronic/online registration of overseas citizens, to be coupled with provisions for a hybrid postal ballot system based on international good practice.
- The Government of Mozambique and National Assembly should amend relevant laws to allow for continuous voter registration in order to reduce costs as well as the administrative burden on STAE.

- In order to increase confidence in the fidelity of the voter register, the Group reiterates the 2019 recommendation that the Mozambique Government and National Assembly should further amend Law No. 8/2014 to provide for external auditing of the voter register to be undertaken prior to the finalisation of the register.
- In order to complement the existing legal requirements relating to the exchange of information between the Civil Registry and STAE regarding deceased and newly eligible voters, STAE may wish to consider undertaking field exercises (that is, door to door visits) to reconfirm and reverify the status of all electors whose data were previously collected. This would allow for a partial, if not full, cleansing of the voter register.

Biometric voter registration

- The procurement of election materials, in particular electoral technologies, should take place via open and competitive tender.
- CNE/STAE and the government should jointly conduct a post-election review into the cost of its elections, including conducting a review of procurement costs and practices in other jurisdictions, in order to identify areas where savings can be found.
- The government and National Assembly should pass a standalone data protection law in line with international benchmarks, such as the African Data Protection Framework and the Budapest Convention 108+.

Candidate eligibility and nomination

- In deciding pre-election party registration and candidate nomination issues, CNE should inform parties and candidates of clerical errors at the earliest possible opportunity so as to allow any such errors to be rectified in good time.

Campaign finance

- The government should ensure timely funding to CNE so as to ensure public funds payable to political parties for campaigning can be disbursed within the legally mandated timeframe.

Voter and civic education

- The Group reiterates the recommendation of the 2019 Commonwealth Observer Group that the creation of a dedicated funding stream for voter education should be considered.

Participation and inclusion

Civil society

- The CNE is encouraged to ensure that citizen observer accreditation is confirmed promptly and without major challenges.
- STAE should take measures to ensure that polling staff in future elections are well briefed on the identification, role and access of election observers, including citizen observers.
- Fundamental freedoms should be respected, including the rights to the freedom of assembly and association, which facilitate the effective participation of civil society organisations in elections.
- Partnerships need to be encouraged between the CNE and civil society organisations to promote transparency and accountability in the electoral process.

Women

- The National Assembly should consider introducing legislated gender quotas or temporary special measures to ensure women are equally represented as candidates and within electoral management bodies.

- National women's machinery, in partnership with civil society, should deliver voter education to everyone involved in the electoral process that addresses the unique barriers faced by women in all their diversity, particularly those stemming from patriarchal social norms. All individuals involved in the electoral process should undergo this training to ensure they are equipped to support a gender-inclusive and -equitable voting environment.
- Measures to safeguard women voters should be implemented, particularly in high-risk areas, in line with UN Security Council Resolution 1325, which calls for the protection of women in conflict and post-conflict settings.
- Resources, training and mentorship need to be provided for female candidates to enhance their chances of success, especially in competitive constituencies.
- National policies should be aligned with global and regional frameworks, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform for Action, and the Southern African Development Community (SADC) Protocol on Gender and Development, which advocate for women's participation in decision-making.
- Budgets should be allocated and tracked, especially for initiatives that support women's electoral participation, to ensure that resources are directed toward gender-equal participation in the electoral process.
- A system should be established for collecting and analysing sex-disaggregated data throughout the electoral process.

Youth

- Political parties should create deliberate and effective strategies for youth inclusion to ensure meaningful youth engagement in political party politics and prevent exploitation of young people in political parties.
- STAE should publish data on registration and turnout, disaggregated by age.

Persons with disabilities

- Quotas or special measures should be introduced within political parties and electoral management bodies to ensure persons with disabilities (PWDs) are able to participate, engage and be represented across all electoral processes.
- All polling stations should be fully accessible, with clearly marked areas, adequate seating, shaded waiting areas and support services tailored to PWDs, including priority voting options that consider transportation limitations.
- Registration and turnout data on persons with disabilities need to be collected and published to better understand and facilitate efforts to address barriers to their participation.
- CNE/STAE and the police should regularly engage and seek advice from organisations of PWDs on accessibility and participation improvements, using a twin-track approach that combines immediate reasonable accommodations with long-term inclusive policies. This can include promoting PWD-friendly security protocols and training for staff on the specific needs of voters with disabilities to ensure safer and more supportive environments at polling stations.
- Targeted campaigns should be run to encourage PWDs to register and participate as voters, candidates and polling station staff. It is important to address their fear of intimidation and promote their role in democratic processes.
- CNE/STAE should explore implementing appropriate alternative methods of voting to enfranchise persons with disabilities.
- CNE/STAE should provide voter information and voting materials in alternative formats.

Internally displaced persons (IDPs) and marginalised communities

- It is important to take steps to ensure that IDPs and marginalised communities have access to voting. This could include establishing mobile polling stations in relocation sites and providing legal documentation for displaced individuals who may have lost their identification due to the conflict.
- Robust legal frameworks should be implemented to protect the rights of IDPs and prevent further marginalisation, including by ensuring access to essential services and safeguarding freedom of assembly and association for political minorities.
- Security and peacebuilding initiatives should be prioritised in the Cabo Delgado province, complemented by socioeconomic interventions that address unemployment and poverty among IDPs to reduce the risk of recruitment into extremist groups.
- Civil society organisations, with government support, should undertake civic education campaigns targeting displaced and marginalised communities to raise awareness about electoral processes and encourage participation, despite the challenges posed by displacement.

IDP voter registration: legal framework for voter registration

- IDPs' awareness and education should be increased through workshops and training that focus on the voting process, including registration, how to vote and the significance of IDPs' participation in democracy.
- Good practices for IDP registration need to be continued and a mechanism established to improve co-ordination across stakeholders, government entities and development agencies.

Disaggregated data and its importance

- CNE-STAE should strengthen inclusion of IDPs in Mozambique's electoral process, as this is essential for reinforcing democratic principles and fostering governance that reflects the will of all citizens.
- The collection of disaggregated data should be enhanced through targeted outreach efforts, resource allocation and development of strategies to facilitate voter registration among the IDPs.
- A comprehensive framework needs to be established that prioritises the electoral rights of IDPs, through concerted efforts from governmental authorities, civil society organisations and international partners.

Current legislative framework

Legislative

- The National Assembly should amend the Electoral Law (Law No. 7/2013) to ensure that IDPs can register and vote without restrictions tied to their displacement status. Provisions should be included for mobile registration units and polling stations located in or near IDP camps.
- The National Assembly should introduce legislation to support the socioeconomic reintegration of IDPs, such as Law No. 12/2017 on Social Protection, ensuring access to land, education and employment for displaced persons to facilitate their reintegration into society.
- The National Assembly should enact anti-discrimination legislation, building on the Labour Law (Law No. 23/2007), to specifically protect IDPs from discrimination in employment, housing and social services.
- A legal framework needs to be established for better co-ordination among ministries and agencies involved in IDP affairs, modelled after the Disaster Risk Management Law (Law No. 10/2017), which can enhance resource allocation and response mechanisms for IDPs.
- An independent monitoring body should be created for IDP rights, potentially under the Law on the Creation of the National Human Rights Commission, which could oversee IDP treatment and hold local authorities accountable for rights violations.

Policy

- Policies should be developed that actively engage marginalised communities in political processes, ensuring that their voices are heard in policy-making and electoral activities.

Voter turnout in successive elections

- The National Assembly should amend Law No. 34/2014 of 31 December 2014 on the right to information to mandate the collection of disaggregated data on IDP voter registration and turnout.
- To enhance voter education campaigns, targeted awareness campaigns should be launched on voting rights and the electoral process specifically aimed at IDPs. This initiative should utilise community leaders and local organisations to disseminate information effectively.

Election day observations

- Mobile voter registration units should be established that can visit IDP camps to reduce barriers to access and ensure that IDPs can register easily without the need to travel long distances. Such units should be staffed with trained personnel who can assist with the registration process, making it straightforward and efficient.
- Polling stations can be created within or near IDP camps to minimise travel barriers and ensure that IDPs can vote safely, including setting up temporary polling stations during elections or partnering with local authorities to utilise existing community centres as polling places.
- In terms of training for electoral administration, CNE-STAE should conduct continuous training for election officers, focusing on good practices in voter registration, election management and inclusivity, particularly regarding the needs of marginalised groups.
- Support needs to be provided for IDPs to obtain necessary identification documents.
- Collaboration between IDPs and local communities should be fostered to promote social cohesion and support for the electoral process.
- Security around polling stations should be enhanced to ensure the safety of IDPs when they go to vote, including by deploying additional security personnel or establishing safe transport options for those traveling to polling locations, particularly in areas affected by conflict.
- A monitoring framework should be established involving local and international non-governmental organisations (NGOs) to observe the electoral process, focusing specifically on IDP participation.

Special and diaspora voting

- The list of countries where Mozambicans can register and vote at embassies or consulates should be reviewed and expanded. Enhanced transparency of registration can be provided to improve trust in the legitimacy of special and diaspora voting.
- Targeted awareness campaigns should be launched focusing on the voting rights of Mozambicans abroad, using multilingual materials and various platforms (for example, social media, radio and community events) to reach diverse audiences.
- CNE-STAE should streamline the voter registration process for expatriates by creating a user-friendly online registration system that allows for easy access and completion.
- Specialised training for staff at Mozambican embassies and consulates needs to be provided regarding electoral rights, processes and the specific needs of voters with disabilities.
- CNE-STAE should implement feedback mechanisms that allow voters to share their experiences regarding registration and voting processes.
- CNE-STAE should regularly monitor participation rates among expatriates to identify barriers and areas for improvement.

Security

- Enhanced training and equipment should be provided for non-lethal crowd control response by the police to election-related protests.

Municipal elections

- International observers, including from the Commonwealth, should be invited for the 2028 municipal elections in order to observe and report on the implementation of electoral reforms being negotiated by the government with the opposition and other interested parties.

The Campaign and The Media

Campaign:

- Public campaign finance should be provided to parties within the legally stipulated period to ensure that parties are not disadvantaged in conducting their campaign.
- The practice of the use of state assets, resources and personnel by political parties to facilitate campaigning during the election period should be discontinued and full compliance with and enforcement of the law should be put into effect.

Media:

Press Law

- Parliament should also grant the Superior Council of Social Communication regulatory authority to impose sanctions.

Media coverage of the campaign

- UNDP and other partners involved in training journalists must be commended and encouraged to continue with this effort. Hopefully, the training can lead to the creation of a mentorship programme supporting younger journalists.
- With growing internet penetration, we recommend that skills like podcasting and video editing should be taught to both established and citizen journalists.

Social Media:

Misinformation and disinformation

- The government should partner with stakeholders to address misinformation and online harassment in Mozambique. A strategy could combine expanded digital literacy programmes, strengthened regulatory frameworks, enhanced community monitoring platforms, political party engagement and amplified public awareness campaigns.

Additional recommendations

- The CNE/STAE should collaborate with stakeholders to launch initiatives like #VerifybeforeYouShare to educate young voters.
- Parliament should pass a Cybersecurity Bill to protect citizens and institutions in the digital age. This will help mitigate risks as internet usage becomes more widespread. Additionally, efforts should be made to raise awareness about cybersecurity and safety.
- Parliament should amend media laws to enable digital media to be used as a campaign tool, expanding reach to a broader audience. This should also involve collaboration with social media companies.
- The government should increase its commitment to building capacity and providing resources for fact-checking initiatives.

- The Parliament should enact a comprehensive data protection law aligned with international standards, to oversee data protection compliance, investigate breaches and provide guidance to media organisations.

Voting, counting and results management

Opening and conduct of the poll

- A more efficient method should be utilised to educate voters on proper voting practice.
- A minor revision in the layout of the polling table should be considered, to prevent obstruction of the ballot boxes during voting, and thus smooth the process further.
- Larger temporary structures for the conduct of voting, with appropriate ventilation, should be considered for future elections.

Queue management and priority voting

- Implementing revised queue management procedures may be considered, to enable a smoother process.

Participation and inclusion on election day

- There should be exploration of appropriate alternative methods of voting to enfranchise persons with disabilities.
- Enhanced training of polling staff should take place, to support PWDs.

Role of party agents

- Greater efforts should be made by political parties to ensure the provision of paper copies of the voter register to agents in future elections.
- Political parties should advise their agents that the presence of election observers is vital to protecting the integrity of elections and it is unhelpful to view them with suspicion and distrust.

Role of police on election day

- The law outlining the distance which police are required to remain from polling stations should be revisited to reflect the reality of polling station layouts.

Election day communications strategy of CNE/STAE

- The Group recommends that further training to enhance the confidence of polling staff in communicating rules and regulations to all key stakeholders on election day should be considered.

The close and count

- There should be enhanced voter education to foster greater understanding among voters on their rights and the provisions for voting when the polls close.
- CNE/STAE should seek to streamline and simplify certain elements of the counting procedure.

Results tabulation

- Additional lighting for each polling table should be provided.
- The timeframe for results transmission and finalisation should be reduced, in accordance with international good practice.
- A publicly accessible online platform for voters to access nationwide election results should be implemented, to enhance transparency.

1. Introduction

To provide readers with important background information on the context in which Commonwealth Observer Groups (COGs) operate, this introductory chapter begins with a summary of the methodology of a Commonwealth Observer Group (COG; 'the Group'). It proceeds to provide an overview of this methodology as applied to the 2024 General Elections in Mozambique.

Commonwealth election observation

As set out in the 2005 *Declaration of Principles for International Election Observation* ('the 2005 Declaration of Principles'),¹ international election observation aims to enhance the integrity of election processes, including by deterring irregularities and fraud, promoting electoral participation and public confidence in the process, mitigating the potential for election-related conflict, offering recommendations for improving electoral processes, and enhancing international understanding through the sharing of experiences and information about democratic development.

Since 1967, the Commonwealth has observed more than 200 elections in 39 countries.²

The 2018 Revised Guidelines

The *Revised Commonwealth Guidelines for the Conduct of Election Observation in Member Countries* ('the Revised Guidelines') were agreed by Heads of Government at the 2018 Commonwealth Heads of Government Meeting (CHOGM) in London, United Kingdom.³

The following are key provisions of the Revised Guidelines.

1. *COGs are independent, including of the Secretariat*

Members of a COG are invited by the Secretary-General in their personal capacity as eminent Commonwealth citizens, not as representatives of any member country, government or political group.

2. *Observers are not monitors*

Unlike some citizen observer groups, which are permitted to intervene or offer assistance to electoral officials in a limited manner, Commonwealth observers do not interfere in the electoral process.⁴

3. *Taking forward COG recommendations*

The Revised Guidelines state that there should ideally be some form of domestic mechanism in place in each member country, to review the conduct of an election and take forward prospective reforms as required.

4. *Whole-of-election-cycle approach*

Commonwealth engagement in consultation and agreement with a host member country may include a post-election return visit to deliver the Final Report, a mid-term follow-up mission upon request to assess the status of reforms and observation of other aspects of the electoral cycle. Further Commonwealth technical assistance or engagement, carried out in partnership and consultation, may also be considered as a result of a follow-up mission.

¹ United Nations (2005), *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers*, <https://bit.ly/43p4uV6>

² To access the Commonwealth's collection of COG reports dating back to 1967, see: <https://library.commonwealth.int/Portal/External/en-GB/Collections/Collection/135>

³ Commonwealth Heads of Government Meeting (CHOGM) (2018), *Revised Commonwealth Guidelines for the Conduct of Election Observation in Member Countries*, <https://bit.ly/3Oy0cqc>

⁴ Further information can be found in The Commonwealth (2019), *Commonwealth Handbook on Election Observation*, https://production-new-commonwealth-files.s3.eu-west-2.amazonaws.com/migrated/inline/GPD_Handbook_Election_Observation.PDF

Characteristics of Commonwealth Observer Groups

Like other organisations that conduct international election observation, the Commonwealth adheres to the 2005 Declaration of Principles. However, Commonwealth observer missions have particular characteristics, which include the following aspects.

1. *Eminent observers*

While COGs may be smaller in size than some other international observer missions, they comprise eminent persons from across the Commonwealth, including current or former Members of Parliament, election officials, representatives of civil society and the media, gender specialists, youth representatives, and former members of the judiciary.

2. *Diverse observers*

COGs reflect the diversity of member countries and regions of the Commonwealth. They are also gender balanced.

3. *Potential Good Offices*

The Chair of a COG is usually a senior political figure, and often a former head of state or former head of government. In the exceptional circumstance of a deteriorating political environment, and if invited by the host government and other political actors, the Secretary-General may request the COG Chair to undertake a good offices role. Such good offices have played a vital part in ensuring peaceful transitions between governments on many occasions.

Commonwealth Observer Group for the 2024 Mozambique general elections

Following an invitation from the government of Mozambique to observe the country's general elections on 9 October 2024, and in line with usual practice, the Commonwealth Secretary-General, the Rt Hon. Patricia Scotland KC, deployed a staff pre-election assessment mission to Mozambique from 31 August to 4 September 2024 to assess the prevailing pre-electoral and political environments, and to ascertain whether there was broad support for the presence of Commonwealth observers.

Based on the assessment mission's findings, the Secretary-General decided to constitute a COG. The COG was chaired by the Rt Hon. Dr Kenny D Anthony, former Prime Minister of Saint Lucia, and ten other eminent Commonwealth citizens. Biographies of all observers can be found in Annex I. A staff team of eight from the Commonwealth Secretariat provided technical support to the COG.

Figure 1.1 Commonwealth Observer Group including Secretariat staff.



Terms of Reference

The Terms of Reference for the Observer Group were as follows:

- . *'The Group is established by the Commonwealth Secretary-General at the invitation of the Government of the Republic 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 the country has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.*
- . *The Group is to act impartially and independently. 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. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of future elections.*
- . *The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Mozambique, the Mozambique National Elections Commission, and leaders of political parties, and thereafter to all Commonwealth governments.'*

Activities

The COG was officially announced in a press release on 30 September 2024 and was present in Mozambique from 1 October. It was briefed by various stakeholders, including the National Election Commission (*Comissão Nacional de Eleições*; CNE) and Technical Secretariat for Election Management (*Secretariado Técnico de Administração Eleitoral*; STAE), and their provincial branches; presidential candidates and representatives of political parties; media professionals; the police; Commonwealth High Commissioners; the Constitutional Council; the Human Rights Commission of Mozambique; various civil society organisations and the United Nations (UN). The Group also established working relationships and exchanged information with other international observers as well as citizen observer groups. The Group was able to observe some rallies in Maputo before the end of the campaign period on 6 October. The teams were deployed on 7 October to seven of the ten provinces, except for Cabo Delgado, Niassa and Manica. A copy of the deployment plan can be found at Annex III.

On 8 and 10 October, the Group attended pre-election day and post-election day meetings of international observer missions, respectively, to exchange findings and information on deployment around the country.

On 11 October, the Chairperson issued an Interim Statement (Annex IV) based on the observations and findings of the Group. A draft report was prepared in Mozambique prior to the Group's departure on 15 October 2024; it was finalised in London, signed off by observers and thereafter transmitted to the Commonwealth Secretary-General.

2. Political Context

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, FRELIMO was heading for present-day Maputo. 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 (and 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 single party system was established between 1977 and 1978, with elected bodies at the village or neighbourhood levels and a People's Assembly nationally.

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 then set up 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, Kenya, 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. This led to the signature of the General Peace Agreement (GPA) in October 1992.

Post-1990 presidential electoral trends⁵

Mozambique is often classified as an incomplete hybrid democracy after the introduction of multi-party politics in the country in 1990. The first multi-party presidential and parliamentary elections were overseen by the United Nations (UN) and were held on 27–29 October 1994, based on the framework agreed on in the Rome GPA that ended the 1977–1992 civil war between the Mozambican Government and RENAMO. Of the 12 presidential candidates put forward, only three garnered significant votes with Joaquim Chissano (FRELIMO) and Afonso Dhlakama (RENAMO) – who obtained 53.3 per cent and 33.7 per cent of the vote, respectively. Dhlakama accepted the results of the presidential vote, despite allegations of irregularities. Chissano formed an entirely FRELIMO-led government, despite pressure from RENAMO and some Western governments for a government of national unity.

The second multi-party 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 that achieved in 1994, but once again, the party secured a majority in Parliament. 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. Nonetheless, the election outcome was endorsed by international observers.

In the elections in December 2004, Armando Guebuza, the new FRELIMO candidate who replaced President Joaquim Chissano, won with 63.7 per cent of the vote. This was more than twice the proportion of RENAMO’s candidate, Afonso Dhlakama (31.7 per cent). In the parliamentary election, FRELIMO won 62 per cent (1.8 million) of the votes cast, while RENAMO achieved 29.7 per cent (905,000 votes). However, these elections were widely criticised in respect of issues of transparency and credibility. Several cases of electoral fraud reportedly took place. Nonetheless, the irregularities were deemed insufficient to have altered the overall outcome of the elections.

On 28 October 2009, presidential, National Assembly and Provincial Assembly elections were held in Mozambique. Incumbent President Guebuza ran for re-election as the FRELIMO candidate. He was again challenged by opposition leader Dhlakama. Guebuza won the election with 75 per cent of the vote; Dhlakama trailed with 16.5 per cent. RENAMO again alleged that FRELIMO supporters had ‘stuffed’ ballot boxes in several areas and were assisted in doing so by the CNE, which allegedly provided them with additional ballot papers.

The 15 October 2014 elections in Mozambique were the fifth national vote since the country introduced multi-party politics in 1990. The elections took place at a time when Mozambique was undergoing several transitions. At a 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 governing party as a result of the change of presidential candidate – from President Guebuza to Filipe Nyusi.⁶ Economically, the country was 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, access to resources and the levers of power – opened up further avenues for political tensions. RENAMO’s decision in 2013 to rescind the 1992 Rome GPA and return to the bush to resume military activity, mainly in the Sofala province, cast a further cloud of uncertainty over preparations for the elections.

The 2019 general elections were characterised by distrust between the main political parties, a partisan police force, irregularities in the election process and insufficient preparation by the opposition parties to oversee the process. Unsurprisingly, the election results were rejected by RENAMO, which cited irregularities such as ballot stuffing, institutionalised bias in favour of FRELIMO, intimidation from the police and state media bias. The tally gave incumbent FRELIMO President Nyusi 57 per cent of the votes cast, while RENAMO’s Dhlakama won 36 per cent and the MDM’s Simango obtained almost 7 per cent.

By the time the sixth general elections were held in October 2019, most observers expected RENAMO to make electoral gains. However, FRELIMO won the elections in every district of the country. The party obtained the presidency with 73.46 per cent of valid votes, more than two-thirds (184 of 250) of the

⁵ This section draws from Do Rosário et al. (2020).

⁶ For a deeper analysis of Mozambique’s elections, see De Brito (2010) and Thay (2020).

parliamentary seats and the vast majority (628 of 794) of the Provincial Assembly (AP) seats, as well as all 10 Provincial Governors. The electoral process again took place in a polarised and challenging environment, marked by high levels of mistrust. It was believed that the governing party, FRELIMO, benefitted from the incumbency.

On 9 October 2024, despite a compressed timetable, budgetary constraints, logistical constraints and an insurgency in Cabo Delgado province, 17 million Mozambicans were called to vote in the seventh multi-party elections in October 2024. Voters elected the President, along with 250 members of the National Assembly, members of the 10 Provincial Assemblies, and 10 Provincial Governors. Elections were held in 25,725 polling stations across Mozambique and 602 polling stations that served the diaspora. Turnout rates for the presidential and the legislative elections were 42.16 and 43.2 per cent, respectively. There were significant variations across the country. Turnout was highest in Maputo province and Maputo City with about 64 and 63 per cent, respectively, while turnout was at a record low in the densely populated province of Nampula at 28 per cent, with Niassa also low at 32 per cent. Voters aged 35 or under accounted for 58 per cent of the total, with 20 per cent being first-time voters.

The 2024 elections took place in the context of transitions in leadership in the governing party, FRELIMO. FRELIMO had chosen Daniel Chapo as its first-ever candidate from central Mozambique, who is also the first to be born after independence. He was unknown at the national level, having served as governor of Inhambane province. The choice of candidate was viewed by many as FRELIMO's attempt to appeal to the disenfranchised young voters that make up a significant portion of the electorate. The choice of Chapo was also seen as an attempt to respond to the shifting sentiments of FRELIMO as a liberation movement party to an inclusive and dynamic party. However, traditional opposition parties such as RENAMO and the MDM went to the polls with no change in their leadership structures, hence the continuation of the transition period of leadership in Mozambican politics.

Other candidates included Ossufo Momade, the leader of the RENAMO party since 2018, who had lost in the 2019 presidential election to Nyusi, and Venâncio Mondlane, who ran as an independent after breaking away from RENAMO following an unsuccessful bid in the mayoral election in Maputo in 2023 that was marred by allegations of electoral fraud.⁷ Mondlane was supported by the newly established Democratic Alliance, a coalition of opposition parties that was barred from contesting the election. The disqualification of Mondlane's party was seen to have been politically motivated, raising concerns regarding the political composition of the electoral body, which has in turn raised questions over the independence of the body. He was later supported by the Optimist Party for the Development of Mozambique (*Partido Otimista pelo Desenvolvimento de Moçambique*; PODEMOS), though at the time of election, Mondlane was yet to be a card-carrying member of PODEMOS.

Daniel Francisco Chapo was inaugurated as Mozambique's fifth President in January 2025. His party, FRELIMO's, membership is still vast, with more than four million card holders – but many are seen to be increasingly unenthusiastic and do not contribute financially. A new opposition politics was seen to be emerging at the 2024 elections, galvanised by an increasingly vocal and frustrated youth, who want opportunities and change. Two-thirds of the country's 32.4 million people are under the age of 25 years. These developments were seen to be fuelled by the opposition leader Venâncio Mondlane, who communicated directly to his followers through social media, which grew his support base and raised their expectations.

Mozambique's national election of 9 October 2024 elected the President, the 250 members of the National Assembly, and members of the 10 Provincial Assemblies. The results redrew the political map. The political topography since the first multi-party elections in 1994 was altered as the support base for the then main opposition party, RENAMO, collapsed, with many of its supporters abstaining and youth voters, especially in the urban and peri-urban areas of Matola, Maputo, Nampula City and Nampula Port, voting for opposition candidate, Venâncio Mondlane, and the political party he affiliated to as presidential candidate, PODEMOS

⁷ Mondlane was a member of MDM until 2018.

(although he was not a PODEMOS party member).⁸ PODEMOS is now the largest opposition party in the new Parliament and its leader, Albino Forquilha, the leader of the opposition.

The elections on 9 October passed peacefully in most areas, although electoral irregularities were observed by international and local observers.⁹ PODEMOS provided some paperwork to back up its claim of victory, but these sheets only accounted for 23 per cent of the vote. Some 305 petitions for alleged irregularities and electoral crimes were filed with District Courts on election day and during counting. Most were dismissed for the lack of observance of prior impugnation or for lack of evidence, and some were forwarded to the Constitutional Council, which confirmed the District Court rulings. Some then went to the Public Prosecutor for investigation.¹⁰

On 24 October, the National Election Commission (CNE) announced that Chapo had won the election with 71 per cent of the vote with a declining electorate turnout of 43 per cent. It also declared that FRELIMO had won all the provincial elections and had won 195 of the 250 seats in Parliament. RENAMO rejected the results and called for a fresh election. The MDM party also rejected the results and said it had won 15 seats (not 4). Several opposition parties filed petitions with the Constitutional Council challenging these results.

Shortly after the elections in October, Venâncio Mondlane declared himself President-elect with 53 per cent of the vote and claimed that PODEMOS had won a slim majority with 138 seats based upon a parallel count from their own election agents.

On 28 October, Mondlane called for the formation of a rival 'Government of National Unity', consisting of all opposition parties, to form a united front against FRELIMO.

FRELIMO was unprepared for Venâncio Mondlane's pre-emptive claim as presidential victor, including his unwillingness to compromise and his ability to mobilise nationwide disruptive protests. From mid-October 2024 until mid-January 2025, there were further protests across Mozambique that became increasingly violent. During the protests, more than 300 people were killed and over 700 injured. The security forces were blamed for many of the deaths, as they were accused of using excessive force, including live bullets, against demonstrators and bystanders. Some police officers also died, according to the authorities. The unrest caused major losses to Mozambique's economy of -4.9 per cent of gross domestic product (GDP) in the last quarter of 2024, stopping cross-border trade and affecting shipping, mining and industry. Venâncio Mondlane fled Mozambique in early November and returned to Mozambique on 9 January 2025.¹¹

On 23 December, the Constitutional Court (CC) – the only institution under Mozambique law that could consider challenges and sign off on the elections – published and validated the election results, subtracting seats from FRELIMO and allocating PODEMOS 12 more seats, 8 more to RENAMO and 4 more to MDM. It also downgraded Chapo's presidential share of the vote to 65.17 per cent and increased Venâncio Mondlane's to 24.19 per cent (see Figures 2.1 and 2.2).

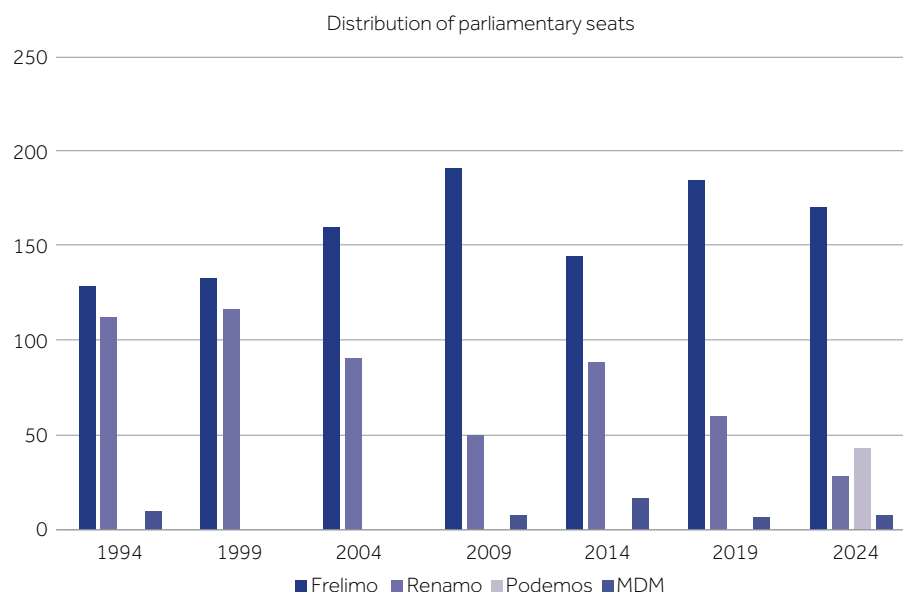
By doing this, the CC signalled that there were irregularities in the *editais* (result sheets) and *actas* (minutes), but it did not call for a recount of all ballot papers. The Bar Association recommended that there should be a recount, or the elections should be annulled, to restore electoral integrity. The CC's lack of a detailed explanation of how it conducted the validation process highlighted the lack of transparency in this process.

⁸ In February 2025, Mondlane formally broke from PODEMOS and is now setting up his own political party.

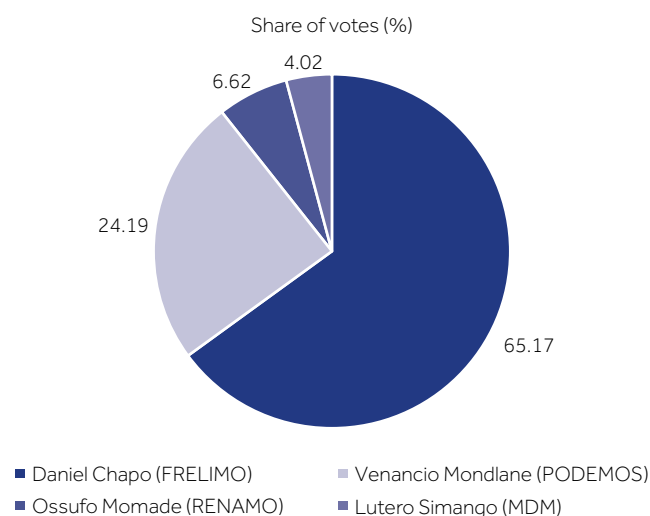
⁹ On the 11 October, the CNE rescheduled elections in 23 polling stations in the districts of Gilé and Maganja da Costa (Zambézia) due to polling staff strikes over food allowances. In Germany, the election was rescheduled to 12 October due to logistical difficulties.

¹⁰ According to the Supreme Court, a total of 163 electoral offences were lodged at District Courts in all provinces, 69 of which were related to destruction of electoral propaganda during the campaign, in addition to 18 instances of ballot stuffing and 17 instances of disruption of elections at polling stations. Some 83 cases were dismissed and 78 were ongoing at the time of writing.

¹¹ For an analysis by Mozambican intellectuals on these developments, see: CODESRIA Bulletin (2025), 'NÚMERO ESPECIAL MOÇAMBIQUE – Visão de alguns intelectuais moçambicanos sobre a violência pós-eleitoral', CODESRIA Bulletin No. 2, June, <https://journals.codesria.org/index.php/codesriabulletin/issue/view/488>

Figure 2.1 Parliamentary seats 1994–2024.

Source: CNE & CC with Chatham House additional analysis (2024).

Figure 2.2 Presidential vote.

Source: Constitutional Council (2024).

Electoral materials from these national elections, including ballot papers, were incinerated by the authorities on 20 January 2025, after an administrative court rejected a civil society appeal to stop the process. This ended any chance of further challenges to the results, marking the conclusion of the most controversial electoral process in Mozambique's history.

The new National Assembly sat for the first time on 13 January 2025, with PODEMOS attending its inauguration but RENAMO and MDM boycotting the ceremony in protest at the election results. They subsequently took up their seats.

FRELIMO and the opposition political parties, represented in Parliament and the provincial assemblies – including Nova Democracia, led by MDM leader Lutero Simango – reached an agreement in late January 2025 on the Terms of Reference for reforms to how Mozambique is governed. Since early January 2025, negotiations with FRELIMO on a reform plan of action – including decentralisation and electoral reform – have been ongoing and President Chapo has met Venancio Mondlane several times.

Figure 2.3 Frelimo candidate Daniel Chapo (far right) at a campaign rally, with former Mozambique President Joaquim Chissano (far left) and incumbent President Filipe Nyusi (middle).

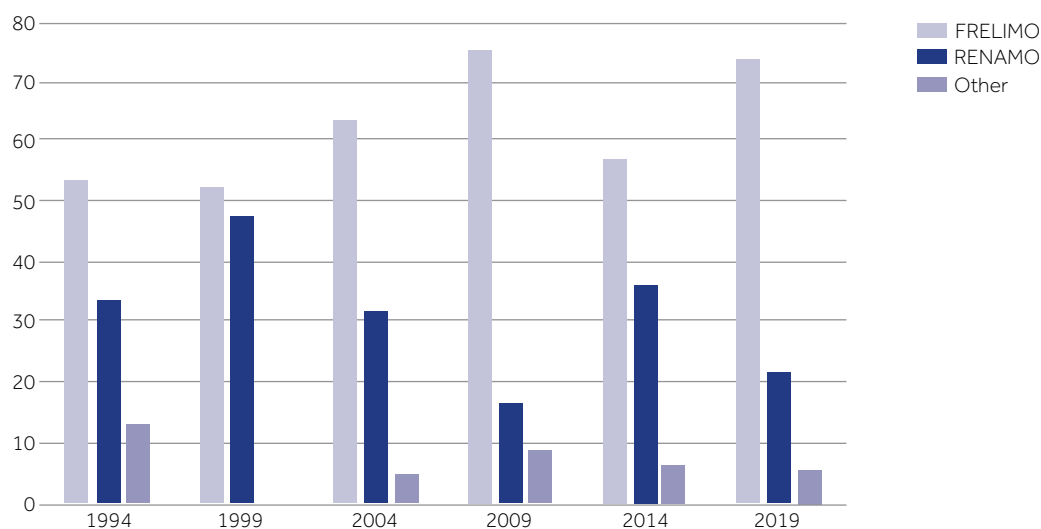


Table 2.1 Final National Assembly results following Constitutional Council ruling.

Province	MDM		FRELIMO		RENAMO		PODEMOS		Total
	CNE	CC	CNE	CC	CNE	CC	CNE	CC	
Cabo Delgado	0	0	16	16	2	2	3	3	21
Gaza	0	0	18	16	0	0	0	2	18
Inhambane	0	0	13	12	1	2	1	1	15
Maputo Province	0	0	17	13	0	1	6	9	23
Maputo City	0	1	7	5	1	1	2	3	10
Manica	0	0	13	12	1	2	2	2	16
Nampula	2	3	30	27	6	7	10	11	48
Niassa	0	0	11	11	1	1	1	1	13
Sofala	2	3	14	13	1	1	2	2	19
Tete	0	0	21	16	1	3	1	4	23
Zambézia	0	1	33	28	6	8	3	5	42
Diaspora	0	0	2	2	0	0	0	0	2
TOTAL	4	8	195	171	20	28	31	43	250
Difference	4		-24		8		12		
%	3.2%		68.4%		11.2%		17.2%		

Sources: CNE and CC.

PODEMOS is only ten years old, has never held parliamentary seats before and will especially benefit from training and advice. RENAMO, meanwhile, could fragment and will need to seek a new leader, as its leader, Ossufo Momade, is widely blamed for the collapse of the party's vote in the 9 October elections.

Figure 2.4 Presidential election vote (%), 1994–2019.

Source: Chatham House Africa Programme analysis (2024).

Decentralisation

Mozambique is a unitary state, with a mix of decentralised government through local and provincial structures. There are 53 elected local administrators, which include elected executives and local assemblies, but the Central Government also appoints District Administrators for each of 128 districts in Mozambique's 10 provinces. The districts cover all territories in the country, including those where there are no elected administrations, and there are some that overlap with the jurisdiction of an elected municipal government.

Until 2019, the President had full powers to appoint and dismiss the governors of the various provinces. These powers have since been revoked. In addition, each national minister appoints a representative director for the ministry concerned to serve in each province. Elected assemblies without decision-making powers were introduced to the provinces in 2009, but these bodies act merely as forums for discussion and token forms of local representation.¹²

Decentralisation has featured in constitutional discussions since the early 1990s, beginning with the single-party assembly.¹³ As a result, Mozambique has a complex structure of overlapping administrative layers at the provincial and local levels.

Box 2.1 The October 2023 municipal elections

Tensions rose prior to the municipal elections, with the police arresting members of the opposition in several cities. On 27 October, after the provisional election results came out, protests broke out in several major cities such as Nampula and Maputo in reaction to alleged fraud in the election. At least three people were killed by security forces, including a 10-year-old boy in Nampula province. Police used tear gas on protesters in Maputo and a 16-year-old was reported to have been shot by police in Chiúre, Cabo Delgado province.

¹² Thomashausen, A (2019), 'The concept and implementation of "gradual decentralisation" in Mozambique', in C Fomad and N Steytler (Eds.) *Decentralisation and constitutionalism in Africa*, Oxford University Press, Oxford, pp. 384–409.

¹³ The first law constituting local government was approved in 1994 (Lei No. 3/1994 of 13 September 1994), but the first local elections only took place in 1998.

The non-governmental organisation (NGO), Maise Integredade, which sent over 2,000 observers across the country, reported irregularities at polling stations in several municipalities, including ballot stuffing and voter intimidation.

On 17 November, police shot eight people on a demonstration organised by the main opposition party, RENAMO, in the municipality of Angoche; four of those shot were hospitalised, two with life-changing injuries. Members of the Commonwealth Observer Group interviewed several of these survivors in Angoche and Nampula City and spoke to eyewitnesses and members of the security forces.

The clash started when RENAMO demonstrators marched through the streets of Angoche, carrying a coffin draped with a cloth bearing the symbols of the ruling FRELIMO party. The police dispersed the demonstrators using live ammunition, seized the coffin and took it to the Angoche District Police Command.

On 24 November, the Constitutional Council ('the Council' or CC), a court with the final say on election results in Mozambique, announced the final version of results in the local elections held on 11 October. The council's announcement reinforced the perception that it was biased in favour of the governing party, FRELIMO.

Contrary to the results previously announced by the National Elections Commission (CNE), however, which said that FRELIMO had won 64 out of 65 municipalities, the CC overturned results in 4 towns and cities (Chiure, Quelimane, Alto Molócue and Vilankulo) to declare opposition party RENAMO a winner there. FRELIMO was declared the winner in another 56 municipalities, and the MDM's victory in Beira was upheld. Repeat elections were ordered in four towns (see below).

The most major oversight by the CC was its upholding of FRELIMO's supposed victory in Maputo and Matola, Mozambique's capital city and largest city, respectively, despite election observers reporting that RENAMO had received more votes in those cities. The Council did transfer some votes from FRELIMO to RENAMO in the cities (without explaining why), but not enough to change the result.

The Council made little reference to irregularities during the voting and vote counting processes, or in the elections, saying that those issues did not influence the overall results. A Supreme Court judge questioned the Council's view that local courts did not have the power to rule on election matters, sparking a discussion among commentators that the election process needed reform.

According to the political parties, the results presented by the Council were understood to be the result of compromise, at least between the leaderships of RENAMO – a party that originally claimed victory in 21 municipalities – and FRELIMO.

Many believe the conclusion of the Constitutional Council was heavily influenced by the governing party. It was a common complaint that the election results took too long to be announced, casting suspicion over the entire process.

The municipal elections of 2023 significantly eroded trust in Mozambique's electoral institutions, particularly the CNE and CC. The use by the government's security forces of live ammunition to respond to post-electoral protests was also seen to be excessive. This issue became even more pronounced following the October 2024 elections, with more than 300 killings and the wounding of over 700 others according to Amnesty International.¹⁴⁵

¹⁴ Amnesty International (2025), 'Mozambique: Protest under attack: Human rights violations during Mozambique's post-2024 election crackdown', Index Number: AFR 41/9225/2025, www.amnesty.org/en/documents/afr41/9225/2025/en/

Targeted violence

RENAMO returned to armed conflict in 2013 after 20 years of peace and after contesting 4 national elections peacefully.¹⁵ FRELIMO's strategy towards RENAMO was the prime reason the opposition party took up arms again from 2013. FRELIMO was given a shock during the 1999 national elections, when RENAMO's former leader, the late Afonso Dhlakama, nearly won the presidency by getting 47.7 per cent of the vote. Figure 2.4 shows the results of presidential elections in Mozambique between 1994 and 2019.

The 1992 Rome General Peace Accords (GPA) successfully ended more than 20 years of civil war in Mozambique. The establishment of peace was followed by an 'aid bonanza' that rapidly transformed the ruling class into an elite political class. The discovery of substantial natural gas as well as coal reserves around the turn of the millennium further heightened the stakes. RENAMO's return to armed violence in 2013 to push for a new elite bargain with the government, contributing to new violent conflict in Cabo Delgado.¹⁶

A new peace agreement with RENAMO was reached in August 2019. This resulted in 5,221 combatants demobilised and 16 military bases closed between 2020 and 2023. A disarmament, demobilisation and reintegration (DDR) process was rolled out nationwide. One hundred and forty-three (143) individuals were integrated into the Mozambique Republic Police (PRM), and all became eligible for consideration of a state pension. Analysts have continued to raise concerns regarding the fragility of the Rome GPA, which has been classified as an elite bargaining pact. In retrospect, many factors contributed to the end of the Mozambican civil war in 1992 and the introduction of democracy. These included the end of the Cold War and of apartheid in South Africa; political changes among Mozambique's neighbours; and a military stalemate between FRELIMO and RENAMO. Post-conflict politics – as with civil war politics – were framed by regionalism and inequality, with FRELIMO increasingly trying to assert its hegemony across Mozambique as a national project. The situation in Mozambique today highlights the degree to which these bargaining processes are long term.

Despite these processes, election-related violence has remained a concern in Mozambique. While the figures for the victims killed or harmed in the post-election environment are disputed, Amnesty International reported that 300 people were killed and 700¹⁷ injured.¹⁶ Human rights institutions have also collectively raised concerns around the use of force by the state to curb protests. According to rights-based institutions and interviews with survivors by members of the Group, instances of police firing live ammunition and tear gas onto protestors and bystanders were reported in both the 2023 municipal elections and the 2024 national elections.

Recommendations

Security

- Enhanced training and equipment should be provided for non-lethal crowd control response by the police to election-related protests.

Municipal elections

- International observers, including from the Commonwealth, should be invited to the 2028 municipal elections in order to observe and report on the implementation of electoral reforms being currently negotiated by the government with the opposition and other interested parties.

¹⁵ For the importance of local-level politics and neo-traditionalism and how they provide relevant insights for understanding peacebuilding and state formation in Mozambique today, see: Bertelsen (2016).

¹⁶ Manning, C (2002), 'Conflict management and elite habituation in postwar democracy: The case of Mozambique', *Comparative Politics*, Vol. 35 No. 1, 63–84.

¹⁷ Amnesty International (2025), 'Mozambique: Protest under attack: Human rights violations during Mozambique's post-2024 election crackdown', Index Number: AFR 41/9225/2025, www.amnesty.org/en/documents/afr41/9225/2025/en/

3. The Legal Framework and Electoral Administration

System of government

Mozambique is a constitutional democracy with a unicameral legislature. Enacted in 1990, its Constitution has undergone several revisions and amendments.¹⁸ The Constitution provides for direct, equal, secret and regular elections for the president and members of the National Assembly, Provincial Assemblies and local councils, as well as indirect elections for provincial governors and district administrators. All elections are held concurrently every five years.¹⁹

President

The president, who is head of state and the government, is elected directly by popular vote with an absolute majority of valid votes cast (50 per cent plus 1) in a single national constituency. If no candidate receives more than 50 per cent of the votes cast, a second round of voting between the top two candidates is held within 30 days of the 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 up to two consecutive terms.

The outgoing President, Filipe Nyusi, was elected in 2015 as the fourth President of Mozambique. He is a member of FRELIMO, which has governed the country since its independence from Portugal in 1975. He stepped down on 15 January 2025 when his second five-year term would be completed, and a new President, coming out of this election, would assume office as the fifth President of the Republic.

National Assembly

Mozambique's 250-member unicameral National Assembly comprises members elected for a five-year term under a closed party-list proportional representation system (using the *d'Hondt* formula with a threshold of 5 per cent) from 13 multi-member electoral districts pegged to Mozambique's 10 administrative provinces, the city of Maputo and 2 overseas constituencies for the diaspora. The two overseas constituencies, one for Africa and the other for the rest of the world, are elected via the first-past-the-post system.

The number of members of the National Assembly per province is proportional to the number of registered voters in the province.

Provincial Assembly and Provincial Governorships

For the 2024 election, 867 Provincial Assembly seats were contested across the 10 provinces, again using the *d'Hondt* formula. This represents an increase from the 794 seats that were contested in 2019. The total number of Provincial Assembly seats is not defined in law. Instead, each Provincial Assembly is allocated a certain number of seats based on the population size of the province.

Following the 2018 amendment to the Constitution, governorships in each of the ten provinces are elected indirectly. 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 elect both the assembly and the governor on the same ballot paper.

¹⁸ Such as in 1994, 2004, 2018, with the latest amendment being in 2023.

¹⁹ Law No. 15/2009, of 9 April 2009.

The *d'Hondt* formula

The *d'Hondt* formula is one of several methods used for allocating seats in a party-list electoral system that seeks to achieve proportional representation in the legislature. Mozambique is the only country in the Commonwealth that uses this method for national and provincial elections. According to the electoral law,²⁰ votes are turned into mandates using this formula in accordance with the following rules.

- The number of votes received by each list in the respective constituency is counted separately.
- The number of votes counted for each list is divided successively by 1, 2, 3, 4, 5, 6, 7, 8, etc., the quotients being aligned in descending order of magnitude in a series of as many terms as there are seats allocated to the respective constituency.
- The mandates belong to the lists to which the terms of the series established by the previous rule correspond, with each list receiving as many mandates as its terms in the series; and
- In the event that there is only one mandate left to distribute and the next terms in the series are the same for different lists, the mandate goes to the list that received the lowest number of votes.

Core electoral legal framework²¹

The electoral legal framework in Mozambique is complex, fragmented and cumbersome due in part to its multi-tiered government structure, each with its own legislation, and to frequent revisions and amendments, which have been carried out in piecemeal fashion, often too close to election cycles. Some of these revisions and amendments represent the outcome of political dialogue and compromise between the main political parties, RENAMO and FRELIMO, rather than of a comprehensive review of the electoral laws.

Despite well-documented previous calls for the consolidation and harmonisation of electoral laws in Mozambique, new amendments to the electoral law were made after the start of the electoral campaign for 2024 and less than 47 days before the 9 October elections, contrary to international good practice, including the African Charter on Democracy, Elections and Governance. The late amendments to electoral laws tend to arouse suspicion and leave little time for voter education.

The key laws governing the conduct of elections presidential, national and provincial elections in Mozambique include:

- The 1990 Constitution, as amended up to 2023
- Law No. 8/2013 of 27 February 2013, revised by Law No. 12/2014 of 23 April 2014 and Law No. 2/2019 of 31 May 2019, and amended by Law No. 15/2024 of 23 August 2024 governing the elections of the President and the members of the National Assembly
- Law No. 3/2019 of 31 May 2019, amended by Law No. 14/2024 of 23 August 2024 establishing the legal framework for the election of members of the Provincial Assembly and the Provincial Government
- Law No. 4/2013 of 22 February 2013, revised by Law No. 11/2014 of 23 April 2014 regulating the election of members to Provincial Assemblies
- Law No. 5/2013 of 22 February 2013, revised by Law No. 8/2014 of 12 March 2014 governing the process of voter registration in Mozambique

²⁰ See Article 170 of Law No. 8/2013 of 27 February 2013, revised by Law No. 12/2014 of 23 April 2014 and Law No. 2/2019 of 31 May 2019, and amended by Law No. 15/2024 of 23 August 2024; and Article 160 of Law No. 3/2019 of 31 May 2019, amended by Law No. 14/2024 of 23 August 2024.

²¹ There are no official English translations of Mozambican laws.

- Law No. 6/2013 of 22 February 2013, revised by Law No. 9/2014 of 12 March 2014, and Law No. 30/2014 of 26 September 2014 establishing the structure, roles and responsibilities of the National Election Commission – the body responsible for overseeing elections in Mozambique
- Law No. 7/2013 of 22 February 2013, revised by Law No. 10/2014 of 23 April 2014 governing the elections of local government bodies in Mozambique, including municipal assemblies
- Law No. 15/2009 of 9 April 2009 establishing the system for holding simultaneous elections for the President, National Assembly and Provincial Assemblies in Mozambique
- Law No. 6/2006 of 12 April 2006, revised by Law No. 5/2008 of 9 April 2008 defining the formation, organisation and functioning of political parties

Other relevant laws

In addition to the above core electoral laws, several other laws relating to the exercise of political and human rights are relevant to elections. The most significant of these include:

- Law No. 8/1991 of 18 July 1991 on freedom of association and demonstration
- Law No. 9/1991 of 18 July 1991 and Law No. 7/2001 of 7 June 2001 on freedom of assembly
- Law No. 18/1991 of 10 August 1991 on freedom of the press
- Law No. 34/2014 of 31 December 2014 on the right to information
- Law No. 24/2019 of 24 December 2019, the Penal Code
- Law No. 10/2024 of 7 June 2024 on the rights of persons with disabilities

International and regional standards and commitments

Mozambique has ratified and subscribed to a raft of major international treaties and instruments that set standards for elections, including:

- The Universal Declaration of Human Rights (1948)
- The Convention on the Elimination of All Forms of Racial Discrimination (1965)
- The International Covenant on Civil and Political Rights (1966)
- The Convention on the Elimination of All Forms of Discrimination against Women (1979)
- The Convention on the Rights of Persons with Disabilities (2006) and its Optional Protocol (2006)
- The Commonwealth Charter (2012)

At the regional and sub-regional levels, they include:

- The African Charter on Human and Peoples' Rights (1981)
- The AU [African Union] Declaration on the Principles Governing Democratic Elections in Africa (2002)
- The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003)
- The SADC Principles and Guidelines Governing Democratic Elections (2004)
- Guidelines for African Union Electoral Observation and Monitoring Missions (2004)
- The African Charter on Democracy, Elections and Governance (2007)
- The SADC [Southern African Development Community] Protocol on Gender and Development (2008)

Summary of 2024 amendments

In August 2024, the National Assembly amended the electoral laws pertaining to presidential and National Assembly elections (Law No. 15/2024) and gubernatorial and Provincial Assembly elections (Law No. 14/2024).

The brief background to these amendments is as follows. Following the disputed municipal elections of 2023, several post-election disputes were heard by the District Courts, some of which resulted in the nullification of elections at some polling stations. These decisions were later overturned by the CNE. The Constitutional Council subsequently upheld the CNE's decisions. The decisions of the CNE and Constitutional Council ignited controversy around three interlinked legal questions: whether District Courts had legal authority to hear electoral disputes and nullify elections; whether District Courts could hear all such electoral disputes or only those that were criminal in nature; and whether District Courts were adequately trained to hear such cases.

In April 2023, an amendment was tabled to clarify the legal position. In particular, the amendment sought to affirm the District Courts' jurisdiction in post-election petitions. To our knowledge, this amendment did not eventually become law, perhaps for political reasons.

A new set of bills was brought back to the National Assembly and passed in August 2024, as Law No. 14/2024 and Law No. 15/2024. These amendments contain similar provisions that have an impact on five key areas of significance to the 9 October elections:

- **Electoral dispute resolution.** Both sets of amendments make it clear that District Courts cannot nullify any aspect of presidential, national, gubernatorial or provincial elections or order a recount of ballots. Instead, only the CNE and the Constitutional Court are mandated to do this.
- **Observation and transparency.** The amendments make provision for observers and the media to observe the tabulation of results at the district, provincial and national levels. It also requires electoral officials to provide copies of results forms to observers and agents of political parties or candidates. From the polling stations observed, the Group notes that this amendment has enhanced the transparency of the vote counting and tabulation at that level.
- **Close of polling and vote counting.** The amendments also make provision for polling officials to take a break of no more than one hour after the close of polling and for vote counting to commence immediately after the end of the break. Our observations at the polling stations showed that this amendment is worthwhile. The Group observed that polling officials were exhausted at the close of voting and that the break provided them some welcome respite. However, not all polling table staff were able to take a full hour break because the procedures for closing voting were cumbersome and took them considerable time to complete.
- **Transparent ballot boxes.** The amendments also require the CNE to use transparent ballot boxes as international good practice recommends.²² To comply with this new requirement, the CNE needed, at short notice, to procure at least three ballot boxes for each of the 26,000 polling stations around the country, requiring a significant outlay. Understandably, the CNE announced that it would not procure transparent ballot boxes for the 2024 elections due to time and budgetary constraints.²³ It also stated that, before this amendment, it had already procured 14,775 translucent ballot boxes in addition to the 64,106 translucent ballot boxes used for the previous election.²⁴
- **Electoral offences.** The amendments also introduced several new electoral offences.

CNE and STAE

The overall oversight and responsibility of administering elections in Mozambique rests with the National Election Commission (CNE). The Technical Secretariat for Election Management (STAE) is established as the technical and administrative support arm of the CNE to which it is also accountable. Both the CNE and STAE operate through a network of offices at different administrative levels – national, provincial, district and municipal – allowing them to co-ordinate election activities across the country.

²² Article 56 of Law No. 15/2024 and 76 of 14/2024, both of 23 August.

²³ See Resolution 76/CNE/2024.

²⁴ See: www.cipmoz.org/wp-content/uploads/2024/09/CNE-viola-Lei-Eleitoral.pdf

Appointments and structure of CNE/STAE

Members of the CNE, called 'commissioners', are elected by the National Assembly according to political party representation in the Assembly, although reforms to the membership structure now mean that civil society is also represented. Headed by a chairperson elected by fellow commissioners, the CNE comprises a total of 17 commissioners, ten of whom are appointed by political parties as follows: five by FRELIMO, four by RENAMO and one by MDM. Although seven commissioners are appointed by an *ad hoc* committee of the National Assembly upon nomination by civil society organisations (CSOs) that are members of the civil society organisations forum, some stakeholders believe that these are picked from state-friendly organisations. The CNE is supported by provincial, district or city electoral commissions, each of which is composed of 15 members: 3 FRELIMO, 2 RENAMO and 1 MDM representative, and 9 members of civil society.²⁵

For its part, STAE is headed by a Director General, who is appointed by the president. While STAE is by law expected to be staffed by technically competent personnel, during national elections, the Director General is assisted by six national deputies appointed by the following political parties: three by FRELIMO, two by RENAMO and one by MDM. There are 18 other technicians who are also appointed by the parties: 9 by FRELIMO, 8 by RENAMO and 1 by MDM. This structure is repeated at the provincial, district or city levels, with some variations regarding the total number and proportions of politically appointed staff. Other members of STAE's staff are appointed through a public bid, based on professional and technical expertise.

Although both the CNE and STAE are established to be independent and impartial, they are widely seen to lack political neutrality and independence. Nor does either institution enjoy the trust and confidence of the citizenry, which has resulted in a general lack of faith in the credibility and integrity of the electoral process. Because many commissioners and STAE officials are nominated by the governing party, stakeholders do not see the difference between the CNE/STAE and the governing party or government. The trust deficit has also arisen from many years of running elections whose outcomes have been considered questionable or unsatisfactory by opposition parties and the public.

Figure 3.1 The Chairperson of CNE, Bishop Carlos Matsinhe, briefing observers on the eve of the elections.



²⁵ See Articles 43 and 44 of Law No. 6/2013, of 22 February, as amended by Law No. 9/2014, of 12 March, as amended by Law No. 30/2014, of 26 September (hereafter 'Law No. 30/2014').

Although a number of stakeholders, including political parties, have expressed a desire to reform the CNE and STAE to make them truly independent, such reforms have not yet materialised. A lack of impartiality and trust by opposition political parties and CSOs in the CNE and STAE was observed across the country and raised in many meetings with the Group.

Mandates of the CNE and STAE

The primary mandate of the CNE is to oversee the preparation for administration, conduct and management of elections.²⁶ Its more specific mandates include the planning and execution of national, provincial and local elections; ensuring that all eligible Mozambican citizens are registered to vote and that the electoral roll is accurate and up to date; and ensuring that polling stations are set up across the country, equipped with the necessary materials such as ballot papers and boxes or voting machines.²⁷

The primary mandate of the STAE is to provide technical and administrative support to the CNE to ensure that elections are administered and conducted well. Its specific mandates include managing the voter registration process; co-ordinating voter education campaigns; co-ordinating the preparation of election materials; and ensuring compliance with and enforcing the regulations, guidelines, decisions and directives of the CNE.²⁸

As the technical and administrative arm of the CNE, the STAE is expected to be staffed by professionals and skilled personnel. However, as seen above, during the critical time when elections are conducted, the entire class of management and a considerable proportion of the technical staff consist of political appointees. This raises questions about the degree to which the management of the STAE, as well as the rest of the staff, can be regarded as politically neutral. The explicit politicisation of the staffing of the STAE undercuts the possibility that the body meant to provide technical and administrative support to the CNE can do so free from political interference or bias. It is unhelpful that the CNE, to which the STAE accounts and whose guidelines, decisions and directions it must implement, has a larger political component.

Funding of CNE/STAE

Mozambique's elections are among the world's most expensive, both in absolute terms and in terms of the cost per voter. According to the CNE, the budget for the 2024 elections was set at 19,993,186,146 meticaís (MT; about US\$313,000,000). By early September 2024, the CNE had only received 50 per cent of the budget requested. By the last week of the elections, approximately 72 per cent had been transferred to the CNE. Close to 9 October, there were reports of protests by poll workers at some of the STAE offices, citing non-payment of salaries. However, it appears that the remainder of the funds was transferred just before 9 October. The CNE assured observers that all election materials had been procured and distributed on time, which our observers confirmed – at least at all the polling stations visited. However, it was evident that there was a lack of an adequate training and oversight of the work of some of the 190,000 polling staff (see Chapter 6 for more details).

One of the contributors to the high cost of elections in Mozambique is the absence of continuous voter registration, with the result that, for each election, a new voter registration exercise is conducted from scratch. A significant portion of the budget was allocated to the procurement of biometric voter registration technology, which cost a reported US\$125 million. Despite broad stakeholder support for the introduction of continuous voter registration, and previous recommendations proposed by international observer missions in this regard (including the Commonwealth Observer Group), no amendments to provide for continuous voter registration have materialised.

As noted earlier, the August 2024 amendments to electoral laws requiring the use of transparent ballot boxes for over 26,000 polling stations would have significantly increased the budget for these elections. The CNE's decision to seek an exemption from this requirement ensured that translucent ballot boxes were reused, and a few more which had been already purchased, were distributed on time for the elections.

²⁶ See, for example, the preamble to, and Article 2 of, Law No. 30/2014; Article 9 of Revision Law No. 3/2019; and Article 7 of Revision Law No. 2019.

²⁷ See Article 9 of Law No. 30/2014.

²⁸ See, for example, Article 52 of Law No. 30/2014.

State funding given to political parties represented in the National Assembly is distributed by the CNE. We comment on the impact of the late distribution of this funding on the 9 October elections in Chapter 5.

Recommendations

- The depoliticisation of the CNE should take place to ensure that it is composed of independent, respected members of society who have proven integrity and relevant experience.
- The depoliticisation and professionalisation of the STAE should also take place to ensure that it is staffed by skilled and experienced personnel providing competent technical and administrative support to the CNE, free from political influence or bias.

Figure 3.2 The COG Chair, HE Dr Kenny Anthony, and observers at a briefing by the National Election Commission (CNE).



Figure 3.3 Pauline Welsh at the briefing session with CNE.



Figure 3.4 Dr Alex Vines engages with CNE on election preparations.



Electoral dispute resolution and electoral offences

Electoral dispute resolution is a critical aspect of a system of fair elections. In establishing a credible and fair electoral dispute resolution mechanism, it is crucial to ensure that the electoral cycle delivers timely results that accurately reflect the will of the electorate, in order to facilitate a peaceful and orderly transfer of power. It is equally important to ensure that persons aggrieved by electoral outcomes exercise the right to challenge election results and seek redress, and that those charged with administering and conducting elections are held accountable for their conduct.

Although Mozambican electoral law makes provision for electoral dispute resolution, the system it establishes is unduly complex, opaque and cumbersome, which renders illusory the exercise of the right of access to justice by those aggrieved by electoral outcomes.

Jurisdiction of the Constitutional Council, District Courts and the CNE

Section 244(2) of the Constitution specifically confers the power to adjudicate electoral complaints and appeals, as well as actions contesting elections, on the Constitutional Council. Article 193 of Law No. 8 of 2013, as revised in 2019 and amended by Law No. 15/2024,²⁹ assigned to District Courts, which are magistrates courts, the original jurisdiction to determine electoral complaints from the time registration of voters starts to the validation and proclamation of the electoral results by the Constitutional Council. The authority conferred on District Courts covers not only pre-election complaints but also complaints related to issues that arise during the conduct of elections and even after results have been announced by the CNE. The latter are arguably post-election matters. But once results are validated and proclaimed by the Council, the District Courts' authority ceases.

It remains open to question whether this assignment of power to District Courts constitutes an unconstitutional ouster of the original jurisdiction of the Constitutional Council to the extent that the Council may not have residual original powers over electoral disputes. The use of the word 'appeal' in the electoral laws³⁰ describing the respective jurisdiction of the District Courts and the Constitutional Council suggests that the nature of the proceedings in the Constitutional Court is entirely appellate, not original. This seems to contradict the Constitution, which suggests a broader mandate of the Constitutional Council

²⁹ With respect to provincial elections, similar provisions are reflected in Law No. 8/2013, of 27 February, amended and republished by Law No. 2/2019, of 31 May 2019, as amended by Law No. 14/2024.

³⁰ See, for example, Articles 162, 163 and 165 of Law No. 14/2024; Articles 192, 193 and 195 of Law No. 15/2024.

encompassing both complaints, appeals and actions concerning elections.³¹ On the other hand, while the Constitution establishes the Constitutional Council as a court with both original and appellate jurisdiction, it does not clearly define areas where the Council has original jurisdiction and those in which it has appellate jurisdiction. This gap renders the Council's jurisdiction prone to misunderstanding.

It could be argued that the amendments introduced by Law Nos. 14 and 15 of 2024 denying District Courts the authority to nullify elections or to order a recount of ballots³² were intended to remedy the possible ouster of the Constitutional Council's authority. However, given the background to the amendments outlined earlier, some stakeholders have questioned the motive of this supposed reaffirmation of the authority of the Constitutional Council in relation to electoral disputes. They have argued that the amendment was meant to curtail the powers of the District Courts, which had set aside some of the municipal electoral results. Also noteworthy is the fact that the reinstatement of the authority of the Constitutional Council is only partial. According to Articles 166(2A) and 196(2A) of Law No. 14 of 2024 and Law No. 15/2024, respectively, the authority to annul elections and order them to be re-held falls on the Constitutional Council. Clearly, this amendment still leaves intact the power of District Courts to hear electoral appeals from the CNE before the Constitutional Council validates and proclaims the results, thereby leaving unresolved the question of ouster of the Constitutional Council's original jurisdiction.

Article 9(2) of Law No. 15/2024 also states that the responsibility of verifying the legality, regularity and validity of elections also rests with the CNE.³³ This too would appear to be an ouster of the jurisdiction of the Constitutional Council. Furthermore, the electoral laws do not set out clear rules and procedures governing the exercise of this power by the CNE that anticipate or envision an entire election being impugned. Particularly problematic is the idea that the CNE should exercise the authority to hear electoral complaints, of its own accord or upon application, once it has declared and announced the results. In doing this, the CNE would be acting as a judge in its own cause and can thus not be expected to be impartial.

The complaints process

Although the Constitution vests seemingly broad powers in the Constitutional Council to consider electoral complaints and appeals, as noted above, the legislative framework has significantly limited the possibility of launching comprehensive electoral petitions that allege violations of fundamental principles of the Constitution and electoral law and endemic irregularities.³⁴ This has been achieved by reducing complaints to alleged irregularities at polling stations or polling areas,³⁵ setting very short timelines for submitting complaints to the CNE,³⁶ appeals to District Courts and appeals to the Constitutional Council, and by not making specific provision for post-results declaration and certification of electoral challenges, their procedures and possible remedies.

To the extent that the electoral and other laws provide for appeals from the CNE to the Constitutional Council,³⁷ the remedial powers relating to nullification, recounting and re-holding of the polls suggest that they are limited to polling station or area results, and not an entire election.³⁸ The timeframe for conducting a

³¹ The confusion about the original jurisdiction of the Constitutional Council is also evident in Law No. 2 of 2022, of 21 January repealing Law No. 6/2006, as amended by Law No. 5/2008, of 9 July, whose Article 6(2)(d) restates Article 244(2)(d) of the Constitution by reframing the power of the Council to hear electoral complaints as appellate.

³² See Articles 166(2A) and 167(1) of Law No. 14/2024; and Articles 196(2A) and 196A(1) of Law No. 15/2024.

³³ See also Article 7(2) of Law No. 14/2024.

³⁴ See, for example, the Malawian case of *Chilima & Chakwera v Mutharika & Electoral Commission*, Constitutional Reference No. 1 of 2019 [2020] MWHC 2 (3 February 2020), upheld by the MSCA in *Mutharika and Electoral Commission v Chilima & Chakwera*, MSCA Constitutional Appeal 1 of 2020, [2020] MWSC 13 (10 August 2020); and the Kenyan case of *Odinga & another v Independent Electoral and Boundaries Commission & 2 Others* [2017] KESC 32 (KLR), both of which serve as an example of comprehensive petitions that challenge elections based on lack of compliance with the principles of the constitutional and electoral and irregularities.

³⁵ See, for example, Articles 196 and 196A of Law No. 15/2024; and Articles 166 and 176 of Law No. 14/2024.

³⁶ See, for example, Articles 165 and 195 of Law No. 14/2024 and Law No. 15/2024, respectively, which state that appeals from the CNE to the Constitutional Council must be lodged within three days of the decision of the CNE, and that the Constitutional Council should deliver its final judgment within five days.

³⁷ See Articles 165 and 195 of Law No. 14/2024 and Law No. 15/2024, respectively; and Article 121 of Law No. 2/2022.

³⁸ See Articles 196 and 196A of Law No. 15/2024; and Articles 166 and 176 of Law No. 14/2024.

fresh election is also too short for a nationwide or provincial election.³⁹ Lastly, the electoral laws mention the benchmarks for nullifying election results and ordering a ballot recount⁴⁰ with reference to polling station-related irregularities, but not nationwide or comprehensive electoral complaints.⁴¹

During a meeting with the Constitutional Council, the Council explained to the Group that complaints alleging irregularities in an entire polling district go, not to the District Courts, but to the CNE, with appeals going from the CNE direct to the Constitutional Council. However, complaints alleging irregularities at a polling table must first be lodged with the CNE staff at the polling station and if the complainant is dissatisfied with the resolution at the polling station, he/she can appeal to the District Court. If further dissatisfied with the District Court's ruling, the complainant can appeal to the Constitutional Council. However, each ruling of the District Court may be appealed separately to the Constitutional Council.

By localising the electoral complaints mechanism, the dispute resolution process is unduly focused on polling station-specific irregularities rather than nationwide systematic irregularities and violations of fundamental principles of electoral governance, administration and justice. For an aggrieved party or candidate to mount a nationwide electoral challenge, it would mean lodging separate complaints at polling stations throughout the country, and filing and arguing numerous appeals before District Courts and later before the Constitutional Council. This seems to be wholly cumbersome and an insurmountable challenge.

The pluralisation of the complaints and appeal system described above also raises questions about the capacity of the Constitutional Council to handle all disparate appeals within the short timeframes prescribed by the law and in a comprehensive fashion. In its engagement with the Constitutional Council, the Group was informed that the Council itself was concerned about its capacity to manage a high volume of appeals arising from decisions of District Courts.

The independence of the Constitutional Council

The independence of the Constitutional Council has long been the subject of concern among stakeholders and Mozambicans in general. Perceptions of partiality arise in part from the political nature of the appointment process for judges. Of the seven judges who comprise the Council, one is proposed by the President of the Republic, one by the Superior Council of the Judiciary (the regulatory body for judges), and five by the National Assembly. The five chosen by the National Assembly are chosen by the political party parliamentary groups based on proportional representation in the National Assembly.⁴² Thus, only parties represented in the National Assembly may choose the five members, and the party with the highest representation, which has been FRELIMO, is allocated the most slots.

Judges of the Constitutional Council also do not have security of tenure. Their appointment is for a term of five years, renewable once. The unsatisfactory way the Constitutional Council was perceived to have handled the challenge to the 2023 municipal elections has further eroded the perceived partiality of the Council.

Recommendations

- There should be a review of the electoral laws governing the electoral dispute resolution mechanism to remove barriers to accessing electoral justice and to make it possible for candidates and parties participating in national and provincial elections to have a genuine and real chance of bringing comprehensive electoral petitions that allege both endemic and nationwide irregularities and violations of the fundamental principles of electoral governance, administration and justice. Such a review should consider clarifying the jurisdiction of the Constitutional Council to consider petitions alleging widespread irregularities and violations of electoral laws. It should also make clear provision

³⁹ See, for example, Article 166(2) of Law No. 14/2024.

⁴⁰ See, for example, Articles 166(1) and 167(1) of Law No. 14/2024; and Articles 196(1) and 196A(1) of Law No. 15/2024.

⁴¹ The procedure set out in Article 122 of Law No. 2/2022 for handling appeals against decisions of the CNE by the Constitutional Council is particularly obscure. There is no indication whether the parties have a right to present and test evidence and to make oral submissions on the role and duties of the CNE and STAE with regard to making available all relevant information in its possession and assisting the court as circumstances require, the test for evaluating the complaints, and remedies that may be ordered.

⁴² Article 7 of Law No. 2 of 2022, of 21 January.

for timelines for submitting and adjudicating such complaints by the Constitutional Court in a fair and transparent manner and for specific remedies in cases where a litigant is successful.

- The appointment of members of the Constitutional Council should be depoliticised to remove the perception that the party-appointed members of the Council are there to protect the interests of their parties. All appointments of members of the Council should ideally be made by the President upon the recommendation of the Superior Council of the Judiciary.

Electoral offences

Mozambican electoral laws establish a comprehensive list of electoral offences.⁴³ The sanctions prescribed for these offences do not preclude the application of more serious sanctions set for similar or related offences recognised by the general criminal law. These electoral offences simultaneously constitute disciplinary offences if committed by electoral officials.⁴⁴ Furthermore, the electoral laws consider it an aggravating factor in criminal proceedings if the person accused of any of these electoral offences is an electoral official, a candidate, a delegate or an observer.⁴⁵

It is unclear, however, whether the CNE and STAE have incorporated these offences into their disciplinary codes, since the electoral laws do not say anything about the applicable disciplinary procedures and sanctions. During the Group's engagement with stakeholders, concerns were raised about the re-appointment of polling officials accused of committing electoral offences, for the conduct of the 2024 elections. These concerns suggest that such disciplinary offences may not yet have been institutionalised or that the two electoral bodies have neglected to exercise their disciplinary authority over employees or agents alleged to have committed electoral offences.

If consistently and successfully investigated and prosecuted, some of the electoral offences could enhance the administration and conduct of elections. These include offences related to the conduct of electoral campaigns, such as misuse of public property and damaging opponents' election propaganda material, and offences related to election and post-election day activities, such as multiple voting, ballot stuffing, vote tabulation fraud, and preventing a candidate's delegate from entering or leaving the polling station. Other offences seem to have been created to address problematic past experience, such as the offence of undue presence of armed forces at a polling station.

Some offences raise concerns due to their potential to violate freedom of expression, association and assembly, and other rights. Examples include prohibition of the publication of polls or surveys of voters' opinions or revealing the direction of the vote,⁴⁶ which is arguably inconsistent with academic freedom and the right to impart or disseminate research, and prohibition of publication of insults or defamatory propaganda,⁴⁷ which could be interpreted to prohibit parody and satire or impede public criticism of elected officials. The criminalisation of assemblies or rallies outside the campaign period⁴⁸ also constitutes a significant infringement of freedom of assembly and association. Other offences are vague or disproportionate, such as the offence of violating the duty of neutrality and impartiality towards candidates,⁴⁹ which arguably imposes an unreasonable burden on party supporters who cannot be expected to be neutral, or voters in general who have freedom of choice.

Consistent with the Constitution,⁵⁰ the electoral laws empower the Public Prosecution Service to institute and prosecute electoral offences.⁵¹ The fact that electoral offences are statute-barred if they are not

⁴³ See, for example, Articles 174–215 of Law No. 3/2019, amended by Law No. 14/2024; and Articles 203–243 of Law No. 8/2013, amended by Law No. 2/2019 and Law No. 15/2024.

⁴⁴ See Article 170(1) of Law No. 3/2019; and Article 198(2) of Law No. 2/2019.

⁴⁵ Article 171 of Law No. 3/2019; and Article 199 of Law No. 2/2019.

⁴⁶ See, for example, Article 216 of Law No. 2/2019.

⁴⁷ See, for example, Article 207 of Law No. 2/2019.

⁴⁸ See, for example, Article 211 of Law No. 2/2019.

⁴⁹ See, for example, Article 205 of Law No. 2/2019.

⁵⁰ Article 236 vests 'penal authority' and the power to institute and conduct criminal proceedings on the Public Prosecution Service.

⁵¹ See, for example, Articles 45(b) of Law No. 6/2013 of 22 February 2013, as amended by Law No. 30/2014 of 26 September.

prosecuted within one year of their commission⁵² means that the Public Prosecution Service has the enormous responsibility of prosecuting these offences expeditiously. Since the Constitution prohibits the establishment of a court 'with exclusive jurisdiction to try specific categories of criminal offences',⁵³ there is no specialised judicial mechanism for trying electoral offences. The absence of such a mechanism makes it even more difficult for the Public Prosecution Service to fulfil its responsibility to prosecute electoral offences before they are statute-barred. This explains in part why there have been concerns about the lack of progress on, or a poor record of, the prosecution of electoral offences.

Recommendations

- There should be the creation of a special division within the Public Prosecution Service and the existing court system to prosecute and try electoral offences.
- There should be a review of electoral offences to ensure that those that unduly limit the exercise of the rights and freedoms related to elections, such as those specified in this report, are removed from the electoral statutes.
- There should be the incorporation of electoral offences into the disciplinary codes of the CNE and STAE and effective enforcement of such codes against employees and agents accused of committing electoral offences.

The electoral timeline

For the present electoral cycle, the following timeline was announced by the CNE on 1 February 2024 via Resolution 7/CNE/2024:

1. Voter registration of Mozambicans living abroad to be conducted – March 30 to April 28
2. Voter registration in country – 15 March to 28 April
3. Exhibition of copies of voters registration books – 30 April to 3 May
4. Publication of the voters register – 4 June to 9 June
5. Registration of political parties contesting the election, including verification of symbols – 22 April to 7 May
6. Presentation and verification of presidential candidates – 13 May to 10 June
7. Presentation of candidates for members of the National Legislative Assembly and the Provincial Assemblies – 13 May to 10 June
8. Decision by the Constitutional Council on submitted presidential candidacies – 11 June to 25 June
9. Draw of order of candidacies for President on ballot paper by the Constitutional Council in the presence of the media, representatives and/or candidates – 26 June
10. Presentation of official/accepted list of candidates – 10–11 July
11. Electoral campaign – 24 August – 6 October
12. Election day – 9 October
13. Submission of claims and objections at polling stations – 9 October
14. Provisional vote counting – 9–10 October
15. Announcement of district level results – 10–12 October
16. Appeal of decisions to the District Judicial Tribunal – 10–11 October
17. District count – 10–12 October

⁵² Article 202 of Law No. 2/2019; and Article 173 of Law No. 3/2019.

⁵³ Article 223.

18. District Judicial Tribunal decision on appeals – 12–13 October
19. Announcement of provincial level results – 13–14 October
20. Appeal to the Constitutional Council – 14–16 October
21. Announcement of national level results – 24 October
22. Appeal to Constitutional Council – 14–16 October
23. Final adjudication of appeals to the Constitutional Council – 27 October to 6 November

While the pre-election activities contained in this timeline were for the most part adhered to, some activities not included in the above list, such as the disbursement of funds to political parties, were impacted by delays in CNE receiving funding from the government. This is discussed in more detail in Chapter 5 on the campaign.

The Group also notes delays to vote tabulation and the announcement of preliminary results within 72 hours of the election in some parts of the country. This is discussed in more depth in Chapter 6.

Voter registration

Law No. 5/2013, amended by Law No. 8/2014, requires that the electoral census/registration be updated during an election year. For the current electoral cycle, Mozambicans living abroad were registered between 30 March to 28 April, and in-country registration took place between 15 March to 28 April. Electoral registration is organised by the STAE under the general supervision of the CNE. Registration for the diaspora takes place at the embassies and diplomatic missions in seven African countries and two European countries, namely: Eswatini, Kenya, Malawi, South Africa, Tanzania, Zambia and Zimbabwe; and Germany and Portugal.

The requirements for registration are that persons shall be:

- a citizen of Mozambique;
- have attained the age of 18 years or older; and
- not subject to any legal incapacity (as defined in Article 11 Law No. 3/2019).

The current limitation of voter registration to nine foreign countries deprives Mozambicans living elsewhere in the diaspora from being able to register. This could be addressed through the development of an electronic voter registration system, as is used elsewhere in Africa. Such a system may preclude the collection of biometric voter registration data, but would expand voting rights. Once registered, a system could be put in place, similar to those used in other jurisdictions, for a hybrid system of postal ballots, whereby ballots are issued electronically to voters, who then complete and return the ballots by post.⁵⁴

Recommendation

- The Government and National Assembly may wish to consider a legislative amendment to provide for electronic/online registration of overseas citizens, to be coupled with provisions for a hybrid postal ballot system based on international good practice.

The law allows for the representatives of political parties to participate in the voter registration exercise and to request and get information on the procedures, as well as present complaints and appeals on deliberations related to electoral capacity. Eligible electors are registered by their full name, gender, date and place of birth, as well as the full address of their habitual residence/place where the person ordinarily resides.

Eligible electors are required to present a valid identification document (passport, driver's license, etc.) or, in the absence of a valid identification document, identification by two witnesses registered as voters is permitted. For Mozambicans living abroad, a Mozambican passport or identification card that is still valid

⁵⁴ In one Commonwealth country, India, this system is known as the Electronically Transmitted Postal Ballot System (ETPBS).

is required, or a valid identity document issued by the foreign state where the census is taking place. Upon being registered, the citizen is given a voter ID (identification) card.

The law requires the national Civil Registry to provide to CNE on a monthly basis the names of persons over the age of 18 years who have died during the period immediately preceding the registration. For the purpose of the removal of names from the list, there is the requirement that the courts shall send on a monthly basis a list of names of citizens who have reached the age of 18 and who have been the subject of a final judgement or of a mere decision depriving them of their electoral capacity. This requirement is also applicable to the directors of psychiatric institutions, who are required to inform STAE of the names of those citizens of 18 years and above who have been interned and recognised as mentally ill. The reverse applies when citizens are discharged from these facilities.

For the purpose of voter registration, the CNE informed the COG that it had created a total of 6,330 registration brigades, located at 9,165 registration points. The CNE reported that a total of 8,723,314 individuals, corresponding to 53.8 per cent of eligible voters, were registered on the 2023 electoral register in districts with local authorities. For the 2024 electoral cycle, the projected number of eligible voters to be registered stood at 7,492,502. This forecast figure was based on census statistics provided by the National Statistics Board. These combined figures resulted in a total projected voter register of 16,217,816. At the completion of the registration exercise, CNE reported that a total of 17,169,239 persons were registered. A breakdown of registration figures for each province is presented in Table 3.1.

The Group notes that previous registration exercises have resulted in voter registers closer to 90 per cent of the projected figure.⁵⁵ With overseas voters included, the total number of registered voters for the 2024 election represented 105.8 per cent of the projected number of voters. In 8 of the 12 provinces (including Maputo City and overseas constituencies), the total number exceeded 100 per cent of expected eligible voters, with the number of registered voters in Gaza reaching 150 per cent of projections.

While movement of people and citizen interest in obtaining free identification can explain some of the increase, there are still questions as to how the voter register could reach 105 per cent of the projected figure, and higher than 100 per cent in eight provinces (including overseas voters).

Table 3.1 Registration figures for the 2024 electoral cycle, by province.

S/N	Province	Projection	Men	Women	Enrolled	%
1	Maputo City	734,775	402,821	273,936	676,757	92.10
2	Maputo	1,483,564	756,327	813,203	1,569,530	105.79
3	Gaza	798,813	514,894	683,368	1,198,262	150.01
4	Inhambane	892,373	396,473	606,250	1,002,723	112.37
5	Sofala	1,342,479	611,438	681,720	1,293,158	96.33
6	Manica	1,099,156	502,113	626,076	1,128,189	102.64
7	Tete	1,577,519	782,425	774,513	1,556,938	98.70
8	Zambezia	2,774,034	1,370,064	1,493,244	2,863,308	103.22
9	Nampula	3,153,458	1,596,841	1,670,041	3,266,882	103.60
10	Cabo Delgado	1,350,542	698,197	709,270	1,407,467	104.21
11	Niassa	1,011,103	430,240	441,946	872,186	86.26
12	Total	16,217,816	8,061,833	8,773,567	16,835,400	103.81
13	Overseas	279,685	214,558	119,281	333,839	119.36

Source: CNE/STAE Mozambique (2024).

⁵⁵ In 2019, CNE registered 13.1 million voters against a target of 14 million (94 per cent). In 2014, CNE registered 10.8 million people against a target of 12.2 million (89 per cent). See: Commonwealth Observer Reports for 2014 and 2019.

Complaints/claims and objections to inclusion or omission of names from the voter register

At the completion of the voter registration exercise, and after the completion of intermediary procedures by STAE, the voter register and total number of electors is approved by CNE and published in the national gazette. This is done no later than 30 days after the information is received from STAE. From the second to the fifth day after the completion of the voter registration exercise, copies of the register are displayed in the places where the voter registration brigade operated, and also in other places as may be determined by the Electoral Authority. This display is to give the public and interested parties the opportunity to scrutinise the register. During the period of display, any registered voter, political party or coalition of political parties may, within the following three days, complain in writing to the Registration Office about incorrect entries or omissions on the register.

The Registration Office immediately decides the matter and if the complainant is not in agreement with the decision, then the complainant has three days from the date of submission of the initial complaint to submit a petition to said Registration Office, attaching all material evidence to support his or her disagreement. The Registration Office, in turn, has three days to transmit to STAE at the district or city level all the materials associated with the complaint, including its ruling.

At the city or district level, STAE is obligated to rule on the matter by the end of the third day from the date of receipt. The process of appeal of the decision of STAE may be taken further by the petitioner at the district or municipal level. At this level, the appeal is submitted within five days of learning of the decision and is dispensed with within five days.

The above mechanism to address complaints, claims and objections, on the surface, seems to be adequate, although the timeframe prescribed for lodging complaints and appeals at the various levels appears insufficient. However, comprehensive information was not readily available to the Group on the number of complaints (claims and objections) received at the various levels, the nature of the complaints and how these were resolved. The availability of this information could serve to gauge the level of participation of not only the stakeholders but, more importantly, the level of participation of voters in this important aspect of the process.

In instances where the registration figures seem alarmingly high, far surpassing the projected figures from the National Statistics Board and indicating potential eligible persons, transparency in the process could have been better promoted were the following activities undertaken and information properly disseminated in the public domain:

1. Noting that the voter register for the 2023 municipal elections was to be used as the starting point for the 2024 register, the CNE could have increased information sharing and dissemination at all levels on measures being implemented, or already implemented, to sanitise the 2023 municipal voter register. (The exercise conducted in 2023 resulted in a total registration of 8,723,314).

This information sharing would, among other things, indicate the number of electors who no longer qualify (for example, those who have died) and whose names would be expunged or were already expunged from the register; and the number of persons previously registered who have been removed from a constituency or voting area and are seeking to transfer registration to another constituency. (The number of transfers and the pattern is an important indicator for any type of electoral and political analysis).

2. Whenever complaints, claims and objections are disposed of, it might be useful in promoting greater confidence and transparency in the process, if a summary of all complaints received and how they were disposed of at each level were presented in a consolidated format. This would then be made available to stakeholders and citizens who may have an interest. The COG notes that once matters are resolved, the decision is communicated to the complainant or posted on the premises of the Electoral Authority.

The Group received suggestions from several stakeholders regarding possible reasons for the high registration figures nationally, and high figures in specific provinces. First, it was noted that the introduction of the biometric voter ID card provided Mozambicans with a free means of obtaining an ID that could be

used for other purposes. Second, it was suggested that a lack of regular updates between the Civil Registry and CNE, as mandated by Article 29 of Law No. 8/2014, may have resulted in deceased voters not being removed from the register. Third, there were reports that some duplicate entries may not have been adequately removed from the register. Fourth, there were reports that the registration brigades in some locations were issued directives to register more voters known to support the governing party, particularly in their strongholds, to increase the quotient of seats allocated to that region.

It is difficult to establish whether, or the degree to which, the above suggested reasons may have contributed to the higher-than-expected figures. The Group notes that Article 35 of Law No. 8/2014 provides for errors in the register to be corrected up until the closing of the register. It is also noted that political parties may apply for individuals to be granted accreditation as inspectors of the register (Articles 16–17). Yet, the ability of errors to be rectified appears to be constrained by Article 32(2), which states that deletions may only be made up to 60 days prior to the date of the election. This would mean that by the point of the publication of the preliminary voter register on 30 April–4 May, it would no longer be possible to remove names. The final voter register was published on 4–9 July 2024.

The Group notes and agrees with recommendations from previous observer reports, including the 2019 *Commonwealth Observer Group Report*, that there is a need for an external auditing process.

Recommendations

- The Government of Mozambique and National Assembly should amend relevant laws to allow for continuous voter registration in order to reduce costs as well as the administrative burden on the STAE.
- In order to increase confidence in the fidelity of the voter register, the Group reiterates the 2019 recommendation that the Mozambique Government and National Assembly should further amend Law No. 8/2014 to provide for external auditing of the voter register to be undertaken prior to the finalisation of the register.
- In order to complement the existing legal requirements relating to the exchange of information between the Civil Registry and STAE regarding deceased and newly eligible voters, STAE may wish to consider undertaking field exercises (that is, door to door visits) to reconfirm and reverify the status of all electors whose data were previously collected. This would allow for a partial, if not full, cleansing of the voter register.

Biometric voter registration

Since 2008, CNE has used biometric voter registration technology to register voters. A company called Artes Gráficas, in a consortium with a South African-founded biometric vendor called Laxton, was awarded a no-bid contract to oversee the purchase and operation of voter registration systems for the 2023 municipal and 2024 general elections. According to joint reporting by Bloomberg and investigative reporting outlet Lighthouse Reports, the owner of Artes Gráficas has links to the governing party, and has received ten government tenders in recent years, including for the provision of other electoral materials.⁵⁶ The contract was worth 8.1 billion meticaïs (US\$127 million).⁵⁷

The legal basis for a direct (that is, no-bid) award is found in Articles 95(a) and 96(a) of Decree No. 5/2016 of 8 March on the 'Regulation for the contracting of public works, supply of goods and provision of services to the state'.⁵⁸ The Group has not had sight of any justification from STAE as to why the contract was awarded in terms of Articles 95 and 96 of the regulations, and understands that no substantive justification was provided as to how the circumstances met the criteria for a direct award.

⁵⁶ Bloomberg (2024), 'New Technology Meets Familiar Problems in Mozambique's Election', www.bloomberg.com/news/articles/2024-06-23/mozambique-elections-biometric-systems-allow-ruling-party-to-maintain-control

⁵⁷ Club of Mozambique (2022), 'Mozambique Elections: CNE/STAE made awards without tenders worth 8.1 billion meticaïs', <https://clubofmozambique.com/news/mozambique-elections-cnestae-made-awards-without-tenders-worth-8-1-billion-meticaïs-230008/>

⁵⁸ Ibid.

The high cost of the biometric registration services (US\$127 million) represents a significant portion of the total cost of Mozambique's election, which CNE confirmed was 19,993,186,146 meticaïs (US\$315 million).⁵⁹ This, combined with the requirement for fresh voter registration exercises for each election, places a significant financial burden on the country.

The high cost of such technologies could be justified if it resulted in stakeholder trust in the fidelity of the register. Yet, as noted above, significant questions remain in this regard.

Recommendations

- The procurement of election materials, in particular electoral technologies, should take place via open and competitive tender.
- CNE/STAE and the government should jointly conduct a post-election review into the cost of its elections, including conducting a review of procurement costs and practices in other jurisdictions, in order to identify areas where savings can be found.

In addition, it is concerning that Mozambique has been using biometric voter registration technology since 2008, yet to date has not passed a standalone data protection law. There is therefore no clear legal framework governing the collection, storage, processing and deletion of the sensitive personal data of millions of Mozambicans.⁶⁰ There is a pressing need for the passage of a data protection law that meets international standards. In addition, the government, National Assembly and political parties may wish to refer to guidance by the Council of Europe regarding the protection of voters' data.⁶¹

Recommendation

- The government and National Assembly should pass a standalone data protection law in line with international benchmarks, such as the African Data Protection Framework and the Budapest Convention 108+.

Electoral/constituency delimitation

National Assembly

The constituencies used for electing members to the National Assembly correspond to the country's 11 provinces, plus 2 additional constituencies for Mozambican citizens abroad. The number of seats each constituency (province) is allocated in the National Assembly is based on the population size of that province. After each national census, the National Election Commission (CNE) reassesses the population in each province and adjusts the number of representatives accordingly. The geographical boundaries for constituencies are predefined as the boundaries of Mozambique's provinces. Since the National Assembly constituencies align with provincial boundaries, these geographical units do not change frequently. For the 2024 elections, the allocation of seats per province was as shown in Table 3.2.

Provincial Assembly

Unlike the National Assembly, the total number of seats in the Provincial Assembly changes for each election. The number of seats allocated to each Provincial Assembly depends on the number of voters registered in each constituency. For the 2024 election, 867 Provincial Assembly seats were contested across the 10 provinces, again using the *D'Hondt* formula. This was an increase from the 794 seats that were contested in 2019. The total number of Provincial Assembly seats is not defined in law; instead, each

⁵⁹ Club of Mozambique (2024), 'Mozambique: General elections will cost €289M – election commission', <https://clubofmozambique.com/news/mozambique-general-elections-will-cost-e289m-election-commission-254502/>

⁶⁰ Both the Government and National Assembly, as well as CNE/STAE, may wish to take note of recently published guidelines by the Council of Europe's Consultative Committee of the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data. See: <https://rm.coe.int/tpd-2023-2rev6-processing-pd-in-vote-and-elections-en-final/1680b1511c>

⁶¹ Council of Europe (2024), 'New guidelines to protect voters' personal data', www.coe.int/en/web/portal/-/new-guidelines-to-protect-voters-personal-data

Table 3.2 Seat allocation for the National Assembly based on registered voters.

Province	Projected	Enrolled	Percentage	Seats
Maputo City	734,775	676,757	92.1	10
Maputo	1,483,564	1,569,530	105.79	23
Gaza	798,813	1,198,262	150.01	18
Inhambane	892,373	1,002,723	112.37	15
Sofala	1,342,479	1,293,158	96.33	19
Manica	1,099,156	1,128,189	102.64	16
Tete	1,577,519	1,556,938	98.7	23
Zambézia	2,774,034	2,863,308	103.22	42
Nampula	3,153,458	3,266,882	103.6	48
Cabo Delgado	1,350,542	1,407,467	104.21	21
Niassa	1,011,103	872,186	86.26	13
Total	16,217,816	16,835,400	103.81	248
Africa region	276,462.00	330,092	119.4	1
Rest of the world	3,223.00	3,747	116.26	1
Total diaspora	279,685.00	333,839	119.36	2
'Total global'	16,497,501	17,169,239	104.07	250

Source: CNE (2024).

Provincial Assembly is allocated a certain number of seats based on the population size of the province. The formula for these calculations is contained in regulations drafted by CNE. Article 6(2) of Law No. 3/2019 (as amended) states that, 'Eighty-five per cent of the seats are distributed proportionally among the districts, according to the number of registered voters; fifteen per cent of the seats are reserved for the provincial level for which the frontrunner is running.'

As with the National Assembly, the geographical boundaries are based on the established district borders within the province, so do not regularly change. Table 3.3 shows the breakdown of seats per province for the 2024 electoral cycle.

Candidate eligibility and nomination

Presidential candidates

For election to the office of President, candidates are required to be eligible Mozambican citizens (native born Mozambicans) above the age of 35. The presidential candidate is nominated, or 'presented', by the political party or by a coalition of political parties supported by a minimum of 10,000 citizens who are properly identified. Provision is also made for the nomination of a presidential candidate by groups of citizens if supported by 10,000 signatures.

The nomination, or presentation, of presidential candidates is done through the submission of an affidavit to the Constitutional Council no later than 120 days prior to the date of the election. A candidate can present his or her own nomination or it may be presented by a representative. If there are irregularities in the submission to the Constitutional Council, the President of the Council is required to immediately notify the candidate or his or her proxy in order to rectify any inaccuracies within seven days.

The Constitutional Council has the authority to reject the candidature of persons if they:

- do not have the right to vote;
- have been President of the Republic for two consecutive terms of office;

Table 3.3 Seat allocation for the Provincial Assembly (AP) based on registered voters.

Province	Projected	Enrolled	AP seats
Maputo City	734,775	676,757	N/A
Maputo	1,483,564	1,569,530	86
Gaza	798,813	1,198,262	82
Inhambane	892,373	1,002,723	81
Sofala	1,342,479	1,293,158	83
Manica	1,099,156	1,128,189	82
Tete	1,577,519	1,556,938	86
Zambézia	2,774,034	2,863,308	99
Nampula	3,153,458	3,266,882	103
Cabo Delgado	1,350,542	1,407,467	85
Niassa	1,011,103	872,186	80
Total	16,217,816	16,835,400	867
Africa region	276,462	330,092	N/A
Rest of the world	3,223	3,747	N/A
Total diaspora	279,685	333,839	N/A
Total global	16,497,501	17,169,239	867

Source: CNE (2024).

- have been sentenced to a term of imprisonment and the sentence has not expired at the time of nomination;
- have not lived habitually in the country for 12 consecutive months prior to the election;
- have been found guilty of embezzlement, forgery, or for an intentional crime committed by a public functionary, or are habitual delinquents whom it is difficult to correct when declared as such by a court; or
- have resigned from an immediately previous term of office.

For the current election, the following presidential candidates were nominated in the order of appearance on the ballot paper:⁶²

- Lutero Simango (MDM)
- Daniel Chapo (FRELIMO)
- Venâncio Mondlane (Independent, supported by PODEMOS)
- Ossufo Momade (RENAMO)

National Assembly

The members of the National Assembly shall represent the entire country and not only the electoral constituencies where they are elected. For election to the National Assembly, there are 13 multi-member districts related to the country's 10 administrative provinces; the City of Maputo; and 2 overseas constituencies for the diaspora (one designated for countries in the African region and the other for the rest of the countries).

⁶² The Constitutional Council approved four presidential candidates and rejected seven other candidates for failing to meet the requirements. Overall, 35 political parties were approved by the CNE to contest the legislative elections and 16 political groups to run for the provincial elections.

The number of members to be elected in a province is determined using a formula where the total number of voters on the national list of voters is verified then divided by 250, thus obtaining a quota. This quota is then used to divide the total number of electors in each constituency, resulting in the apportionment of deputies/members to a province. As stated above, each electoral constituency outside the country corresponds to one member of the National Assembly, whose election of members (2) is determined by the first-past-the-post system.

Prior to the elections, the CNE publishes a list with the number of members/seats and their distribution by electoral constituency. For nomination/presentation of candidates, this is done by the registered political parties during the timeframe prescribed by CNE. The period 22 April to 7 May was the timeframe prescribed for political parties, coalitions of political parties and groups of electors/citizens to express interest in registering for purpose of the election. Applications were then submitted from 13 May to 10 June.

The CNE informed the observers that during the registration, a total of 43 proposers were registered: 39 political parties, 1 coalition and 3 groups of citizens.

At the election, if a candidate receives five per cent of the votes cast at the national level, he/she is duly elected to the National Assembly.

Provincial Assembly

Mozambican citizens who were born in the country, have reached the age of 18 years or older, are regularly registered and do not suffer any electoral incapacity, are eligible to be a Member of the Provincial Assembly or a Provincial Governor.

Following a 2018 amendment to the Constitution, governorships in each of the ten provinces are elected indirectly. 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.

Ineligible members are:

- magistrates in full service;
- members of the military or militarised forces and members of the security forces who are permanent staff on active duty;
- career diplomats in full service; or
- members of the CNE and its support bodies, and STAE and its representations at the various levels.

The law stipulates that judges, members of the militarised forces and security forces who wish to run for election to the Provincial Assembly must request that their duties be suspended as soon as they submit their candidacy.

The list of candidates for nomination is submitted to the Provincial Electoral Commission within the period specified (see electoral calendar supra). This list is then forwarded to the CNE. It is the duty of the CNE to post this list on the door of its office. The CNE then checks each individual file of the candidates. Within 30 days, a list of those accepted and rejected is tabulated. If a candidature is rejected, the CNE is obligated to state the reason in fact and in law.

Rejection of Democratic Alliance Coalition (CAD) candidates

In July 2024, CNE rejected the candidate nominations of all individuals seeking to contest under the Democratic Alliance Coalition (CAD). CAD was the party that supported the presidential candidacy of Venâncio Mondlane.

The grounds for the rejection were that CAD had changed the composition of parties within its coalition pact from its original 2018 composition. This new composition was formed on 27 April 2024, but CAD had failed to notify Ministry of Justice of the change within the stipulated timeframe of 15 days. CNE therefore excluded all CAD candidates from contesting the election. On 1 August, the Constitutional Council upheld this decision.

CAD representatives and Mondlane claimed that CNE could have alerted the party to the irregularities in their registration prior to the closing of the 15-day window. As a consequence of the foregoing, Venâncio Mondlane received support from a new party, PODEMOS, prior to the termination of the nomination window.

The Group affirms that decisions relating to the disqualifications of political parties, should not be taken lightly, so as to maximise the choice available to voters at the ballot box. The rejection of an entire party and its candidates from an election was therefore a significant decision. While the legal basis for the rejection of this party's registration on technical grounds may have been sound, it is hoped that in future elections, the CNE will make a greater effort to inform political parties of any inaccuracies or errors in their applications in good time – so as to allow parties to rectify these errors and be registered to stand in the election.

Recommendation

- In deciding pre-election party registration and candidate nomination issues, CNE should inform parties and candidates of clerical errors at the earliest possible opportunity so as to allow any such errors to be rectified in good time.

Campaign finance

In addition to state funding of political parties, the electoral law (See Article 33 Law No. 3/2019) allows for an election campaign to be financed from multiple sources, namely:

- contributions from the candidates themselves and from the political parties, coalitions of parties or groups of citizens who are proposing;
- voluntary contributions from nationals;
- proceeds from election campaign activities;
- proceeds from national friendly parties; and/or
- contributions from national non-governmental organisations.

The state budget provides to the National Election Commission a sum for campaign financing to be disbursed to the political parties no later than 21 days before the start of the election campaign. The CNE at its own discretion approves the criteria for distributing the state funds it receives. The Group noted that while the CNE disbursed funds to political parties for campaigning, these were not received within the statutory timeframe of 21 days prior to the commencement of the official campaign period. This was due to delays in CNE receiving funding from Central Government.

Recommendation

- The government should ensure timely funding to CNE so as to ensure public funds payable to political parties for campaigning can be disbursed within the legally mandated timeframe.

Reporting and disclosure of campaign finance expenditure

Candidates who receive money for campaigning from state funds are required to give detailed accounts for all money spent. This detailed account of expenditure must be submitted to the National Election Commission no later than 60 days after the official announcement of the election results. Within 60 days of receipt of the expenditure report, the CNE carries out its assessment and if irregularities are detected, the party submitting the report is notified and is given 15 days to effect a remedy. Failure to submit the required report within the time allowed, or failure to submit new accounts, or if there is any infringement of the substantive provisions related to reporting on the use of state funding results in the CNE reporting the matter to the relevant office for prosecution.

The Group is aware of reports regarding the misuse of state resources during the campaign period – for instance, the use of government vehicles for campaigning.

Polling station and table selection

Article 26 of Law No. 8/2013 (as amended) requires that polling stations be situated in state, decentralised and local government buildings that offer ease of access and security. Polling stations, therefore, are mainly located in schools and educational facilities. They are not allowed to be set up in police stations; military units; health centres; residences of ministers of religion; political party offices; buildings of religious organisations; places where alcoholic beverages are sold; or places of worship.

The Group notes that the polling stations selected seemed adequate to facilitate voting in terms of physical space and location. However, there were many instances where there was only one entrance and exit point. In polling tables where there were high numbers of voters, and where queue management was poor, the single entry/exit point represented a potential security risk for both polling station staff and voters. This did not promote ease of access, nor did it provide comfort for elderly and infirm voters. These issues are discussed in more detail in Chapters 4 (participation and inclusion) and 6 (voting, counting and results management).

Recruitment and training of poll workers

CNE informed the COG that approximately 190,000 persons were recruited and selected as poll workers to staff election day proceedings at the roughly 26,000 polling stations.

The training of these workers was realised in a cascading manner, beginning with the training of 80 STAE staff at the central level. This was followed by the training of 800 national trainers in the provincial capitals. Thereafter, 11,855 provincial trainers were drawn from STAE officials and contract staff. CNE further reported that 187,000 polling staff (*membros da mesa da votação*; MMVs), were trained in the national territory and 4,412 abroad. The training of overseas MMVs was undertaken by 70 trainers and began on 25 September, ending shortly before the election.

The CNE spokesperson confirmed there had been significant delays in administering the training, with MMVs still receiving training up to 4 October. The CNE stated the total cost of administering the training was 76 million meticaïs (US\$1.2 million),⁶³ but that it had worked with the Ministry of Economy and Finance to ensure payments to suppliers were made.⁶⁴

Training of teachers as MMVs

The recruitment of the temporary workforce was a source of significant controversy over the decision to use teachers as MMVs or polling staff. The controversy stemmed from three issues:

1. There were multiple reports, covering all provinces, of teachers across the country being required to campaign for the governing party rather than teach school children. However, the Group was unable to verify these reports.
2. Given that these teachers were public servants, and were recruited as polling staff, this would represent a concerning conflict of interest, with some stakeholders expressing concern regarding the ability of MMVs to act in an impartial manner.
3. There were questions regarding the legality of teachers receiving payment to be MMVs on election day, since the Law on Public Probity (No. 12/2024, Art. 33b) prohibits any 'office holder or member of a public body [from] receiv[ing] remuneration from other public institutions'. Such a provision has existed in Mozambican law for over a decade (16/2012) but had not arisen as an issue until this election.

⁶³ Agência de Informação de Moçambique (2024), 'Training of polling station staff to cost 76 million meticaïs', <https://aimnews.org/2024/09/16/training-of-polling-station-staff-to-cost-76-million-meticaïs/>

⁶⁴ Agência de Informação de Moçambique (2024), 'CNE to train 42,000 members of provincial and district commissions', <https://aimnews.org/2024/09/18/cne-to-train-42000-members-of-provincial-and-district-commissions/>

Voter and civic education

In order to ensure active, conscious and an increased participation in the electoral process, STAE is mandated to promote voter awareness and civic education. While voter education aims to ensure voters know how to vote, civic education endeavours to educate the electorate on the purpose of elections and on the entire electoral process.

The Group was informed that this activity took place from the end of July to August – and involved the deployment of 6,000 officers across all districts 4 weeks before the start of the election campaign. It was noted that significant efforts were made by CNE and STAE to produce various types of information materials and posters to promote and educate voters on these elections. CNE and STAE were supported in these efforts by the UN Development Programme (UNDP), particularly in relation to participation by women and youth. The Group also noted that STAE made use of local radio stations to disseminate voter education information. Both STAE and the radio stations are to be commended in this regard.

Despite these efforts, it was noted from our various discussions with electoral stakeholders that, overall, there was a relative lack of effective voter education to update citizens on key aspects of the electoral process, particularly in print and electronic media. Signs and posters were visible in some parts of the country, alerting observers to the date of the election, but such materials were sparse, small in size and of limited educational value.

This extended to a lack of adequate signage at polling stations, where there was limited material on how to mark the ballot paper, or regarding the rules at polling stations and the electoral offences for which an elector may be charged. An increase in educational activities immediately before the election tends to have a significant positive effect.

Educational posters could be created using pictures and words but with fictional characters and symbols on a symbolic ballot paper. Once properly distributed and prominently posted, this would remind the elector how to mark and fold the ballot paper, thus reducing the time that the presiding officer has to spend in giving this instruction, sometimes in an elaborate manner.

The Group observed instances where several electors were at the correct location but were uncertain which polling table to go to. We were approached for information in this regard on numerous occasions. Subject to available funding, information bullet cards could be distributed to the elector informing them of their polling station location and number.

Additionally, consideration could be given to establishing a help desk at the entrance to the polling station. This desk could be manned by a STAE staff member tasked with providing information to the public on the exact location of their polling table. Voters arriving at the wrong polling station could be redirected by said staff using information contained on their voter ID card. This staff member could also assist with other issues, such as identifying voters with physical disabilities or other categories of voters in need of assistance, such that they can be guided to the front of the queue.

Recommendation

- The Group reiterates the recommendation of the 2019 Commonwealth Observer Group that the creation of a dedicated funding stream for voter education should be considered.

4. Participation and Inclusion

This chapter considers the participation of various segments of Mozambican society in the 2024 elections. The right to participate in public affairs, including the right to vote and be elected, is fundamental and should be fully enjoyed by everyone. The right requires an environment that supports and encourages all individuals' engagement and ensures that they are empowered and equipped with the information and capacity necessary to claim and exercise their rights. Such equal participation plays a crucial role in the promotion of democracy, the rule of law, social inclusion and economic development.

Civil society

Civil society organisations (CSOs) play an important dual role in the growth and development of a country. They supplement government efforts in reaching citizens where that government has no capacity. Through advocacy, they also complement government institutions in their mandates and help those institutions improve transparency and accountability to achieve results. Civil society plays a crucial role in strengthening democracy through activities such as awareness raising on citizen's rights and responsibilities, providing voter education, observing elections and attracting funding for community social services. Mozambican CSOs, such as Mais Integridade, Forum Mulher and Alternativa, have been playing this dual role of holding government accountable and supporting service delivery.

Legal and regulatory framework for registration of CSOs

A review of available literature indicates that Mozambique civil society has grown and expanded its activities since the 1990s. As in other African countries recovering from one-party state politics or internal armed conflict, multi-party democracy in Mozambique has created a platform for citizen groups and registered organisations or associations to fully participate in the political, social, cultural, legal and economic life of the countries in which they conduct their activities.

Mozambique's post-1990 Constitution expressly provided for fundamental freedoms, such as the freedoms of expression, assembly and association. The 2004 Mozambique Constitution continued to build upon the foundations of the constitutional aspirations that followed the years of consistent armed conflict.

Article 78 of the Constitution recognises the role of social organisations in the promotion of democracy and citizen participation in political affairs, as well as raising awareness on the civic duties of citizens. The constitutional provisions on the right to freedom of association should be read in conjunction with Article 51, which guarantees that 'All citizens shall have the right to freedom of assembly and demonstration, within the terms of the law.'

The legal framework for the right to freedom of assembly is set out in Law No. 9/1991, amended by Law No. 7/2001. Article 3(1) states that 'All citizens can, peacefully and freely, exercise their right of assembly and demonstration without prior authorisation in accordance with the law.'

The Group received reports from civil society organisations that freedom of assembly is under pressure, hindering their operations. Nevertheless, the legal framework relating to freedom of assembly provides a background for strengthening civil society participation. It is this context that situates Mozambique in a unique position so far as civil society activities are concerned.

CSOs are directly involved in Mozambique's electoral management bodies and national human rights institution. The criteria for selecting those that represent civil society on such bodies was questioned by some stakeholders, who believed that CSOs were selected on basis of their allegiance to the governing party. It is also worth noting that the Mozambican electoral system allows civil society groups to participate in the elections not only as election monitors or observers, but also as candidates through submission of their own party list. This was observed during the 2024 elections, which had a list from an organisation of persons with disabilities (PWDs). This is a unique and commendable way of involving civil society groups in the governance process, which sets Mozambique apart in the SADC region.

Citizen observation

Citizen observation of elections is one way in which civil society fulfils its role in promoting democracy, as enshrined in Article 78 of the Mozambican Constitution. We observed citizen observation during the Mozambican elections, particularly by bigger organisations headquartered in Maputo. However, few grassroots organisations were seen as observers in their communities or elsewhere, limiting civil society election observation in places where Mais Integridade or other large CSOs did not deploy.

Electoral law reforms made between 2023 and 2024 expanded on the remit of election observers, including citizen observers, allowing them to scrutinise the tabulation process. This is a positive step for Mozambique civil society participation in electoral processes.

We noted reports that accreditation of citizen observers was a challenge for CSOs in the 2024 elections. Mais Integridade, which planned to undertake a Parallel Vote Tabulation exercise, faced significant challenges obtaining accreditation from the Zambézia Provincial Elections Commission (CPE). We understand that accreditation was granted to observers very close to election day, shortly after Mais reportedly stated its intention to seek legal action against the CPE. We received reports that where observers were accredited, some polling staff did not allow them to participate in the observation, demanding further proof of accreditation beyond their identification badges. These issues affected the participation of civil society and raised suspicions as to the transparency and legitimacy of the voting process.

Engagement with CNE

Mais Integridade informed us through a briefing that it had participated in engaging citizens through voter education during the pre-election period, sharing information on issues such as electoral fraud and voting procedures. The Group was unable to assess the full extent of engagement between civil society and CNE. The relationship between CSOs and the CNE could be closer, much like the CNE's relationships with political parties that seek to participate in the elections.

Recommendations

- The CNE is encouraged to ensure that citizen observer accreditation is confirmed promptly and without major challenges.
- STAE should take measures to ensure that polling staff in future elections are well briefed on the identification, role and access of election observers, including citizen observers.

Figure 4.1 Women's group briefs the COG.



- Fundamental freedoms should be respected, including the rights to the freedom of assembly and association, which facilitate the effective participation of civil society organisations in elections.
- Partnerships need to be encouraged between the CNE and civil society organisations to promote transparency and accountability in the electoral process.

Women

Mozambique has undertaken several global, regional and national commitments towards achieving gender equality. Among these are its obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Declaration and Platform for Action, both of which emphasise eliminating gender-based discrimination and promoting women's empowerment across all levels and sectors of the nation. Regionally, Mozambique is party to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women ('the Maputo Protocol'), which requires States Parties 'to take specific positive action to promote participative governance and the equal participation of women in the political life of their countries'. Mozambique is also a signatory to the Southern African Development Community (SADC) Protocol on Gender and Development, which sets targets for achieving 50 per cent of all decision-making positions in the public and private sector to be held by women, including through the use of affirmative action measures, across SADC countries. Nationally, Mozambique has developed the National Action Plan for the Advancement of Women (PNAM) 2018–2024. Among the PNAM priority areas is enhancing women's participation in political spheres. Despite these commitments, Mozambique still has significant gender disparities in political representation and participation across all levels of national governance.

Status of women's political representation

Prior to the 2024 elections, women's representation in Mozambique's National Assembly was approximately 41.2 per cent (103 of 250 seats), which is above the 2023 global average of 26.5 per cent.⁶⁵ However, these statistics do not include local government, where women's representation is still very low, both in terms of candidacy and elected representatives.

In the 2024 elections, 98 women were elected to the National Assembly (38 per cent of the 250 seats). This represents a decline. There were 128 women candidates at the top of party lists for the parliamentary poll, about 30 per cent of the total number of first places contested.

Women in CNE/STAE

The gender composition of CNE/STAE's staff complement was not available to the Group. Increasing women's representation in Mozambique's electoral management body is crucial to honouring the country's gender equality commitments at the global, regional and national levels. This would also align with international goals such as the UN's Sustainable Development Goals, and regional commitments like the African Union's Maputo Protocol. Greater inclusion of women strengthens democratic processes, ensuring diverse perspectives and fostering public trust in electoral integrity.

Voter registration

Women are well represented as registered voters. At the 2019 elections, there was a total of 13,162,321 registered voters, 53.38 per cent of whom were women. In the 2024 elections, women comprised 51.7 per cent of registered voters.

The UNDP Democracy and Elections Project in Mozambique invested significant funds in a campaign aimed at increasing women's political participation and representation. The campaign brought together more than 500 women and electoral representatives from across the country and culminated in the *Declaration of Commitment of Collective Action on Women and Elections*,⁶⁶ which was drafted by 30 women's organisations

⁶⁵ Inter-Parliamentary Union, *Mozambique: Global Data on National Parliaments*.

⁶⁶ Commonwealth Observer Group briefing with UNDP office, Maputo.

from across Mozambique. The declaration called for specific inclusion of women throughout the electoral process as registered voters, candidates, observers and polling staff.

The CNE participated in the campaign alongside the Technical Secretariat for Election Administration (STAE), where they supported activities that encouraged women to register to vote, participate as candidates and engage in various electoral roles. These efforts by CNE and STAE aligned with the campaign's goal of inclusive governance and gender equality in elections.

There were reports to the Group, which were confirmed through published literature, that women in rural and remote areas were encouraged to register as voters due to the perceived 'additional' benefits associated with voter ID cards. Women therefore turned out in large numbers to register; however, this was mainly under the misconception that the card would give them access to social and economic benefits.

Unfortunately, turning up on election day was the lesser priority.⁶⁷ Unlike their urban counterparts, rural women often lack voter education, making them vulnerable to exploitation and coercion. Many are misled into believing that voter registration grants access to essential resources, while others face pressure or threats from family members, in particular male family members, regarding their voting choices.

The Group lacked access to sex-disaggregated data on actual voter turnout for 2024. Such information is crucial for a deeper understanding of how the high number of registered women voters compares to those who actively voted on election day, as it can reveal potential disparities in actual representation.

Women candidates in the general elections

Mozambique's proportional representation system supports women's political representation, especially when gender quotas are in place. Currently, FRELIMO has a voluntary 40 per cent quota for women, while the main opposition parties, RENAMO, and PODEMOS, also have quotas. MDM specially stated that it uses the 'zebra' system of alternating male and female names on its list. However, the Group was not provided evidence of these listings. The Group noted from discussion held with some stakeholders, that while the number of registered female candidates had increased due to gender quotas, these candidates were often placed in constituencies with lower chances of winning, limiting their actual representation.

No female candidates ran for the presidency either in the 2019 or 2024 Mozambique general elections. Since the first elections in 1994, no woman has led any registered political party and, consequently, none has ever participated as a presidential candidate. This reflects the ongoing gender disparities in political leadership within the country's electoral landscape.

Comparing female candidates in the national elections of 2019 and 2024 with those in the municipal elections of 2019 and 2023 reveals a significant discrepancy. Women are more successful at the national level, where they benefit from voluntary or 'zebra' quotas, while they struggle to secure seats at the municipal level due to the absence of such quotas. Notably, the ruling party adopted a voluntary gender quota in 1994,⁶⁸ which has contributed to increased female representation in Parliament.⁶⁹ However, this raises the question: what will happen if the party decides to discontinue the voluntary quotas?

Legislative reforms

Despite efforts by political parties to implement gender quotas or apply the zebra system, initiatives aimed at increasing women's political participation remain without formal legal protection. There was no evidence provided to the Group to suggest that Mozambique has introduced Temporary Special Measures, such as legislation to reserve parliamentary seats for women, or mandated gender quotas across all party lists to effectively close the gender gap. This was a key recommendation by the Group in its last report (2019). Instead, the measures undertaken by most political parties in the current 2024 general elections are voluntary, leaving the extent of gender inclusion largely at the discretion of individual parties.

⁶⁷ Analysis of the Women's Participation in Elections in Mozambique (2019), <https://www.undp.org/sites/g/files/zskgke326/files/migration/mz/undp-mz-women-elections-en-2020.pdf>

⁶⁸ 50/50. See: Policy Brief Mozambique, March 2020.

⁶⁹ FRELIMO uses a voluntary gender quota system requiring that 40 per cent of its candidates are women.

Policy reforms

Mozambique's National Gender Policy is implemented through the National Action Plan for the Advancement of Women (PNAM 2018–2024). It aims to advance gender equality and support women's participation in decision-making, including parliamentary representation. Aligned with commitments under the SADC Protocol on Gender and Development, the policy advocates for gender parity in political and leadership roles.

Despite progress, with women holding approximately 39.2 per cent of parliamentary seats following the 2024 election, continued efforts are needed to ensure full and equitable representation across all levels of governance such as in local municipalities and the electoral management body (CNE). Pnam ends in 2024, which presents an opportunity to reform and strengthen gender policies that can enhance the representation and participation of women across all stages of the electoral cycle and broader political processes.

Women's voter turnout

CNE did not produce gender-disaggregated voter turnout data for the 2024 election and such data were not available to the Commonwealth Observer Group. Gender-disaggregated turnout data provide valuable insights into participation trends by sex, allowing for targeted strategies to enhance voter engagement for future elections. They can also provide insights and help identify specific barriers that may prevent women from voting. Understanding these barriers can inform targeted initiatives to address issues such as security concerns, social constraints or logistical challenges.

Women's safety on election day is crucial for their full participation in the voting process, as fear of violence, intimidation or harassment can discourage them from voting. For example, in Zambezia province, observers noted that women, including pregnant women, elderly women and mothers with young children, often faced additional risks such as long queues, power outages and late-night voting hours after fulfilling market and domestic responsibilities. Ongoing instability, violent extremism, and displacement in the northern province of Cabo Delgado and parts of Nissa, have also left women particularly vulnerable to violence and exploitation, affecting their ability to safely engage in elections. These conditions align with the provisions of UN Security Council Resolution 1325, which emphasises the need to protect women in vulnerable situations and promote their active participation in decision-making processes. Creating secure and accessible voting environments allows women to engage freely in democracy, reinforcing gender equality and meeting international commitments.

Election security

Mozambique Republic Police (PRM) provided the main security across all election processes – and deployed nearly 25,000 police officers to secure polling stations on the day. In Cabo Delgado province, the defence and security forces of Mozambique also assisted in providing security, and in some localities, they were helped by the Rwanda Defence Force. On election day, the security forces did not abuse their functions, keeping their distance from the polling stations. Increasing women's representation in policing enhances responses to gender-based violence, builds community trust and aligns with international commitments, like UN Security Council Resolution 1325, which advocates for women's roles in security. This includes women in law enforcement, which would enable Mozambique to fulfil its obligations under global frameworks that promote gender equality and inclusive security practices.

Recommendations

- The National Assembly should consider introducing legislated gender quotas or temporary special measures to ensure women are equally represented as candidates and within electoral management bodies (CNE/STAE).
- National women's machinery, in partnership with civil society, should deliver voter education to everyone involved in the electoral process that addresses the unique barriers faced by women in all

Figure 4.2 Polling staff verifies voter identity.



their diversity, particularly those stemming from patriarchal social norms. All individuals involved in the electoral process should undergo this training to ensure they are equipped to support a gender-inclusive and -equitable voting environment.

- Measures to safeguard women voters should be implemented, particularly in high-risk areas, in line with UN Security Council Resolution 1325, which calls for the protection of women in conflict and post-conflict settings.
- Resources, training and mentorship need to be provided for female candidates to enhance their chances of success, especially in competitive constituencies.
- National policies should be aligned with global and regional frameworks, such as CEDAW, the Beijing Platform for Action, and the SADC Protocol on Gender and Development, which advocate for women's participation in decision-making.
- Budgets should be allocated and tracked, especially for initiatives that support women's electoral participation, to ensure that resources are directed toward gender-equal participation in the electoral process.
- A system should be established for collecting and analysing sex-disaggregated data throughout the electoral process.

Youth

The Government of the Republic of Mozambique defines 'youth' as individuals between ages 15 and 35.⁷⁰ According to the 2017 Mozambique census, 79 per cent of Mozambique's population was less than 35 years old.⁷¹ As in many other countries, Mozambican youth enjoy the right to vote once they turn 18 and they can run for the office of President once they are 35 years old. The minimum age to become a member of the National Assembly is 18 years old. This provides a standard opportunity for youth participation in politics, both as voters and as candidates. However, the reality is that the structured nature of political participation requires more than just meeting the age eligibility criteria; participation, especially in political leadership roles, requires that young people have access to the pillars that hold and sustain political power.

⁷⁰ US Agency for International Development (USAID) (2019), 'Mozambique M&E Mechanism And Services Cross-Sectoral Youth Assessment', p. 12.

⁷¹ UN Population Fund (UNFPA) (2019), *Mozambique: the youth dividend 2019 annual report*, p. 11.

Youths continue to be under-represented in the political system, with serious challenges in terms of access to resources. The lists for the election of Members of Parliament suggest that over-35s still dominate the decision-making spaces within the political parties.⁷² Without any formal youth representation in the political system, the main political parties operate intra-party quota practices to address representation of different social groups.

In the case of FRELIMO, these quotas shape the way different groups (liberation war veterans, women, youth) are represented in state governance structures. These systems function less as channels of substantive representation, and more as mechanisms to ensure that the most party-loyal cadres of each social group, including youth, are rewarded with opportunities.⁷³

Youth representation in the National Assembly is low. Inter-Parliamentary Union (IPU) data⁷⁴ shows that 52 Members of Parliament sworn in after the 2019 elections were between the ages of 31 and 40 years old, with 29 being male and 23 being female. Although the available data do not disaggregate for those below the age of 35, they do reveal that 3 women between the ages of 21 and 30 were elected.

No participation data disaggregated by age were available for the municipal elections in 2019 or 2023.

While it is statistically and empirically difficult to quantify youth participation in the election as candidates due to the unavailability of data, stakeholder perceptions suggest there is high youth participation in certain aspects of electoral processes – for instance, through the political parties, citizen groups filling lists for elections, via citizen observation missions and engagements through the electoral management body.

Youth voter registration

Given that more than half of the Mozambican population is under 35, it is expected that the number of registered voters would also reflect this demographic information. However, no data disaggregated by age were released by CNE in relation to the list of submitted party candidates, voter registration or actual turnout on election day.

The Group observed that a significant portion of the polling staff recruited by STAE during the 2024 elections were young. This could have been influenced by the lack of employment opportunities among young people and their availability to participate in such processes on short-term contracts, and not necessarily a matter of policy on youth inclusion.

Engagement by civil society

While the Group observed that some citizen observers we encountered were youths, we were unable to specify what percentage of observers they comprised. This notwithstanding, civil society participants in pre-election briefings indicated to the Group that young people had been engaged by civil society in voter education sensitisation and countering of online misinformation and disinformation.

Engagement by political parties

Political parties such as MDM and FRELIMO indicate that they have in place a quota system to ensure inclusion of marginalised groups. These voluntary quota systems are commendable and have placed Mozambique in a position to lead globally in terms of women's representation in the National Assembly. Such quota systems should be extended to young people and persons with disabilities to strengthen inclusion. Additionally, political parties should extend strategic placing of youth on their party lists in party stronghold areas, where they are confident that they have done enough organising and mobilisation to secure political victory.

⁷² Tsandzana, D (2022), 'The Political Participation Of Youth In Mozambique's 2019 General Elections', *Journal of African Elections*, Vol. 21 No.1, 116.

⁷³ Orre, A and S Forquilha (2023), *Poorly designed youth employment programmes will boost the insurgency in Mozambique*, CMI Brief 2023:2, Chr. Michelsen Institute, Bergen.

⁷⁴ IPU, Mozambique – Assembly of the Republic, <https://data.ipu.org/parliament/MZ/MZ-LC01/>

The Group observed that many party polling agents were youths, which is commendable. The work of polling agents involves long hours of monitoring and observing the voting process, keeping alert against electoral fraud and reporting incidents. Young peoples' energy and their availability for such long hours could be a reasonable conclusion why young people appeared to comprise most party polling agents. Prioritisation of youths would have seen many of them being supported and adopted as candidates for various political parties, not only as polling agents or 'foot soldiers' for political campaigning.

Grassroots youth activists from the Marracuene district in Maputo province conveyed to the Group that despite the existence of a national youth policy which seeks to put youth at the centre of Mozambican prosperity and the subsequent introduction of an action plan to strengthen implementation in 2020, young people continue to receive little support, especially in the economic and political space.

Recommendations

- Political parties should create deliberate and effective strategies for youth inclusion to ensure meaningful youth engagement in political party politics and prevent exploitation of young people in political parties.
- STAE should publish data on registration and turnout by district, disaggregated by age.

Persons with disabilities

Mozambique is committed to advancing the rights of persons with disabilities (PWDs). Article 37 of the Constitution provides that, 'Disabled citizens shall enjoy fully the rights enshrined in the Constitution.' Article 125 sets out the constitutionally mandated state support for persons with disabilities, but is silent as regards support and reasonable accommodations to facilitate political participation. The National Disability Policy was adopted in 1999. On 30 January 2012, Mozambique ratified the Convention on the Rights of Persons with Disabilities, Article 29 of which guarantees the right to effectively and fully participate in political and public life on an equal basis with others. Law No. 10/2024 of 7 June 2024 concerning the protection and respect of the fundamental rights and freedoms of PWDs enshrines the right to participate in political and public life in Article 13. It also requires the adoption of measures to ensure participation. In addition, Mozambique is committed to upholding education policies that promote inclusive and accessible education policies, as well as expanding social protection for PWDs through financial support and services.

Figure 4.3 Voter with disability casts ballot in Maputo.



The country is also committed to adopting policies to improve accessibility in public infrastructure, promote policies that encourage the employment of persons with disabilities, and participates in regional and international platforms that promote disability rights and share best practices that enhances inclusive development.

The 2017 census states that there are a total of 727,620 persons living with disabilities in Mozambique, approximately 2.75 per cent of the total population. Approximately 16 per cent of the world's population experiences some form of disability,⁷⁵ suggesting that actual population of PWDs in Mozambique is under-reported.

Electoral management body and electoral staffing

Currently, Mozambique's National Election Commission (CNE) does not mandate the inclusion of PWDs in its management body. Based on observer reports, the participation or membership of PWDs across all levels of the electoral process varies over time and is inconsistent. The Group was advised that CNE does not hold data on the number of persons with disabilities among its staff.

During stakeholder briefings and observations, there was minimal evidence of PWDs being actively engaged in various roles and responsibilities within the electoral process. Despite the importance of inclusivity, participation by and representation of PWDs were limited, indicating a gap in representation and involvement at multiple levels of election management and implementation. This lack of engagement suggests that the specific needs and perspectives of PWDs may not be fully considered, potentially impacting the accessibility and inclusiveness of the electoral process for voters with disabilities.

Including persons with disabilities in electoral processes and roles would align Mozambique with its international commitments, including under the UN Convention on the Rights of Persons with Disabilities, which require full participation in political life. This representation and participation ensures elections are inclusive and accessible, respecting the rights and equality of all citizens.

Voter registration

Mozambique has not consistently collected or made available specific statistics on PWDs' voter registration. The lack of such data makes it challenging to evaluate the full extent of electoral participation by PWDs and highlights the need for improved data collection practices to ensure their representation and address accessibility issues effectively. The Group was not advised of any reasonable accommodations available to PWDs for the registration process. Similarly, the Group did not observe registration and election information available in alternative formats (for example, braille, large font, easy to read, etc).

Persons with disabilities as candidates in the general elections

Mozambique's proportional representation system supports political representation of PWDs, especially if quotas for persons with disabilities are in place. However, data on the total number of candidates with disabilities were unavailable for the 2019 and 2024 elections.

The National Elections Commission noted that it had worked with the Technical Secretariat for Election Administration and various civil society organisations to conduct awareness campaigns to encourage PWDs to register to vote. Promoting participation of PWDs in electoral processes not only requires them registering as voters but also encouraging them to register as candidates if they so wish. This is essential to building a truly inclusive democracy that represents the full diversity of Mozambican society.

Persons with disabilities bring unique perspectives and insights, particularly on issues affecting accessibility, equal rights and social inclusion, all of which are vital for creating policies that benefit all citizens. Encouraging PWDs to stand as party candidates and to register as candidates without fear of intimidation aligns with Mozambique's commitment under the UN Convention on the Rights of Persons with Disabilities (UN CRPD),

⁷⁵ World Health Organization (WHO) (2011), *World Report on Disability*, WHO, Geneva, 27–28.

the African Union's Disability Protocol, and Law No. 10/2024 of 7 June 2024 concerning the protection and respect of the fundamental rights and freedoms of PWDs, all of which advocate for full political participation of PWDs.

Political parties also have a responsibility to include PWDs on their candidate lists, as this demonstrates respect for these international, regional and national commitments and sends a powerful message promoting diversity and inclusivity.

Legislative and policy reforms

Article 13 of Law No. 10/2024 of 7 June 2024 concerning the protection and respect of the fundamental rights and freedoms of persons with disabilities enshrines the right of PWDs to participate in political and public life on an equal basis with others. It also requires adoption of political and legislative measures to guarantee the participation of people with disabilities in political and public life and in all phases of electoral processes.

Article 76 of Law No. 8/2013 governing the elections of the President and the members of the National Assembly specifies that voters with disabilities are to be accorded priority voting. Additionally, Article 79 of Law No. 8/2013 provides that blind voters and voters with a physical disability may be accompanied by another voter freely chosen by them to assist in casting their ballot at the voting table. We note, however, that the law does not entitle voters with other impairments to such support. The Group observed that implementation of these provisions was inconsistent on election day, affecting the full participation of PWDs.

The use of postal voting, allowing PWDs to vote from their place of residence, expanding support available at polling tables to all PWDs, proxy voting, and use of braille ballots may be effective means of strengthening the inclusion and participation of voters with disabilities in Mozambique. We encourage CNE/STAE to consider implementing these measures and other contextually appropriate alternative methods of voting to ensure that PWDs enjoy their right to participate in political and public life.

The Group did not receive information confirming that political parties in Mozambique have established quotas for PWDs candidates or policies specially targeted to support their engagement in political parties and candidacy. This lack of formal support within parties limited the representation of PWDs, despite Mozambique's broader legal commitments to inclusivity. Ongoing advocacy efforts aim to address these gaps, urging political parties and electoral bodies to adopt concrete measures that encourage and support PWDs' participation in the electoral process.

Efforts by organisations of PWDs

The Forum das Associações Moçambicanas de Pessoas com Deficiência (FAMOD) plays a significant role in advocating for the rights of persons with disabilities in Mozambique and works with relevant stakeholders to enhance their representation and improve accessibility. The Group was advised that challenges remain to the meaningful participation of PWDs in electoral processes. The Group was also advised by CNE/STAE that an organisation of persons with disabilities registered its own list of candidates for the 2024 election.⁷⁶ This is commendable as it was the first time in Mozambique's electoral history that an organisation of PWDs has registered.

The CNE and STAE would benefit from regular engagement with organisations of PWDs like FAMOD, which are best positioned to advise on improving accessibility and participation for persons with disabilities. Using a twin-track approach – addressing immediate accessibility needs while integrating long-term inclusive policies – would significantly improve the inclusion of PWDs and participation in elections.

Persons with disabilities' voter turnout

CNE did not produce PWDs voter turnout data for the 2019 election. Similarly, data disaggregated by disability were not produced following the 2024 election. Collecting data on PWDs' voter turnout is critical for

⁷⁶ The Group was not provided the name of the organisation.

a number of reasons. It can identify barriers such as accessibility challenges, with the electoral process, such as physical barriers at polling stations, lack of accessible voting materials or inadequate voter education. Such data can provide essential information for designing targeted interventions to remove these barriers. Additionally, tracking PWDs' turnout provides an insight into how inclusive the electoral process is. A low turnout among PWDs may indicate gaps in inclusivity that can lead to necessary reforms ensuring all citizens can fully participate in democratic processes.

The safety and accessibility of PWDs on election day are critical for their full participation in the voting process, as fear of violence, intimidation or harassment can deter them from voting. This is particularly true for persons with albinism. Among the challenges that the Group observed were inaccessible polling tables, for instance located up a small flight of steps without a ramp. Observers noted that PWDs had additional unique and specific challenges, including navigating long queues, and sometimes having to abandon resources that support them such as wheelchairs, because they did not fit in the narrow spaces where the polling was taking place. Others had inadequate support for sensory or hearing impairments. Voting information and materials were not available in alternative formats, such as braille. Late night voting hours and unexpected delays also pose significant barriers, particularly for PWDs who have additional logistical and personal needs.

In some cases, electoral staff attempted to accommodate persons with disabilities by offering them priority voting, as accorded by law. This was commendable. However, many PWDs still had to wait outside in the hot sun without adequate food or drink, because they depended on family members for transport to the polling station. These family members needed to vote as well, which forced PWDs to remain at the site, sometimes for extended periods, until everyone in their group had finished voting.

Additionally, the ongoing instability, violent extremism and displacement in regions such as Cabo Delgado left PWDs even more vulnerable, affecting their ability to safely access polling stations. These conditions underscore the importance of Mozambique's commitment to international frameworks such as the UN CRPD, which require safe and equal participation in all aspects of public life. Creating secure and accessible voting environments allows PWDs to engage freely in the democratic process, supporting Mozambique's commitments to inclusivity, equality, and international, regional and national standards.

Election security

The Mozambique Republic Police (PRM) provided the main security across all election processes. Data on the proportion of police with disabilities were not available to the Group. Increasing representation of persons with disabilities in policing enhances responses to accessibility needs and creates trust among PWD communities. It also helps ensure that security protocols are inclusive and sensitive to the needs of all citizens. By incorporating persons with disabilities into security roles, PRM can better serve and protect all individuals.

Recommendations

- Quotas or special measures should be introduced within political parties and electoral management bodies to ensure persons with disabilities are able to participate, engage and be represented across all electoral processes.
- All polling stations should be fully accessible, with clearly marked areas, adequate seating, shaded waiting areas and support services tailored to PWDs, including priority voting options that consider transportation limitations.
- Registration and turnout data on persons with disabilities need to be collected and published to better understand and facilitate efforts to address barriers to their participation.
- CNE/STAE and the police should regularly engage and seek advice from organisations of PWDs on accessibility and participation improvements, using a twin-track approach that combines immediate reasonable accommodations with long-term inclusive policies. This can include promoting PWD-friendly security protocols and training for staff on the specific needs of voters with disabilities to ensure safer and more supportive environments at polling stations.

- Targeted campaigns should be run to encourage PWDs to register and participate as voters, candidates and polling station staff. It is important to address their fear of intimidation and promote their role in democratic processes.
- CNE/STAE should explore implementing appropriate alternative methods of voting to enfranchise persons with disabilities.
- CNE/STAE should provide voter information and voting materials in alternative formats.

Internally displaced persons (IDPs) and marginalised communities

Mozambique is facing a complex sociopolitical landscape, particularly regarding the treatment of internally displaced persons (IDPs) and marginalised communities. The country's 2024 general elections unfolded against the backdrop of a humanitarian crisis spurred by ongoing conflicts, particularly in the northern region of Cabo Delgado. This region, affected by insurgency since 2017, has seen more than a million people displaced, many of whom have fled to neighbouring provinces such as Nampula, Niassa, and Zambezia. In addition, frequent natural disasters, such as cyclones and flooding, have exacerbated the displacement crisis, especially in central and northern Mozambique. The double landfall of Tropical Cyclone Freddy in February and March 2023, a year following the devastating Tropical Cyclone Gombe, affected over one million people, destroyed infrastructure and displaced some 184,000 people.

As of 2023, reports indicate that the number of IDPs had surged, with estimates suggesting more than 1.3 million individuals displaced.⁷⁷ This precarious situation necessitates focused attention on ensuring that IDPs can participate in the electoral process, thereby fostering inclusivity and representation.

Displacement and marginalisation in Mozambique

In August 2024, the UN High Commissioner for Refugees (UNHCR) reported that 716,878 people remained displaced internally; many were without access to adequate shelter, food, health services, or education.⁷⁸ Pemba, the capital of Cabo Delgado, has struggled to cope with this influx, which has nearly doubled the city's population.⁷⁹ The strain on infrastructure and public services, coupled with the rise in unemployment, has led to growing discontent and increased vulnerability to extremist recruitment, as insurgent groups exploit the grievances of marginalised and displaced populations.⁸⁰

IDPs are often concentrated in overcrowded camps, where they face heightened risks of diseases, gender-based violence and extreme poverty.⁸¹ Forty (40) per cent of IDPs are living in relocation sites, with 60 per cent living in host communities.⁸² Limited access to basic services exacerbates their marginalisation. These hardships significantly affect their ability to participate in elections on an equal basis with non-displaced populations – for instance, owing to practical barriers, like distance, insecurity and lack of documentation, or psychological deterrents, like fear and trauma.⁸³

To address the difficulties resulting from large-scale displacement, the Mozambican Government adopted the Policy and Implementing Strategy on the Management of Displaced People in 2021. However, the Policy and Strategy did not include provisions covering participatory rights. This was criticised by the Special Rapporteur on IDPs following her visit to Mozambique in November 2023.

International humanitarian organisations, such as the International Organization for Migration (IOM) and other United Nations, agencies have stepped in to provide essential services. However, their efforts alone were insufficient, especially during the 2024 elections, where IDP participation was essential for a truly

⁷⁷ United Nations High Commissioner for Refugees (UNHCR) (2023), 'Mozambique: Refugee and IDP Information'

⁷⁸ UNHCR (2024), *Global Trends: Forced Displacement in 2023*.

⁷⁹ International Organization for Migration (IOM) (2024), *Mozambique Displacement Situation Report*.

⁸⁰ Human Rights Watch (2023), *Mozambique: Insurgent Violence and Human Rights Violations*.

⁸¹ Médecins Sans Frontières (MSF) (2023), *Health Conditions in IDP Camps in Mozambique*.

⁸² UNHCR (2024) 'Operational Update – Mozambique'.

⁸³ International Crisis Group (2024), *Elections and the Crisis in Cabo Delgado*.

representative democracy.⁸⁴ On election day, the Group visited a resettlement camp in Nampula province for IDPs from Cabo Delgado province. Here, voting was peaceful and there were no reports of exclusion. The Group did not observe the elections in Cabo Delgado province.

Electoral challenges

The challenges faced by IDPs and marginalised communities, including lack of access to polling stations and the absence of adequate legal and administrative support, could contribute to voter disenfranchisement. Additionally, electoral violence remains a concern, as seen in the October 2023 municipal elections, when police repression of opposition parties and allegations of election-related irregularities were widespread.⁸⁵ This violence has further marginalised communities already struggling with the effects of displacement and economic hardship.

Recommendations

- It is important to take steps to ensure that IDPs and marginalised communities have access to voting. This could include establishing mobile polling stations in relocation sites and providing legal documentation for displaced individuals who may have lost their identification due to the conflict.
- Robust legal frameworks should be implemented to protect the rights of IDPs and prevent further marginalisation, including by ensuring access to essential services and safeguarding freedom of assembly and association for political minorities.
- Security and peacebuilding initiatives should be prioritised in the Cabo Delgado province, complemented by socioeconomic interventions that address unemployment and poverty among IDPs to reduce the risk of recruitment into extremist groups.
- Civil society organisations, with government support, should undertake civic education campaigns targeting displaced and marginalised communities to raise awareness about electoral processes and encourage participation, despite the challenges posed by displacement.

IDP voter registration: legal framework for voter registration

The Constitution of Mozambique guarantees the right to vote for all citizens, including IDPs. The Electoral Law (Law No. 7/2013) establishes the procedures for voter registration, aiming to ensure that every eligible citizen can participate in elections.⁸⁶ Nevertheless, the practical implementation of these legal provisions may fall short for IDPs, who encounter unique challenges.

Among the obstacles to political participation that IDPs in Mozambique encounter are the following.

- **Accessibility.** Many IDPs reside in remote or temporary settlements with limited access to registration centres. This geographical barrier can significantly restrict their ability to register.⁸⁷
- **Documentation.** A substantial number of IDPs lack the necessary identification documents required for voter registration, further complicating their ability to participate.⁸⁸
- **Awareness and education.** There is often a lack of information among IDPs regarding the registration process and the importance of voting. Enhanced outreach and educational initiatives are crucial for overcoming this barrier.⁸⁹
- **Security concerns.** In areas affected by ongoing conflict, IDPs may feel unsafe when attempting to register or vote, which can deter participation.⁹⁰

⁸⁴ UN Office for the Coordination of Humanitarian Affairs (OCHA) (2024), 'Mozambique Humanitarian Response Plan'.

⁸⁵ Amnesty International (2023), 'Police Violence During Mozambique Elections'.

⁸⁶ Republic of Mozambique (2018), 'Constitution of Mozambique'.

⁸⁷ CNE (2023), *Voter Registration Guidelines: Challenges and Opportunities*.

⁸⁸ Ibid.

⁸⁹ IOM (2022), 'Understanding Voter Registration among IDPs in Mozambique'.

⁹⁰ Human Rights Watch (2021), *Election Security in Mozambique: An Overview*.

These factors have historically contributed to lower turnout rates among IDPs compared to the general population.⁹¹ The Commonwealth Observer Group was informed of measures taken to specifically address challenges encountered by IDPs in relation to registering and voting. These included easing voter registration requirements for IDPs and allowing them to register and vote in the location of their displacement. The Group was also advised that IDPs could register by having another registered voter attend and verify their identity. The voter registration card served as an official form of identification, thus allowing IDPs to access other services. Stakeholders indicated that this served as an incentive for IDPs to register. Stakeholders also conveyed confidence that most eligible IDPs registered to vote. The measures taken to ensure IDPs' right to political participation are commendable.

Recommendations

- IDPs' awareness and education should be increased through workshops and training that focus on the voting process, including registration, how to vote and the significance of IDPs' participation in democracy.
- Good practices for IDP registration need to be continued and a mechanism established to improve co-ordination across stakeholders, government entities and development agencies.

Disaggregated data and its importance

Disaggregated data refers to the breakdown of information into specific sub-groups, such as IDP status, gender, age and geographical location. This type of data is vital for understanding the needs and challenges faced by IDPs, allowing for targeted interventions to enhance their participation in the electoral process.

Currently, the CNE does not specifically collect or maintain disaggregated data on internally displaced persons, as its primary focus is on electoral processes and voter registration. The absence of such data can be attributed to several factors.

- **Resource constraints.** The CNE often operates with limited financial and human resources, which hampers its capacity to collect and analyse detailed demographic data.⁹²
- **Focus on aggregate data.** The CNE tends to prioritise overall voter registration figures rather than detailed demographic breakdowns. This approach can lead to significant gaps in understanding the specific needs of IDPs.⁹³
- **Logistical challenges.** The fluidity of IDP populations – who may frequently relocate or live in dispersed settlements – complicates the collection of accurate data about their voting status and needs.⁹⁴
- **Political sensitivity.** In some cases, the political environment may discourage the collection of disaggregated data, particularly if it could highlight disparities that might provoke scrutiny of electoral processes.⁹⁵

Enhancing the collection of disaggregated data is crucial to ensure that IDPs can effectively participate in the electoral process. Such data can inform targeted outreach efforts, resource allocation and the development of strategies to facilitate voter registration among IDPs. Furthermore, improved data collection allows for better monitoring and evaluation of electoral processes, ultimately contributing to a more inclusive and representative governance structure.

⁹¹ Electoral Institute for Sustainable Democracy in Africa (EISA) (2020), 'Electoral Challenges for IDPs in Mozambique'.

⁹² CNE (2021), *Annual Report on Electoral Processes*.

⁹³ Electoral Institute for Sustainable Democracy in Africa (EISA) (2020), 'The Electoral Process in Mozambique: Challenges and Recommendations'.

⁹⁴ UN Office for the Coordination of Humanitarian Affairs (OCHA) (2022), *Humanitarian Needs Overview: Mozambique*.

⁹⁵ Mozambique Governance Programme (2023), 'Data Collection and Electoral Integrity'.

Recommendations

- CNE/STAE should strengthen inclusion of IDPs in Mozambique's electoral process, as this is essential for reinforcing democratic principles and fostering governance that reflects the will of all citizens.
- The collection of disaggregated data should be enhanced through targeted outreach efforts, resource allocation and development of strategies to facilitate voter registration among the IDPs.
- A comprehensive framework needs to be established that prioritises the electoral rights of IDPs, through concerted efforts from governmental authorities, civil society organisations and international partners.

Current legislative framework

Mozambique's electoral framework is primarily governed by the Constitution and the Electoral Law. Key institutions include the CNE, which is responsible for overseeing electoral processes, and various legal provisions that govern voter registration, campaigning and the conduct of elections. Despite these structures, several gaps exist:

- **Voter registration:** Current laws do not adequately address the needs of vulnerable populations, including women, youth and IDPs.
- **Electoral disputes:** Procedures for addressing electoral disputes are often lengthy and lack transparency, undermining public confidence in the electoral system.
- **Political party financing:** Regulations regarding political party financing are insufficiently defined, leading to concerns over corruption and unequal competition.

Recommendations (legislative)

- The National Assembly should amend the Electoral Law (Law No. 7/2013) to ensure that IDPs can register and vote without restrictions tied to their displacement status. Provisions should be included for mobile registration units and polling stations located in or near IDP camps.
- The National Assembly should introduce legislation to support the socioeconomic reintegration of IDPs, such as Law No. 12/2017 on Social Protection, ensuring access to land, education and employment for displaced persons to facilitate their reintegration into society.
- The National Assembly should enact anti-discrimination legislation, building on the Labour Law (Law No. 23/2007), to specifically protect IDPs from discrimination in employment, housing and social services.
- A legal framework needs to be established for better co-ordination among ministries and agencies involved in IDP affairs, modelled after the Disaster Risk Management Law (Law No. 10/2017), which can enhance resource allocation and response mechanisms for IDPs.
- An independent monitoring body should be created for IDP rights, potentially under the Law on the Creation of the National Human Rights Commission, which could oversee IDP treatment and hold local authorities accountable for rights violations.

Recommendation (policy)

In addition to legislative changes, certain policy reforms are necessary to enhance the electoral environment.

- Policies should be developed that actively engage marginalised communities in political processes, ensuring that their voices are heard in policy-making and electoral activities.

Voter turnout in successive elections

The voter turnout among internally displaced persons in Mozambique has been a significant concern due to various challenges. Reports indicated that IDP turnout in the 2019 general elections was significantly lower than the national turnout of 51 per cent, with estimates suggesting IDP turnout was as low as 30 per cent.⁹⁶

⁹⁶ IOM (2019), 'Mozambique: Voter Participation Among Displaced Populations'.

In the run up to the 2024 elections, there were ongoing efforts to improve voter registration and participation among IDPs. Specific registration figures for IDPs were not made available to the Group, and there is concern about the absence of disaggregated data. There remains a critical need for the Law on Access to Information (Law No. 2/2014) to require the collection of disaggregated data on IDP voter registration and turnout, enabling better analysis of their participation.

Recommendations

- The National Assembly should amend Law No. 34/2014 of 31 December 2014 on the right to information to mandate the collection of disaggregated data on IDP voter registration and turnout.
- To enhance voter education campaigns, targeted awareness campaigns should be launched on voting rights and the electoral process specifically aimed at IDPs. This initiative should utilise community leaders and local organisations to disseminate information effectively.

Election day observations

In an interview with the police in Nampula, it was stated that IDPs were welcomed to the area after passing security checks. These checks are conducted to ensure there are no terrorist infiltrators among the newcomers. Once cleared, IDPs are provided with security, accommodation, education and playgrounds for their children.

Observers in Nampula province noted that many Mozambicans from Cabo Delgado were disenfranchised; and that they were placed in camps such as the one visited in the Corrane settlement in the Meconta District. IDPs had fled Cabo Delgado due to fears of violence, having witnessed the deaths of family and friends. Although living conditions in the camps are challenging, the government has allocated farmland for cultivation. However, IDPs have expressed concerns that local residents sometimes try to take this land from them. Generally, they are accepted by the local communities, although financial dynamics often influence relationships. Their children can attend schools and access healthcare services.

In Corrane, IDPs said that voter registration was straightforward, with CNE officers visiting the camps to facilitate the process and no restrictions based on their IDP status. At the UNHCR Resilient Shelter, observers spoke with a community leader who fled the Macomia District of Cabo Delgado. He mentioned that there were 1,880 households in the UNHCR Resilient Shelter and said that he had received calls from a neighbour who returned to Cabo Delgado, indicating that more people might be escaping the conflict and would be seeking refuge at the shelter. The IDPs at the shelter at the time of this report came from various districts in Cabo Delgado, including Mocimboa da Praia, Palma, Meudume, Quissanga, Macomia, Ancuabe and Nangade.

According to the IDPs interviewed by observers, there were no issues during the election process, which went ahead smoothly, and there were no complaints. They did not face any discrimination regarding their status and were able to vote with ease.

Recommendations

- Mobile voter registration units should be established that can visit IDP camps to reduce barriers to access and ensure that IDPs can register easily without the need to travel long distances. Such units should be staffed with trained personnel who can assist with the registration process, making it straightforward and efficient.
- Polling stations can be created within or near IDP camps to minimise travel barriers and ensure that IDPs can vote safely, including setting up temporary polling stations during elections or partnering with local authorities to utilise existing community centres as polling places.
- In terms of training for electoral administration, CNE/STAE should conduct continuous training for election officers, focusing on good practices in voter registration, election management and inclusivity, particularly regarding the needs of marginalised groups.
- Support needs to be provided for IDPs to obtain necessary identification documents.

- Collaboration between IDPs and local communities should be fostered to promote social cohesion and support for the electoral process.
- Security around polling stations should be enhanced to ensure the safety of IDPs when they go to vote, including the deployment of additional security personnel or establishing safe transport options for those traveling to polling locations, particularly in areas affected by conflict.
- A monitoring framework should be established involving local and international non-governmental organisations (NGOs) to observe the electoral process, focusing specifically on IDP participation.

Special and diaspora voting

Special and diaspora voting in Mozambique encompasses provisions for citizens living abroad and individuals with unique circumstances, such as those with albinism, who may face additional barriers to participating in elections.

In the 2023 elections, approximately 35,000 Mozambicans registered to vote from abroad, which accounted for about 0.6 per cent of the total electorate. The participation rate among these voters was around 45 per cent, reflecting both the potential for increased engagement and the ongoing challenges in ensuring access to the voting process.⁹⁷ For the 2024 election, 333,839 Mozambicans were registered to vote abroad. Additionally, provisions for special voting, including support for persons with disabilities and those in remote locations, are critical for promoting an inclusive electoral environment. Strengthening awareness initiatives and streamlining the voting process for these groups could further enhance turnout and ensure that all Mozambicans, regardless of their circumstances, have a voice in the democratic process.

Approximately 1.5 million Mozambicans living abroad are excluded from voting because they reside outside the nine designated countries where electoral processes are facilitated through embassies or consulates. This situation underscores the challenges faced by a significant portion of the Mozambican diaspora in exercising their electoral rights.^{98, 99}

The Electoral Law allows Mozambicans residing outside the country to register and vote at designated embassies or consulates.¹⁰⁰ However, despite these legal frameworks, many expatriates remain unaware of their voting rights, and logistical challenges persist regarding registration and access to polling stations. For individuals with albinism, who often encounter discrimination and health-related challenges, the need for inclusive measures is particularly pressing.

Recommendations

- The list of countries where Mozambicans can register and vote at embassies or consulates should be reviewed and expanded. Enhanced transparency of registration can be provided to improve trust in the legitimacy of special and diaspora voting.
- Targeted awareness campaigns should be launched focusing on the voting rights of Mozambicans abroad, including by employing multilingual materials and various platforms (for example, social media, radio and community events), to reach diverse audiences.
- CNE/STAE should streamline the voter registration process for expatriates by creating a user-friendly online registration system that allows for easy access and completion.
- Specialised training for staff at Mozambican embassies and consulates needs to be provided regarding electoral rights, processes and the specific needs of voters with disabilities.
- CNE/STAE should implement feedback mechanisms that allow voters to share their experiences regarding registration and voting processes.
- CNE/STAE should regularly monitor participation rates among expatriates to identify barriers and areas for improvement.

⁹⁷ IOM (2023), 'Engaging the Diaspora in Mozambique's Elections'.

⁹⁸ IOM (2023), 'Engaging the Diaspora in Mozambique's Elections'.

⁹⁹ UNDP (2023), 'Promoting Inclusive Electoral Processes in Mozambique'.

¹⁰⁰ Republic of Mozambique (2018), 'Electoral Law'.

5. Campaign and the Media

The campaign

The 43-day campaign was competitive and relatively calm. The campaign officially began on Saturday 24 August 2024 and continued until 6 October 2024. By law, all campaign activities are required to come to an end 48 hours prior to election day and this was respected. Mozambique law also provides for the CNE to provide campaign finance for parties. For these elections, funding of 260 million meticaís (3.7 million euros)¹⁰¹ was allocated by CNE for the parties, to be provided as follows: one-third (1/3) to be shared equally among the four presidential candidates; one-third (1/3) to be divided among the parliamentary candidates; and one-third (1/3) to the Provincial Assembly candidates.

Funding for the political parties was not received within the stipulated statutory timeframe of 21 days prior to the commencement of the official campaign. This was attributed to delays experienced by CNE in receiving funding from Central Government. Except for the governing party, FRELIMO, campaigning began slowly for parties such as RENAMO, MDM and small parties, as some were seriously hampered by the late handover of campaign funds by the CNE.

There were numerous allegations and instances of the use of state assets and resources, mainly by FRELIMO and to a much lesser extent by RENAMO and MDM, in the electoral campaign. This is in direct contravention of electoral laws, which expressly prohibit such practices. In the case of FRELIMO, this was particularly widespread, with reports by multiple observers indicating that FRELIMO used government vehicles to campaign and required teachers, school directors and other public servants to campaign for them, to the detriment of the education of school children and the efficient provision of public services.

Figure 5.1 FRELIMO campaign rally.



While violent incidents have occurred in previous elections, these elections were different in that the campaign period could be described as having been largely peaceful. The recognised fundamental rights of freedom of association and freedom of assembly were generally respected. Political parties were in most cases able to engage in campaign activities unhindered. There were, however, isolated incidents reported by

¹⁰¹ Distribution of the funds began on 15 August 2024. See: <https://360mozambique.com/development/general-elections-cne-already-has-e3-7m-for-campaign-financing/>

both the governing and opposition parties of destruction of campaign material, skirmishes with supporters of different parties, and intimidation, among others. There were also alleged restrictions in accessing certain areas considered party strongholds. Where such incidents did occur, we would encourage the use of appropriate legal channels to pursue all complaints and grievances, to ensure thorough investigations into these allegations.

Campaigning in the northern province of Cabo Delgado was also affected by the security situation there, as the insurgent Islamist State Mozambique (ISM) group is still active in parts of the province.

The main issues raised in the campaign by the political parties focused on improved health and education services, improved infrastructure, access to water, dealing with the insurgency in Cabo Delgado, and job creation, among others.

Figure 5.2 RENAMO campaign rally.



The parties used a variety of means to campaign, employing the use of television, radio, door-to-door campaigning, caravans, rallies and marches. PODEMOS and Presidential candidate, Venâncio Mondlane, and FRELIMO heavily utilised social media such as Facebook, Instagram and WhatsApp, increasingly closer to election day, while parties such as RENAMO and MDM were almost non-existent on those platforms. There was a noticeable preponderance of FRELIMO campaign materials such as billboards, posters, flags and T-shirts as compared to materials from other parties. Some of the rallies observed by our Group the week before the election appeared to lack the usual excitement and flair normally associated with election campaigns. In the capital city Maputo, there was little sign of active campaigning taking place.

The incumbent had a distinct advantage in coverage by the broadcast media (television and radio) and received significantly more coverage than the other parties. FRELIMO was also given greater prominence, with reporting featuring the party and its presidential candidate first, before covering activities of other parties and candidates. This is contrary to the Code of Conduct for Election Coverage, which requires equal treatment to all candidates. FRELIMO is also reported to have been the only party to have predominant advertising space on the main private television channels nationwide (STV, Miramar and TV Sucesso), in addition to broadcasts on TVM and RM.

Although regular internet usage remains low in Mozambique and is concentrated in urban areas, the use of social media to spread misinformation and disinformation was widespread and increased in intensity as the campaign progressed. This prompted the UNDP in collaboration with MISA Mozambique to conduct a #VerifyBeforeYouShare digital campaign, to educate the public about the risks of spreading false information online, and to encourage responsible digital practices, especially among young voters. This is addressed in more detail later.

Figure 5.3 RENAMO supporters at a campaign rally.



Disinformation was present on different platforms through fake news targeting mostly opposition candidates and particularly the CNE. Social media then became the prominent medium for commentary on the post-election crisis.

Recommendations

- As has been recommended in previous Commonwealth Observer Group reports both in 2014 and 2019, public campaign finance should be provided to parties within the stipulated period, sufficiently in advance of the campaign period to ensure that they are not disadvantaged in conducting their campaign.
- The practice of the use of state assets, resources and personnel by political parties to facilitate campaigning during the election period should be discontinued and full compliance and enforcement of the law should be put into effect.

Figure 5.4 FRELIMO supporters at a campaign rally.



The media

Mozambique officially has almost 1,000 media outlets, mainly newspapers and magazines,¹⁰² with many struggling to maintain financial sustainability. Most newspapers are published in Portuguese, while some regional papers also publish in local languages.

The daily *Notícias*, majority-owned by the government, is the most circulated newspaper and serves as a platform for official announcements, receiving significant government advertising. Popular independent dailies include *Opais*, *Savana* and *Zambeze*, which offer social commentary, investigative journalism and in-depth analysis.

There are approximately 20 television stations and 50 radio stations characterised by a mix of state-owned and private channels and community radios with a growing demand for local content.

Radio and television are Mozambique's most popular news sources, especially in rural areas. According to Afrobarometer, 53 per cent and 44 per cent of Mozambicans rely on radio and television, respectively. Radio has the most significant influence, with Radio Mozambique (*Rádio Moçambique*), the public broadcaster, reaching most of the country – including remote rural areas – and broadcasting in almost 20 languages.

As of January 2024, the country had 7.96 million internet users, representing 23.2 per cent of the population, while 3.2 million people (9.5 per cent) had access to social media. Mozambique is among Africa's least connected countries, hindering digital journalism, online research, and the adoption of digital technologies such as podcasting, online streaming and digital publishing.

Successive Commonwealth Observer Groups have noted improvements in Mozambique's media landscape, but concerns persist regarding media ownership compromising editorial independence. According to the Reporters Without Borders Freedom Index, Mozambique ranks 105 out of 180 countries.¹⁰³ The report further highlights that the authorities directly or indirectly control many media outlets, with journalists' reporting often obstructed during elections. It added that legal protections are rarely applied, making information increasingly difficult to access.

Figure 5.5 Private media briefs COG.



Media legal framework

Mozambique's media operates within a complex regulatory framework; despite having a Constitution that guarantees freedom of expression, this complexity arises from the interplay of the laws and gaps in the framework.

¹⁰² Reporters Without Borders, Mozambique, <https://rsf.org/en/country/mozambique>

¹⁰³ Ibid.

Article 48(1) of the Constitution provides that, 'All citizens shall have the right to freedom of expression and freedom of the press, as well as the right to information.' Article 48(3) adds, 'Freedom of the press shall include, in particular, the freedom of journalistic expression and creativity, access to sources of information, protection of independence and professional secrecy.' Article 48(5) provides that, 'The State shall guarantee the impartiality of the public sector media, as well as the independence of journalists from the Government, the Administration and other political powers.'

Press law

The Press Law (Law No. 18/1991) establishes the framework for the functioning of the media in Mozambique. It protects press freedom while ensuring media outlets operate ethically and responsibly. The law defines the rights of journalists, provides the right to information, regulates media ownership, and introduces mechanisms for accountability and oversight through the Superior Council of Social Communication.

The Press Law also safeguards against monopolisation and protects individuals' rights to respond to media reports that damage their reputations. There are inconsistencies in the law regarding access to equitable airtime during elections. Article 49(4) of the Constitution states, 'During election periods, contestants 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.'

Article 12(2) of the Press Law provides that 'During electoral periods, competing political parties have the right to regular and equitable airtime on national radio and television, as established by the Electoral Law.' The Electoral Law (Law No. 2/2019 version) provides that 'Presidential candidates, political parties, and coalitions of political parties in the elections have the right to use public radio and television services according to the regulations of the National Election Commission.'

The rights of journalists are set out as follows in Article 27 of the Press Law.

- a) *Free access and presence in public places where the performance of their profession is necessary.*
- b) *Not being detained, removed, or otherwise prevented from performing their duties at the location where their presence is necessary as a professional of information, within the limits set by law.*
- c) *Refusing to comply with any editorial directive that does not come from the competent authority of their information outlet.*
- d) *Refusing, in case of illegal interpretation, to hand over or exhibit the work material used or the collected elements.*
- e) *Participating in the internal life of the information outlet where they work, particularly in the editorial board or similar body, according to the respective statutes.*
- f) *Resorting to competent authorities whenever prevented from enjoying the rights inherent to the exercise of their profession.*

Some provisions of the Press Law and the Penal Code undermine the right to freedom of expression through undue restrictions.

Articles 46 and 47 of the Press Law allow for up to two years in prison and a fine of no less than 100,000 meticaís for persons who slander or defame the President, members of the Government, deputies of the Assembly, magistrates and other public authorities. Journalists are not exempt from criminal responsibility for defamation when there is proof of facts where the offended individual is the President.

Articles 233 and 237 of the Penal Code (Law No. 24/2019) criminalise defamation and slander, providing for sentences of up to one year's imprisonment or two years' imprisonment in the case of defamation of the President. The Group notes that, increasingly, Commonwealth countries are moving in the direction of repealing the criminalisation of defamation. Article 241 provides that the penalty for defamation be increased by half of the maximum limit when the defamation occurs through social media. The above provisions combined create substantial impediments against legitimate criticism of public authorities.

Law No. 34/2014 protects the Right to Access Public Information, establishing more accessible access to information and reinforcing transparency and accountability.

The law's guiding principles are set out in Articles 4 to 12 and include the following.

- Respect for human dignity.
- Maximum disclosure of public information.
- Transparency of public and private entities involved in public activities.
- Public accountability and open public administration.
- Restrictions on information disclosure should be limited and clearly defined.
- Promotion of citizen participation in public life.
- Promptness and simplicity in processing information requests.

The law outlines specific cases where information may be withheld, particularly concerning national security, ongoing legal proceedings and personal privacy. It gives citizens the right to challenge the refusal of information requests and stipulates that public institutions are accountable for maintaining transparency and proper disclosure practices.

International and local civil society organisations report implementation gaps and ambiguity in the interpretation of Law No. 34/2014 on the right to information.

Recommendations

- Parliament should also grant the Superior Council of Social Communication regulatory authority to impose sanctions.
- Consideration could be given to repealing the applicable provisions in the Penal Code which criminalise defamation and slander.

Media coverage of the campaign

Even though Mozambique's Constitution and the law provide for the right to regular and equitable broadcasting time on public radio and television, state-owned media platforms provided more coverage to the governing party, especially TV. TVM was more favourable to the governing party and its candidates. This uneven playing field affected opposition parties' efforts to reach a wider audience and voters' ability to make an informed decision.

Figure 5.6 Photojournalist at a FRELIMO campaign rally.



Radio, however, was different. As the most popular medium, radio was crucial in disseminating information to the public. Both public and community radio stations provided extensive coverage of the elections in Portuguese and local languages, and made efforts to maintain balance in airtime allocation. The Group was informed that they had various educational programmes, and invited candidates from all political parties for discussions, interviews and phone-in programmes.

The Group spoke to individuals who expressed concerns over hostility towards female journalists covering campaign and political activities, which highlighted the need for more significant support and protection.

Voters we spoke to felt that all political parties were represented and that Article 49 of the Constitution was adhered to. However, some felt that news bulletins were dominated by government items, including speeches by the sitting president lauding the ruling party's presidential candidate. This gave him an unfair advantage over the other candidates.

We were able to attend rallies by RENAMO and FRELIMO. Many journalists attended, and they seemed to go about their work unhindered. None of the journalists we saw wore party colours or participated in cheering for the candidates. This pointed to a level of impartiality. Journalists we spoke to said they could do their work freely. In Beira, we talked to a journalist who works for one of the biggest TV stations in the country. It is owned by a politician who is allied to the ruling party. He told us he was under no pressure to generate content that flattered the FRELIMO candidate.

In the lead-up to the election, CNE/STAE fostered a constructive relationship with the media through regular press conferences and statements, ensuring journalists remained informed. This helped counter misinformation and disinformation. Continuing this relationship will significantly benefit the public as a reliable flow of information protects the integrity of the electoral process.

Many of the journalists covering the elections benefitted from additional training by UNDP. There was a course tailored for female media practitioners. UNDP reports a marked increase in female reporters during this election cycle, even though a voter in Sofala told observers that she would have liked to see and hear more women on TV and radio.

Civic education carried on community radio stations across the country, in local languages other than Portuguese, was pivotal for many voters. There is a need for balanced gender representation on air to allow for women's issues to be articulated in a voice they can relate to.

On election day, all the major media houses covered everything from the opening of voting to counting votes. We saw radio and camera crews interviewing voters and candidates in Sofala. TV crews filmed vote counting in Beira and even reported live from polling centres.

Newspapers covered the elections extensively. As would be expected, FRELIMO-leaning newspapers gave editorial support to their candidate. Some papers are credited with balancing their coverage and challenging government positions. This is a significant improvement compared to previous elections, when the state did not take criticism of FRELIMO or its candidates lightly.

The noticeable improvement in the media's participation in the electoral process is partly due to the pressure on the government from civil society. CSOs have consistently scrutinised the state's conduct in managing dissent, focusing on the need to relax laws that impede accountability.

Recommendations

- UNDP and other partners involved in training journalists must be commended and encouraged to continue with this effort. Hopefully, the training can lead to the creation of a mentorship programme supporting younger journalists.
- With growing internet penetration, we recommend that skills like podcasting and video editing should be taught to both established and citizen journalists.

Figure 5.7 Media covers election day in Maputo.



Social media

The 2024 elections in Mozambique saw an increase in the use of social media for political campaigning, building on trends from the 2023 municipal elections. Stakeholders reported that candidates utilised the free airtime allocated by law for traditional media, especially radio, which limited their engagement with social media and digital technology, despite its growing presence.

Mozambique's digital landscape is rapidly evolving. As of 2024, the country had 7.96 million internet users, 23.2 per cent of the population. Mobile phones dominate as the primary means of access, with 71 per cent of users connecting via mobile, while 28 per cent use computers and only 1 per cent opt for tablets.

The country has 18.91 million active mobile numbers, covering about 55 per cent of the population, which is below the regional average of 73 per cent. Social media usage is also on the rise, with 3.2 million users (9.3 per cent of the population), a 39.1 per cent increase from 2023. Facebook is the leading platform and, as of January 2024, 40.2 per cent internet users engaged with social networks, with women making up 41.3 per cent of this group and men 58.7 per cent.

The digital media market in Mozambique is set for significant growth – revenue was projected to hit US\$66.03 million by 2024. Video-on-demand was expected to be the largest segment, reaching US\$34.69 million. We observed that WhatsApp was increasingly used for information sharing. It was widely utilised to share election activities, particularly by young people. YouTube was mainly used for monitoring news, especially during elections. Major digital platforms include Notícias, O País, Carta de Moçambique and Club of Mozambique.

The Constitution of Mozambique guarantees the protection of private life and the right to honour, good name, reputation and privacy for all citizens. Article 71 also mandates legislation on access to, protection and use of computerised personal data. However, this legislation has yet to be implemented.

The country currently needs more specific data protection or privacy legislation. Nevertheless, other legal sources impose some privacy obligations, including the following.

- The Civil Code (Decree-Law No. 47344, from 25 November 1966, applicable in Mozambique through Edict No. 22869, dated 4 September 1967).
- The Penal Code (Law No. 24/2019, from 24 December, as amended by Law No. 17/2020 of 23 December).

- The Labour Law (Law No. 23/2007, from 1 August); and the new Labour Law (Law No. 13/2023, from 25 August, effective from 22 February 2023).
- The Electronic Transactions Law (Law No. 3/2017, from 9 January).
- Regulations for the Registration and Licensing of Intermediary Electronic Service Providers and Digital Platform Operators (Decree No. 59/2023, 27 from October).
- Resolution No. 5/2019, from 20 June, which ratifies the African Union Convention on Cybersecurity and Personal Data Protection.

Misinformation and disinformation

Despite the low internet penetration rate of 23 per cent, which is concentrated mainly in urban areas, concerns have arisen regarding misinformation and disinformation, especially around online harassment, hate speech and cyberbullying targeting female journalists and female political opponents. For instance, a female political candidate was harassed on Facebook and subsequently took the case to court.

There has been a new trend for hate speech in Mozambique, according to the UNDP's eMonitor+ platform, which targets online criticism. The trend has expanded beyond targeting the electoral management bodies (STAE and CNE) to include the Constitutional Council, the police, the Attorney General Office, and international entities (the European Union, the Rwandan forces stationed in Mozambique, etc).

Narratives often paint these entities as contributing to or exacerbating Mozambique's challenges, inciting scepticism and hostility toward their roles. Posts targeting specific individuals, such as CNE/STAE staff and political party members, have gone viral. These posts reveal personal photos, question their locations, and contain threats of revenge or even death.

Online public debate in Mozambique has also recently become highly polarised, with frequent calls for participation in violent protests, a rise in misinformation and an expanding range of targeted groups, including international entities.

The tone of debate has also changed, shifting from peaceful expressions of dissent to increasingly aggressive, and at times, overtly violent calls to action. There has been a surge in calls to join large-scale violent protests, frequently presented as acts of resistance. Some political pages and influencers are actively mobilising their followers online, employing emotive language that appeals to frustration and a sense of urgency.

An instance of disinformation involved false information circulating about the Mozambique elections. Supporters of the main opposition party, RENAMO, were urged to vote on 10 October, although the actual election day was 9 October.

Another example included false claims on social media that Joaquim Chissano had criticised Mondlane, stating he was 'the first Mozambican to give FRELIMO a headache'. These fabricated statements circulated widely on platforms like Facebook and WhatsApp, causing concerns among FRELIMO as they misrepresented Mondlane's influence.

Following protests during the 2023 municipal elections, young leaders, supported by the UNDP and the National Democratic Institute, have collaborated to promote peaceful and inclusive elections.

In August 2024, 130 young leaders from the three main political parties – FRELIMO, RENAMO and MDM – participated in sessions focusing on strategies to counter disinformation and hate speech.

In partnership with United Nations Volunteers (UNV), UNDP Mozambique trained young volunteers on the eMonitor+ digital platform, which uses artificial intelligence to detect disinformation and election-related hate speech. The platform, first used during the 2023 local elections, revealed a significant increase in hate speech as the elections approached. National campaigns encouraged the public to verify sources of information.

The UNDP's #VerifyBeforeYouShare campaign, conducted with MISA Mozambique, was instrumental in educating the public about the risks of spreading false information and promoting responsible digital practices, particularly among young voters. However, with internet access concentrated in urban areas, stakeholders still need to be more concerned about the rising impact of misinformation and disinformation.

Recommendation

- The government should partner with stakeholders to address misinformation and online harassment in Mozambique. A strategy could combine expanded digital literacy programmes, strengthened regulatory frameworks, enhanced community monitoring platforms, political party engagement and amplified public awareness campaigns.

Figure 5.8 Media stakeholder.



Internet disruption

In the digital age, the internet is critical in shaping public discourse, political engagement and democracy during elections. In Mozambique's 2023 municipal elections, the importance of the digital landscape and its challenges became even more evident.

During Mozambique's recent elections, there were internet disruptions (formally known as 'general removal of transit'), mainly as voting ended. On 11 October, as polls closed at 6:00pm, Movitel – the leading internet provider in rural and northern areas – experienced an outage until 9:00pm. This disruption hindered access to social media and information sharing about vote totals. Reports of internet cuts and strategies to bypass restrictions emerged on social media.

Human Rights Watch reported observing police shooting into the air and using tear gas to disperse protesters in Maputo via live social media feeds. Groups of young men were later seen setting tyres on fire, blocking traffic and throwing stones at police stations.

Despite these incidents, the Mozambican authorities have not responded to reports of what transpired on the night of 11 October, potentially indicating a violation of the right to information.

The Government of Mozambique imposed its second internet shutdown amid election result protests. The government restricted internet access – affecting Facebook, Instagram and WhatsApp. This latest blackout involved a similar disruption after the country's national election results awarded the FRELIMO party's presidential candidate Daniel Chapo a 70.7 per cent election win.

The opposition party alleged electoral fraud, prompting protests and clashes with police in the country's capital, Maputo. Digital rights groups like Access Now have condemned both shutdowns as violations of human rights.

Recommendations

- The CNE/STAE should collaborate with stakeholders to launch initiatives like #VerifybeforeYouShare to educate young voters.
- Parliament should pass a Cybersecurity Bill to protect citizens and institutions in the digital age. This will help mitigate risks as internet usage becomes more widespread. Additionally, efforts should be made to raise awareness about cybersecurity and safety.
- Parliament should amend media laws to enable digital media to be used as a campaign tool, expanding reach to a broader audience. This should also involve collaboration with social media companies.
- The government should increase its commitment to building capacity and providing resources for fact-checking initiatives.
- The Parliament should enact a comprehensive data protection law aligned with international standards, to oversee data protection compliance, investigate breaches and provide guidance to media organisations.

6. Voting, Counting and Results Management

The 2024 Presidential, National and Provincial Assembly Elections were set for 9 October 2024 through Presidential Decree No. 8 of 7 August 2023. For the conduct of elections, the National Election Commission (CNE) issued a *Manual for Members of the Voting Assembly* (MMV), in accordance with its Resolution No. 59 of 7 August 2024, which laid out procedures for voting.

During the voter registration period, a total of 17,169,239 voters were registered. As in previous elections, voters were required to vote at the place where they had registered. Several polling stations were established, within which no more than 800 registered voters were allocated to each polling table. Upon registration, each voter received a voter registration card, which had a serial number used to determine the polling station to which the voter was allocated. Each polling station had a segment of the voter register. A total of 8,737 polling stations and 25,725 polling tables were established nationwide, in addition to 344 polling stations and 602 polling tables in the diaspora. Voting facilities were provided at Mozambican diplomatic missions in seven African countries, as well as in Germany and Portugal.

In accordance with the law, each polling station was staffed by a team of seven, including:

- a president (*president* or presiding officer);
- 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 agents, national and international observers, and accredited media was also permitted. Voting was to take place from 0700 to 1800 (7:00am to 6:00pm).

Assessment of pre-poll arrangements

In accordance with the *Manual for Members of the Voting Assembly*, the pre-poll process was to begin with the reception and checking of all ballot materials provided by the district or city STAE, the checking of the credentials of the delegates, observers and journalists present to ensure that they were authorised by CNE, CPE or District/ City Election Commissions (CDE/CEC) to carry out their work, and the showing of empty ballot boxes to party agents and observers prior to the opening of the polls. The presiding officer would then seal the ballots boxes and then declare the polling table open. Polling staff largely adhered to the stipulated pre-poll procedures.

Opening and conduct of the poll

Polling stations opened at 0700. 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 were to be positioned to ensure that they protected the secrecy of the vote. The prescribed time for the close of the polling was 1800, but any voter at the polling station at that time who had queued up to vote was entitled to do so.

Figure 6.1 Voting in action.



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.

Figure 6.2 Inked finger marks ballot cast.



The general environment of the election day was peaceful, with polling opening on time in many polling stations observed. There were some reported instances of delays, but these were largely administrative in nature, including the late arrival of polling materials and staff. In some municipalities, as well as in the diaspora, voting was not completed due to the late availability of materials. Though polling procedures were largely respected, in some cases there were inconsistencies in their application by polling staff.

Figure 6.3 COG chairperson observes voting procedure at a Maputo polling station.



There were a few reported instances of skirmishes and protests by voters, which was attributed to the slow voting process. This was due to the length of time it took polling staff to conduct voter education for each voter, as the Provincial Assembly ballot papers were printed on both sides for the first time and thus had to be folded in a different manner to protect the secrecy of the ballot. This significantly contributed to delays in the voting process. It was also noted that the task of folding ballot papers and issuing instructions was usually undertaken by the presiding officer and the deputy presiding officer, which meant that presiding officers were less free to deal with other matters as they arose.

Additionally, voters were being issued their ballot and were receiving instructions on how to vote while they were standing directly in front of the ballot boxes. This obstructed other voters who were seeking to place their marked ballots in the ballot boxes, and at times led to confusion.

It was commendable that STAE provided for adjustable polling booths to allow voters of a shorter stature, as well as persons with disabilities in wheelchairs, to cast their ballot. This adjustment was demonstrated to some members of the Group by polling staff. We were also able to witness a number of voters making use of this facility.

In some cases, temporary structures including tents were used as polling tables. The Group noted that these tended to be overcrowded and also uncomfortable for polling staff, party agents and voters in areas that were experiencing hot weather.

Recommendations

- A more efficient method should be utilised to educate voters on proper voting practice.
- A minor revision in the layout of the polling table should be considered, to prevent obstruction of the ballot boxes during voting, and thus smooth the process further.
- Larger temporary structures for the conduct of voting, with appropriate ventilation, should be considered for future elections.

Figure 6.4 A voter casts ballot in Maputo.



Queue management and priority voting

There were varying lengths of queues at polling stations, but the vast majority of voters were patient and largely tolerant of the time it took to process them. Those citizens working on election day as police or polling staff were accorded special voting, including the Group's drivers, interpreters and security. Notwithstanding issues with queue management, it was heartening to see that many voters were determined to cast their ballot, even marking their places in queues using a variety of methods, such as shoes, bottles and face masks. However, there were other instances where places were marked, but electors failed to show up.

According to the *Manual for Members of the Voting Assembly*, blind voters, those who were ill or who had a justifiable physical impairment, could vote accompanied by another voter they trusted, who must guarantee the fidelity of the vote of the voter they were accompanying.

While priority voting was accorded to persons with disabilities, older persons, pregnant women and women carrying infants, generally, in some cases these categories of voters faced increased safety risks in crowded, tense or slow-moving queues. The conditions in these environments posed challenges for these vulnerable voters, particularly persons with albinism. Better queue management in some cases could also have enabled a smoother process. For example, the official tasked with undertaking queue management could also issue instructions to voters on how to cast their ballot, so as to speed up the process once voters entered the polling room.

Recommendation

- Implementing revised queue management procedures may be considered, to enable a smoother process.

Electoral malpractices

Several allegations of electoral malpractices were conveyed to the Group by various stakeholders, many of which were also circulating in the public domain. A number of these alleged malpractices were similar to those identified by Commonwealth observers in 2019. These included incidents of ballot stuffing, spoiling of ballots, citizens found with unmarked and pre-marked ballot papers, registered voters with their names already struck off the register, unregistered voters attempting to vote or fraudulently registered voters,¹⁰⁴

¹⁰⁴ The Continent (2025), 'Exclusive: Zimbabwe's ruling party recruited people to vote – in Mozambique's election', *The Continent*, 24 May, Issue 200, 7–11.

partisan national civil society observers, and fraudulent alteration of polling results in favour of the governing party. Members of the Group witnessed some of the above irregularities and reiterated the importance of these matters being brought to the attention of the appropriate institutions provided by law. Some allegations of intimidation of voters and serious irregularities, largely by the governing party, and in some cases opposition parties, were brought to the attention of the Group in Zambézia and Nampula provinces.

The Group observed that the counting phase lacked transparency and safeguards. The tally process was cumbersome in those cases observed, with a lack of transparency and inconsistency in implementation procedures – often conducted under suboptimal conditions. There were reports of significant discrepancies in several instances, such as the number of votes cast for the legislative elections exceeding those cast for the presidential election significantly.

Participation and inclusion on election day

While the Group noted that women and youth were well-represented among both polling staff and voters, we observed the absence of persons with disabilities among polling staff. Generally, we observed that pregnant women, older persons and persons with disabilities were accorded priority. There were some exceptions, where the observers noted that persons with disabilities were not allowed to skip the long queues, nor were they accorded the required support, such as help to climb steps to access the polling table. Based on discussions with voters, internally displaced persons were able to vote safely, without fear of discrimination. We noted, and commend, the facility granting voters who were unable to read or write the ability to cast their ballot using a fingerprint.

While blind voters and those with physical impairments may be accompanied by another voter to support them in casting their ballot, voters with other impairments are not entitled to such support under electoral legislation. We encourage exploration of appropriate alternative methods of voting to enfranchise persons with disabilities. These could include postal voting, allowing persons with disabilities to vote from their places of residence, expanded support made available at polling stations to all PWDs, proxy voting, and use of braille ballots.

We also noted that there was an absence of voter information and voting materials in alternative formats (for example, braille, large font, easy to read and understand forms). In addition, we noted that Article 79 of Law No. 8 of 2013 lacks clarity on the ability of polling staff to assist voters.

We encourage adherence to international good practices aligned with the Convention on the Rights of Persons with Disabilities that emphasises inclusive, accessible and non-discriminatory electoral processes to uphold the rights of persons with disabilities to vote. Election staff should be trained to support persons with disabilities, ensuring confidentiality and assistance without undue influence. These measures would collectively help secure their equal participation in elections, reflecting Mozambique's commitment to the Convention on the Rights of Persons with Disabilities ensuring their dignity, independence and inclusion.

Recommendations

- There should be exploration of appropriate alternative methods of voting to enfranchise persons with disabilities.
- Enhanced training of polling staff should take place, to support PWDs.

Special and diaspora voting

The Group noted that arrangements were made for essential workers deployed on election day, including polling staff and police personnel, to cast their ballots in special voting away from the locations where they are required to vote. It was noted also that arrangements were made for diaspora voting for Mozambican citizens located in seven African and two European countries. While the Group noted reports of significant delays in diaspora voting, the CNE is nonetheless commended for these provisions, towards ensuring that no Mozambican citizens are unintentionally disenfranchised.

Role of party agents

While the party agents of the governing party were present in nearly all polling stations we visited, we noted a number of reports from our Group and other observers that not all other major parties were represented in many polling stations visited. Occasionally an agent represented several opposition parties. We also received reports that party agents of some parties had been informed they would not be paid. We noted that while agents for the governing party almost always had printed copies of the voter register, those of other parties often did not. We were informed this was attributable to these parties' failure to use party funds for the printing and distribution of the voter registers. All parties should make greater efforts to ensure the provision of paper copies of the register to agents in future elections. In some polling stations, we noted that some party agents appeared hesitant – even reluctant – to speak with our observers. Some were unwilling to disclose the party they were working for, while others denied that they were agents, despite wearing accreditation.

Recommendations

- Greater efforts should be made by political parties to ensure the provision of paper copies of the voter register to agents in future elections.
- Political parties should advise their agents that the presence of election observers is vital to protecting the integrity of elections and it is unhelpful to view them with suspicion and distrust.

Role of police on election day

The police were present at most polling stations visited, though in some instances they were not within the legally required 300 metres distance from the polling table. The layout of the polling stations meant that maintaining such a distance was challenging. Hence, in many polling locations, police were closer to polling stations than this distance. However, their presence was neither intimidatory nor intrusive.

Recommendation

- The law outlining the distance which police are required to remain from polling stations should be revisited to reflect the reality of polling station layouts.

Election day communications strategy of CNE/STAE

The Group noted that there was a considerable degree of inconsistency in the way polling staff interpreted and communicated rules and regulations for the conduct of polling on election day, especially to party agents and observers.

Recommendation

- The Group recommends that further training to enhance the confidence of polling staff in communicating rules and regulations to all key stakeholders on election day should be considered.

Secrecy of the ballot

The layout of polling tables generally guaranteed the secrecy of the ballot, except in instances where the open side of the booths was directly facing windows or open spaces. In such circumstances, the secrecy of the ballot could have been compromised. There were also instances where the position of booths was close to the desks at which agents sat, thus potentially compromising the secrecy of the ballot.

Civil society situation rooms and observers

Both citizen and international observers were present at polling stations, including several women and church groups conducting citizen observation. Their inclusion as citizen observers is to be commended and welcomed. We note, however, reports received from a citizen observer group that some cases of obstruction occurred in many polling stations, mainly in Niassa, Zambézia and Sofala provinces. The reports suggest these observers were denied the opportunity to observe the voting process.

Figure 6.5 Voter drops ballot in box.



Assessment of the close and count

At the end of the voting, the president of the polling station closes the voter 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 voter 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 Presidential ballot box, 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.

Polling tables closed on time in most cases, except where voters were still in the queue at 1800 (6:00pm), who were then allowed to cast their ballot. The polling staff allocated numbers to those already in the line at 1800 (6:00pm) to enable them to cast their ballot. It was observed that in some instances, voters came quite late to vote. They were not allowed to do so, in line with the regulations, yet this caused some tension in some places.

We also observed counting of the ballot papers in some polling locations. While polling staff and agents worked with professionalism, diligence and collegiality, we noted challenges with ballot reconciliation in some cases. These challenges appeared to be largely due to administrative shortcomings. In the polling tables we observed, the procedures for conducting the count ensured trust in the process. However, the complexity of the procedures, coupled with the need to count ballots for multiple elections, led to fatigue and, subsequently, errors that further prolonged the process.

We reiterate recommendations made in previous reports that CNE/STAE should seek to streamline and simplify certain elements of the counting procedure. Given the extremely long hours worked by polling staff, there may also be a need to consider rotating polling staff between the close of polls and the commencement of the count.

Recommendations:

- There should be enhanced voter education to foster greater understanding among voters on their rights and the provisions for voting when the polls close.
- CNE/STAE should seek to streamline and simplify certain elements of the counting procedure.

Assessment of 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.

The National Counting Assembly is made up of the plenary of the CNE (Article 149, paragraph 1, of Law No. 15/2024), and representatives may attend the proceedings and, during the counting operations, may submit complaints, protests or counter-protests, on which the assembly deliberates. The decision on the complaint may be appealed to the Constitutional Council, as the last instance in matters of electoral appeals.

Copies of the minutes and notice are given to candidates and their representatives. The results of the national counting are validated and proclaimed by the President of the Constitutional Council, in accordance with Article 154 of Law No. 15/2024 and, within two days of said validation, the President of the Constitutional Council orders them to be published in the Official Gazette, sending one copy to the CNE and another delivered to the President of the Republic (Article 155 of the same law).

We observed that the results tabulation and verification at polling tables was conducted with transparency and professionalism, and party agents were given copies of results forms. The Group observed that original results sheets, showing the number of votes received by each candidate and invalid votes, duly signed and stamped, were displayed at polling stations – in some cases where Group members were deployed.

We were, however, deeply concerned about the lighting conditions in many polling tables, and the frequent power outages. Consideration needs to be given to providing additional lighting for each polling table.

There were also concerns regarding the transmission of results from polling stations to the district level and beyond, including uncertainty regarding the location of the national tallying centre. The Group recognises that results tabulation, transmission and the announcement of results are critical stages in the electoral process.

The timeframe for the announcement of results is too long; the length of time can produce suspicion regarding the process. We urge that consideration be given to international good practice regarding results transmission. Currently, there is no publicly accessible online platform for voters to access nationwide election results, which fosters a perceived lack of transparency. This should be addressed for future elections.

Recommendations

- Additional lighting for each polling table should be provided.
- The timeframe for results transmission and finalisation should be reduced, in accordance with international good practice.
- A publicly accessible online platform for voters to access nationwide election results should be implemented, to enhance transparency.

Assessment of post-election environment and announcement of results

The law provides that, for the presidential election, the candidate who obtains more than half of the valid votes cast shall be elected President of the Republic, with blank or invalid votes not being considered as such. If none of the candidates obtains this majority of votes, a second round of voting shall be held, in which only the two candidates who received the most votes and who have not withdrawn their candidacy shall be considered for election. The candidate who obtains the highest number of valid votes cast shall be considered elected (Article 133 of Law No. 15/2024).

For the National and Provincial Assembly results, the conversion of votes into mandates is done according to the *d'Hondt*¹⁰⁵ variant of the proportional representation method.

The head of the list of the political party, coalition of political parties or group of eligible citizens who obtains the majority of votes validly cast in the Provincial Assembly elections is elected Provincial Governor, regardless of a tie in the number of seats on the lists competing for the Provincial Assembly.¹⁰⁶

The Group noted that, in the weeks following election day, and prior to the validation of results by the Constitutional Council, the political environment was marked by a high level of uncertainty and increased tensions. It was noted that one of the presidential candidates, Venâncio Mondlane, had called for protests, but had requested supporters to maintain peace and respect for law and order while participating in these demonstrations.

However, we noted that there were nevertheless loss of lives and outbreaks of violence, including the killing of Mr Mondlane's lawyer and an adviser to the leadership of the PODEMOS party. Many allegations were also made against the police for an overzealous and heavy-handed responses, often using live ammunition at these demonstrations, with 300 killed and over 700 injured, according to Amnesty International.

The issuance of arrest warrants against presidential candidate Mondlane on multiple charges, including incitement to violence and conspiracy to commit crimes against state security, were seen to further fuel tensions. The international community, including the Commonwealth Observer Group, issued statements condemning the violence, while reinforcing adherence to the rule of law.¹⁰⁷

¹⁰⁵ The *d'Hondt* method is as follows:

a) The number of votes received by each list in the respective constituency is counted separately;
 b) the number of votes counted for each list is divided successively by 1, 2, 3, 4, 5, 6, 7, 8, etc., the quotients being aligned in descending order of magnitude in a series of as many terms as there are seats allocated to the respective constituency;
 c) the mandates belong to the lists to which the terms of the series established by the previous rule correspond, with each list receiving as many mandates as its terms in the series;
 d) in the event that there is only one mandate left to distribute and the next terms in the series are the same for different lists, the mandate goes to the list that received the lowest number of votes.

¹⁰⁶ Article 156, Provincial Assembly and Governor Law No. 3 of 2019.

¹⁰⁷ See: <https://thecommonwealth.org/news/commonwealth-observer-group-condemns-killings-mozambique>

In the same vein, the Group called on all stakeholders to respect the electoral process and to refrain from unilateral declaration of results. We noted that the outgoing President of Mozambique had also publicly called for peace and calm, while the results process continued to unfold. The Group took note of the steps taken by the outgoing President in fostering an environment of dialogue. In this regard, the November 2024 political dialogue with presidential candidates and the ongoing dialogue since January 2025 with political parties with parliamentary representation, and subsequently with Venâncio Mondlane, is seen to be crucial steps in de-escalating the post-election tensions. Further analysis on the political post-election environment is detailed in Chapter 2.

Validation of election results

The Constitutional Council is the sovereign body responsible for administering justice in legal and constitutional matters and is tasked with assessing and declaring the unconstitutionality of laws, the illegality of normative acts issued by state bodies, and overseeing electoral disputes. As the highest court in the country, it plays a vital role in consolidating the democratic rule of law in Mozambique.

The CNE took 15 days to announce the results of the national elections, while the Constitutional Council took 75 days after election day to validate the results by 23 December 2024.

Voter turnout

According to the results announced by the National Election Commission of Mozambique (CNE), the overall voter turnout in the 2024 presidential election stood at 43.5 per cent of registered voters cast, while 43.9 per cent of the registered voters in the same election cast their ballot for the parliamentary poll. The reported figures indicate a decline from the 2019 elections, where the presidential turn out stood at 51.8 per cent and the parliamentary poll stood at 51.4 per cent.

Annex I. Composition and Biographies of the Group

Chairperson of the Commonwealth Observer Group

The Hon. Dr Kenny D Anthony

The Honourable Dr Kenny D Anthony is a former Prime Minister of Saint Lucia and Minister for Finance, Economic Affairs, Planning and Social Security. He served as Prime Minister of Saint Lucia on three occasions: from 1997 to 2001; from 2001 to 2006; and from 2011 to 2016. Prior to becoming Prime Minister for a third term in 2011, he served as Leader of the Opposition from 2006 to 2011.

Dr Anthony is still engaged in active political life as he continues to serve as the Parliamentary Representative for Vieux Fort South in Saint Lucia's House of Assembly.

Dr Anthony's tenures as Prime Minister were marked by a commitment to regionalism; as Lead Prime Minister for Justice and Governance in the Caribbean Community (CARICOM), he spearheaded the move towards the establishment of the Caribbean Court of Justice (CCJ) in 2005.

Although Dr Anthony's political career began in his twenties – he was senator and Minister of Education in 1980 – it was punctuated by more than a decade in academia, in which he lectured in the Faculty of Law at the University of West Indies (UWI) Cave Hill Campus, becoming one of its longest serving Heads of Department. He was later appointed Director of the Caribbean Justice Improvement Project to continue reforms in the Justice Sector of the Caribbean Community. In 1995, he was seconded to CARICOM, taking up the post of the Secretariat's General Counsel, in Guyana. He returned to politics in 1996, becoming Prime Minister for the first time the following year.

Dr Anthony has authored several articles in numerous journals, monographs and books, including on subjects such as public law, education and mixed legal systems.

Prior to his career in law and politics, Dr Anthony had stints as a high school teacher and a trade union leader.

Dr Anthony gained a BSc in government and history, and later an LLB and LLM, all from the University of West Indies. In 1988, he earned a doctorate in law from the University of Birmingham. In that same year, he passed the Bar exam and was called to the Bar at the Middle Temple, England. Dr Anthony has been called to the Bars of several regional jurisdictions, including Barbados, The Bahamas, St Kitts and Nevis, and St Vincent and the Grenadines.

Currently, together with two other former Commonwealth Caribbean Prime Ministers, Dr Anthony serves as a member of the Eminent Persons Group (the EPG). This grouping of former CARICOM Prime Ministers was appointed by the Heads of Government to assist in mediating political issues in the CARICOM sister state of Haiti to restore that country to a path of free and fair elections, justice, peace, and stability. Dr Anthony is the co-ordinator of the grouping.

Observers

Ambassador Francine Baron (Dominica)

Ambassador Francine Baron, born in the Commonwealth of Dominica, is a lawyer by profession and has had extensive experience in private practice and in the diplomatic and political arenas. She served as the Attorney General of Dominica from 2007 to 2010. Ms Baron also served in the diplomatic service as High

Commissioner of Dominica to the Court of St James in London and as Permanent Representative and Ambassador of Dominica to the World Trade Organization and to the UN Office in Geneva. From 2014 to 2019, she served as the Minister of Foreign and CARICOM Affairs and as a Senator in the House of Assembly.

In 2020, Ambassador Baron led a CARICOM high-level team to Guyana to supervise the recount of the country's general election. From 2020 to 2023, Ambassador Baron was the Chief Executive Officer of the Climate Resilience Execution Agency of Dominica, a government statutory agency supporting the transition of Dominica to a climate resilient country.

Ambassador Baron is currently engaged in private practice and serves as Ambassador-at-Large for Dominica.

Pauline Welsh (Jamaica)

Pauline Welsh has more than 20 years' experience in election management and administration, having worked at the Electoral Office of Jamaica from February 1994 until her recent retirement. Having served at the senior management level in various capacities, including Assistant Director of Elections (Acting) and Head of Department Training and Research, she has garnered extensive knowledge and experience in all aspects of election management. This includes, but is not limited to, conducting legal research and drafting policy papers; interpreting electoral legislation; developing and advising on electoral procedures and best practices; developing instruction material/training manuals for returning officers, registration personnel and poll workers; and conducting training interventions at various levels for electoral workers, including poll workers.

Miss Welsh has advised on and participated in electoral reform initiatives at the regional level. She has also managed and conducted elections for internal government agencies and trade union/association bodies, including the Jamaica Civil Service Association.

At the regional and international levels, Miss Welsh has observed elections in several countries and has provided leadership to electoral observation mission at the regional level, including Chief of Mission to Grenada parliamentary elections in March 2018, among others.

She holds a master's degree in international law from Kiev National Taras Shevchenko University. Currently, Miss Welsh is a Principal and Consultant at Elections Management and Training. She speaks fluent Russian.

Hon. Charles Keter (Kenya)

Hon. Charles Keter, Elder of the Order of the Golden Heart of Kenya (EGH), is currently the Presidential Advisor and Special Envoy, Great Lakes Region Affairs, focusing on peace, security and development matters. Preceding this appointment, Hon. Keter served as a Cabinet Secretary for Energy and Petroleum (2015 to 2021) and subsequently for the Ministry of Devolution (2021 to 2022) in Kenya. Hon. Keter was formerly the Senator for Kericho County and Deputy Leader of the Majority in the Senate from 2013 until 2015. He was also the Assistant Minister for Energy and Petroleum between 2008 and 2012 and a Member of Parliament for Belgut Constituency.

Prior to his political career, Hon. Keter spent nine years in the telecommunications sector, with expertise in information technology, systems analysis and anti-fraud. Hon. Keter holds a Global Executive MBA from the United States International University (USIU), Africa, and a bachelor's degree in double maths from Kenyatta University.

Dr Karabo Mokobocho-Mohlakoana (Lesotho)

Dr Mokobocho-Mohlakoana has been a Commissioner in the Independent Electoral Commission in Lesotho (IEC) since December 2020. Currently, she oversees human resources, logistics, procurement, administration and electoral operations. Her expertise includes corporate governance, gender mainstreaming, gender research, project planning and resource allocation. As IEC Commissioner, Dr Mokobocho-Mohlakoana has observed elections in Zimbabwe with the Electoral Commissions Forum (ECF)-SADC and the general election in South Africa with the SADC Electoral Observer Mission (SEOM).

Dr Mokobocho-Mohlakoana holds a PhD in education from the University of KwaZulu Natal, South Africa; a MSc in science education and development from the University of Reading, United Kingdom; an advanced diploma in education from the University of Bath, United Kingdom; and a BSc in agriculture-animal science from the University of Illinois-Urbana-Champaign (USA).

Professor Danwood Chirwa (Malawi)

Danwood Chirwa has been Dean of Law at the University of Cape Town (UCT) since January 2019. From 2009 to March 2014, he was Head of the Department of Public Law at the same university, where he remains a professor in public law. Prof. Chirwa has taught administrative law, international law, international human rights, children's rights and constitutional law and published extensively in these areas. He has also been a member of the UCT Council (2020–2024), of the South African Legal Practice Council (since November 2021), and of the Board of Trustees of the UN Trust Fund on Contemporary Forms of Slavery (2017–2022) and its Chair from 2020 to 2022.

Beverly Joeman (Malaysia)

Beverly is the Project Co-ordinator for the All-Party Parliamentary Group Malaysia on Children's Rights (APPGM-CR), advocating for child rights legislation and engaging with stakeholders to shape national policy. Beverly has more than 15 years' experience in civil society leadership and institutional reform. She previously served as Vice Chair of Bersih (Sabah) from 2018 to 2024, championing electoral reforms and democratic accountability. On 16 September 2024, Beverly was elected as the Co-Convener of Projek SAMA, an initiative to advocate for institutional reforms to democratic institutions.

Zainab Bala (Nigeria)

Zainab Bala is an acclaimed Nigerian journalist and communications strategist known for her impactful work at the BBC, with a focus on social and human rights-focused stories. As the founder of the Scoop Storytelling Initiative, she amplifies marginalised voices through her non-profit journalism platform. Her reporting earned her the 2021 International Center for Journalists Michael Elliot Award for Excellence in African Storytelling, and commendations from the Wole Soyinka Award for Investigative Journalism. Selected as a Mandela Washington Fellow by the US Department of State in 2022, Zainab also received a Documentary Film Fellowship from Storymi Academy, supported by the Embassy of France in Nigeria. She is also a beneficiary of the international women's media foundation Howard G Buffett Fund for women journalists. She currently serves as a communications consultant with the Global Strategic Communications Council in Belgium, focusing on climate and energy strategies in Nigeria.

'Ofa Guttenbeil-Likiliki (Tonga)

'Ofakilevuka ('Ofa) Guttenbeil-Likiliki is Adaptive Strategic Lead and Adviser at *Fefine To'a* ('Courageous Woman') in Tonga, formerly known as the Women and Children Crisis Centre (WCCC). *Fefine To'a* focuses on gender-based violence (GBV) crisis response, women's movement building, leadership and rights, as well as amplifying children's voices, participation and safety. *Fefine To'a* also advocates for Temporary Special Measures in Tonga to increase women's representation in Parliament, and 'Ofa has contributed significantly to research on increasing women's political participation.

'Ofa is also a facilitator and trainer, known for her expertise in human rights, gender equality and women's leadership across the Pacific, and serves as an adviser to the International Women's Development Agency. She has been a Commonwealth Election Observer as a gender expert in Solomon Islands and Papua New Guinea.

Beyond advocacy, 'Ofa is also a talented filmmaker, writing and directing films that address child sexual abuse and women's empowerment. Her works have been featured in international film festivals. In addition to her professional achievements, 'Ofa is actively involved in regional and international boards and advisory groups, championing gender and human rights initiatives across the Asia-Pacific region. She holds advanced degrees in media, film and television, and law.

Alan Kasujja (Uganda)

Alan Kasujja joined the BBC in 2012 as a Lead Presenter of Newsday on the BBC World Service. In 2020 – at the height of the COVID-19 pandemic– Alan launched Africa Daily, a highly regarded podcast that focuses on issues affecting the continent. He has reported from many African countries, including Mozambique. In 2023, he was named on a list of 100 most influential Africans by *The New African Magazine*.

Dr Alex Vines, OBE (United Kingdom)

Alex Vines is Director of the Africa Programme at Chatham House, and Research Director for Regions at the institute. He is also an Assistant Professor at Coventry University, has chaired the UN Group of Experts on Cote d'Ivoire and has been a member of the UN Panel of Experts on Côte d'Ivoire and on Liberia. He has researched and published extensively on Mozambique, also serving as an election observer for the UN Operation in Mozambique (UNOMOZ) in 1994 and for the Commonwealth Observer Group to Mozambique in 2019.

Dr Vines 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 several editorial boards, including the *South African Journal of International Affairs*, the *Journal of Southern African Studies*, and *Africa Review* (African Studies Association of India). He is also an Honorary Fellow of the Nigerian Institute of International Affairs, Lagos, and a senior associate fellow of the Italian Institute for International Political Studies, Milan.

Muleta Kapatiso (Zambia)

Muleta Kapatiso is a lawyer, activist and development practitioner. He is an experienced professional in offering human rights programming services, constitutional and administrative law, civil and criminal dispute resolution, legislative and policy reform, strategic partnerships and advocacy, artistic freedoms, elections and democracy, activist legal support, and social movement building. Muleta has over 12 years' experience working on various cross-cutting development, governance, law and policy issues. He is currently serving as the Policy and Government Engagement Manager at Healthy Learners, providing technical support to the Government of Zambia. Muleta volunteers in various professional capacities to contribute a little towards shared local and global aspirations. Muleta specialises in constitutional and administrative law.

Commonwealth Secretariat Support Staff**Linford Andrews**

Adviser and Head, Electoral Support Section (Staff Team Leader)

Justin Pettit

Adviser, Human Rights Section

Chilenye Nwapi

Legal Adviser

Hafsa Maalim

Political Officer (Africa)

Temi Kalejaiye

Public Relations and Engagement Officer

Andy Baines

Programme Officer, Electoral Support Section

Felix Chukwueke

ICT Systems Specialist, ICT Section

Madonna Lynch

Executive Officer, Electoral Support Section

Annex II. Arrival Statement



The Commonwealth

Whatever the eventual results, the 2024 presidential election in Mozambique will usher in a period of transition, with the current president standing aside following the constitutional limit of two terms. The resulting period of change will have a significant bearing on the lives of Mozambique's citizens for years to come. The impact of this election for Mozambique, and the wider region, is keenly appreciated.

It is therefore my honour and privilege to have been asked by the Commonwealth Secretary-General, The Rt Honourable Patricia Scotland KC, to lead the Commonwealth Observer Group to Mozambique's 2024 Presidential, National and Provincial Assembly Elections, and to be here in the country for this election.

I am grateful to be joined by eleven (11) experts selected from across the Commonwealth. They bring together a diversity of experience, in the fields of elections, law, civil society, politics, human rights and the media, among others.

This eminent Group was deployed by the Secretary-General, following an invitation from the Ministry of Foreign Affairs and Cooperation of Mozambique. The Group's presence reaffirms the Commonwealth's solidarity with Mozambique and its democratic processes. The Group is now assembled in Maputo and will soon commence their stakeholder briefings.

Our mandate, as set out in the Commonwealth's 'Revised Guidelines' for election observation, is to observe and evaluate the pre-election environment, polling day activities and the post-election period. We will consider whether conditions exist for a credible, transparent and inclusive election, including whether there is a level playing field for candidates; whether public media has been impartial; whether the administration of the electoral process has been transparent; and whether the rule of law has been adhered to.

Following the election, our Group will issue a report. The report will assess whether the election was conducted in accordance with the standards to which Mozambique has committed itself, including whether the election was conducted in accordance with its own laws and regulations, and the degree to which this legal framework aligns with the country's regional and international commitments. It will also consider whether the administration of the election is in keeping with international good practice.

The report will make a number of recommendations on various aspects of the electoral process. Importantly, in the post-election period, the Commonwealth Secretariat will, upon receiving formal requests from national stakeholders, seek to provide assistance on the implementation of some of these recommendations.

In accordance with the provisions of the Declaration of Principles for International Election Observation, to which the Commonwealth Secretariat is a signatory organisation, the Group has no executive role; its function is not to supervise but to observe the process as a whole and to give recommendations accordingly. In conducting our duties and undertaking our assessment, we will be neutral, impartial, objective and independent.

Over the coming days we will be meeting numerous stakeholders, including the National Election Commission (CNE) and the Technical Secretariat for Election Administration (STAE), political parties, the police, civil society groups, citizen observer groups, the media, other international observers and the diplomatic corps.

From 7 October, we will deploy our observers in small teams to each of the provinces to observe electoral preparations and meet with local stakeholders in their respective locations.

On election day, our Group will observe the opening, voting, closing, counting and the results management processes; we will then issue an interim statement on our preliminary findings on 11 October 2024.

The first draft of our report will be prepared in-country, with the Final Report submitted to the Commonwealth Secretary-General shortly thereafter. It will then be shared with relevant stakeholders and the public.

On behalf of the Commonwealth Observer Group, I urge all stakeholders to ensure the election is held in a peaceful manner, and I thank you for allowing us to be a part of this process, as voters cast their ballots on Wednesday.

Annex III. Deployment Plan

No.	Province / City	Teams
1	Maputo City/Maputo province	1. Dr Kenny D Anthony, former Prime Minister of Saint Lucia (Chair) 2. Linford Andrews (Staff Team Leader) 3. Temi Kalejaiye (staff)
2	Maputo City	1. Hon. Charles Keter 2. Hafsa Maalim (Staff)
3	Manhica, Marracuene, Matola, Maputo province	1. Andy Baines (Staff) 2. Madonna Lynch (Staff)
4	Xai Xai, Gaza	1. Dr Mokobocho-Mohlakoana 2. Felix Chukwueke (Staff)
5	Inhambane, Inhambane	1. Pauline Welsh 2. Prof. Danwood Chirwa
6	Beira, Sofala	1. Amb Francine Baron 2. Alan Kasujja 3. Chilenye Nwapi (Staff)
7	Nampula City, Nampula	1. Beverly Joeman 2. Alex Vines
8	Quilemane, Zambezia	1. 'Ofa-Ki-Levuka Guttenbeil-Likiliki 2. Muleta Kapatiso
9	Tete, Tete	1. Zainab Bala 2. Justin Pettit (Staff)

Annex IV. Interim Statement



The Commonwealth

Interim Statement on the Mozambique Presidential, Parliamentary and Provincial Assembly Elections - 15 October 2014

The Commonwealth Observer Group has been present in Mozambique since 9 October 2014. During this period, we have met with the Mozambique National Electoral Commission (CNE), representatives of the main political parties, civil society organisations, the media, the police, as well as other international and national observers.

Commonwealth observers were deployed to seven provinces in addition to Maputo City. These include: Cabo Delgado, Gaza, Maputo Province, Nampula, Sofala, Tete and Zambezia. We observed the voting, counting and results aggregation process on Election Day.

This is the Interim Statement of the Group, as it is issued with the process yet to be completed. The critical vote tabulation and results processes are still ongoing. We will issue a final report containing our conclusions on the entire process at a later stage.

Our mandate is to observe the organisation and conduct of the Presidential, Parliamentary and Provincial Assembly Elections, in accordance with relevant Mozambique electoral laws, and to consider the various factors impinging upon the credibility of the electoral process as a whole.

Key Findings

The campaign period was relatively calm and peaceful overall and the fundamental rights of candidates and political parties to assemble and campaign were broadly observed. Reported incidents of violence in Gaza and Nampula provinces were of concern; however these incidents were isolated and not typical of the campaign period.

Our initial assessment of polling day is that, for the most part, voting was conducted in a peaceful manner; and our observers reported positively on the relative transparency of the voting and counting processes and that the polling environment was generally conducive to the free expression of will by the electorate.

The Group was impressed by the enthusiasm and determination demonstrated by the people of Mozambique to exercise their franchise.

The Commonwealth Observer Group would like to commend the staff of the CNE, Technical Secretariat for Electoral Administration (STAE) and polling officials, the police, domestic and other international observers for the dedication and commitment they displayed during these elections.

At polling stations we visited, the Group noted that National Electoral Commission staff were engaged with relevant stakeholders, and facilitated transparent interactions with voters, observers and other relevant stakeholders.

Polling day generally reflected prescribed procedures and polling stations by and large opened on time. In cases where polling stations opened late, we are informed that voting was adequately extended as required; though some observers noted that delays may have led some voters to abandon their attempts to vote.

In our observations, polling staff were, on the whole, well-trained and carried out procedures in a transparent manner. Where there was uncertainty among polling staff, we observed that they sought consensus to arrive at decisions.

Despite the disorderly nature of some queues due to, among other things, tight spaces or uneven/sloping terrain outside some polling stations, voters were generally not prevented from casting their ballots. By and large, the process was conducted in an orderly manner inside the polling stations. The slow movement of queues was generally as a result of the meticulous process in which polling staff provided voters with detailed explanations and guidance on the voting procedure.

The polling stations observed generally had adequate materials to facilitate voting and ensured that the voting environment and layout respected the secrecy of the ballot. We are aware however that there were polling stations which did not receive voting materials on time and we await further reports to assess the significance of these reported shortcomings.

We noted that political party agents were present at most polling stations although not all parties were represented. Recognising the current Mozambican political context, the Group is of the view that this helped to foster an environment of trust and transparency at polling stations.

In addition to the participation of older and disabled voters, we were encouraged by the large numbers of women and youth who participated in the electoral process, not only as voters, but also as polling staff and party agents. We however noted the lack of adequate facilities to cater for the needs of disabled and elderly voters.

At most stations observed, polls closed on or close to the prescribed time (with some notable exceptions) and the counting process commenced promptly in the polling stations we observed. The vote-counting and tabulation procedure was conducted in a fastidious and transparent manner by polling officials in the stations the Group observed. Counting was manual, generally slow and went on into the early hours of the morning due mainly to exhaustion by polling officials and cumbersome procedures intended to preserve transparency.

We urge the CNE to explore ways of making the counting process in future elections more streamlined, whilst ensuring accuracy and transparency. We will also urge the CNE to provide for adequate lighting in future processes as there were some cases where voting and counting were conducted under very poor and unstable lighting conditions. Inadequate lighting, in some places, contributed to an atmosphere of suspicion and fuelled fears of potential vote-rigging. This engendered heightened tensions in some areas.

The Group noted with concern the incident where ballot papers were reportedly stolen while being transported to their designated Province in the week preceding the elections. We were satisfied with the reassurance we received from the National Electoral Commission and the Police in relation to this incident. In this regard, the Group intends to offer recommendations on the future transportation of election-related materials in its Final Report.

We have heard some allegations of serious irregularities at some polling stations, such as the interruption of voting, lack of registration booklets, ballot boxes and ballot papers, switching locations of polling stations without warning, theft of ballot papers and ballot stuffing. We call upon those making these claims to file formal complaints as prescribed in the electoral laws, and for the relevant institutions to investigate and pronounce on these allegations.

Though the voter registration process was quite successful (89.1% of estimated population of voting age was registered), voter turn-out appeared to be much less at polling stations observed. There is a need to consider deepening civic and voter education prior to future elections. Enhanced voter education would also go a long way to reduce the need for polling officials to educate voters on Election Day, an aspect which made the process more cumbersome and rather slow.

The Group wishes to use this opportunity to further commend the efforts of civil society organisations in providing support and oversight in the pre-election, election, and immediate post-election phases. We are of the considered view that the sustained input of these civil society groups contributed positively to the conduct of the polls.

The Group was encouraged to find a vibrant media landscape with many outlets across print, television, radio and online providing extensive coverage of the elections. Public media were found to enjoy greater

influence than private and independent media. Some stakeholders expressed concern about the potential for bias or self-censorship in public media. One main complaint was that the state broadcaster devoted a disproportionate level of coverage to the incumbent ruling party. Nonetheless, journalists were generally able to operate freely throughout the pre-campaign and campaign periods.

The Group met and had discussions with the three Presidential Candidates and were assured by each of them that they would accept the results of a credible electoral process. We took these assurances as a good gesture, conveyed in good faith and as a firm demonstration of the commitment of all stakeholders to a democratic and peaceful process. This commitment had been enunciated in the laudable 5 September 2014 Peace Agreement between the Government and RENAMO. The signing of this peace agreement helped to create an atmosphere of security and peace ahead of the polls.

We believe the National Electoral Commission deserves commendation for conducting an election which demanded significant logistical efforts under very challenging circumstances. We were encouraged by the CNE's inclusive, consensus-based and pragmatic approach to addressing challenges, as well as its proactive communication with key stakeholders. This approach is certainly helpful in allaying concerns and preventing undue escalation of tensions that come with an electoral process.

We are pleased to note that measures have been taken to establish election-related conflict prevention and resolution mechanisms to assist with addressing electoral disputes.

Based on our observation and exchanges with a broad range of stakeholders since the Group's arrival, our preliminary conclusion is that the elections were generally peaceful and relatively well conducted. The incidents and shortfalls observed to date by members of the Group are not of a magnitude significant enough to put in question the credibility of the outcome.

There is certainly room for improvement and this shall be reflected in the recommendations which the Group will make in its Final Report as it re-convenes later today in Maputo for further deliberations. The Group's Report will be submitted in due course to the Secretary-General of the Commonwealth who would subsequently share it with relevant stakeholders before making it public.

Annex V. Statement by Commonwealth Observer Group, 19 October 2024



The Commonwealth

The Chair of the Commonwealth Observer Group in Mozambique, HE Dr Kenny Anthony, has on behalf of the Group, condemned the killing of Elvino Dias, the lawyer representing Mozambican politician Venâncio Mondlane and Paulo Guambe, an official from the PODEMOS party.

Our thoughts are with the families and friends of Elvino and Paulo. Dr Anthony urges the authorities to expedite their investigations to provide clarity on this tragic incident and to bring the perpetrators to justice.

Dr Anthony condemns all forms of violence and continues to call upon all political party leaders and their supporters to continue to show restraint and magnanimity, to continue to uphold principles of peace and respect the rule of law, and to prioritise national unity and stability. He further noted that the Commonwealth Observer Group's mandate is to observe and evaluate the pre-election environment, polling day activities, and the post-election period. In this context, Dr Anthony reaffirmed that the Group remains vigilant in following the ongoing situation in Mozambique, including the announcement of interim election results and the general post-election atmosphere.

He emphasised that the Commonwealth will continue to stand with the people of Mozambique throughout this process.

The Commonwealth Observer Group (COG) arrived in Maputo on 2 October and released its interim statement on 11 October.

Annex VI. Mozambique Recommendations Tracker

Mozambique Presidential, National, Provincial and Local Government Elections 2019

Status of 2019 COG Recommendations as of 6 January 2025

The 2019 Mozambique COG Report is available [here](#).

Summary:

• <u>Total Recommendations</u>	<u>23</u>
• Fully Implemented	0
• Mostly Implemented	1
• Partially Implemented	8
• Not Implemented	8
• No Data or N/A	6

No.	2019 Recommendation	Type of Recommendation	Status of Implementation	Comments
Electoral Framework & Electoral Administration				
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.	Legal/Regulatory	Not implemented	Laws have not been consolidated.
2	The National Assembly should review the law establishing CNE and STAE: there should be a single spine of authority across the CNE centralised and decentralised 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.	Legal/Regulatory Policy	No data	
3	The multi-party 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.	Legal/Regulatory	No data	

(Continued)

No.	2019 Recommendation	Type of Recommendation	Status of Implementation	Comments
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.	Administrative/Technical	No data	
Participation & Inclusion				
CSOs				
5	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.	Policy Political	Partially implemented	While Mozambique has an active civil society, stakeholders reported pressure on freedom of assembly and civic space.
6	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.	Policy	Partially implemented	Some citizen observers encountered delays in obtaining accreditation and expressed concern about transparency.

(Continued)

No.	2019 Recommendation	Type of Recommendation	Status of Implementation	Comments
7	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.	Policy Administrative/ Technical	Partially implemented	Some citizen observers encountered delays in obtaining accreditation and expressed concern about transparency.
8	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.	Policy	Mostly implemented	Despite pressures reported by civil society stakeholders, CSOs actively engaged in voter education.
<i>Women</i>				
9	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.	Legal/Regulatory	Partially implemented	Voluntary quota systems used by political parties.
10	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.	Policy	Not determined	Voluntary quotas are used for party lists, but the Group did not receive information regarding the use of quotas to achieve gender parity within their decision-making structures.

(Continued)

No.	2019 Recommendation	Type of Recommendation	Status of Implementation	Comments
11	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.	Policy	Not determined	
<i>Youth</i>				
12	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.	Legal/Regulatory	Not implemented	The Group did not receive information indicating that such a quota system had been established.
13	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.	Policy	Not determined	
14	The Group encourages CSOs and CNE to continue to engage in voter education programmes targeting youth populations using social media platforms.	Policy	Partially implemented	The Group observed that young people had been engaged by CSOs in voter education sensitisation and the countering of online misinformation and disinformation.
<i>Vulnerable Groups</i>				
15	The Commonwealth Observer Group encourages the Electoral Management Bodies 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.	Policy	Partially implemented	Accessibility remains a challenge for PWDs, some training was provided to polling staff.

(Continued)

No.	2019 Recommendation	Type of Recommendation	Status of Implementation	Comments
16	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.	Policy Administrative/ Technical	Not implemented	The Group did not observe that targeted efforts had been undertaken to strengthen participation of PWDs.
17	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.	Legal/Regulatory Policy Administrative/Technical	Partially implemented	Law No. 10/2024 concerning the protection and respect of the fundamental rights and freedoms of persons with disabilities enshrines the right to participate in political and public life. It also requires the adoption of measures to ensure participation. The Group was not made aware that any regulations are in place.
18	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.	Policy Administrative/ Technical	Not implemented	The Group noted a lack or absence of voter information and voting materials in accessible alternative formats.
Electoral Campaign & Media				
19	Political parties should improve their media capacity to take full advantage of the free broadcast time allocated in public media.	Policy	Not implemented	Even though the Constitution and the law provide for the right to regular and equitable broadcasting time on public radio and television, opposition parties needed more coverage, especially TV. Radio, however, was different. As the most popular medium, radio was crucial in disseminating information to the public.

(Continued)

No.	2019 Recommendation	Type of Recommendation	Status of Implementation	Comments
20	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.	Administrative/Technical	Not implemented	
Voting, Counting & Results				
21	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.	Policy Administrative/ Technical	Partially implemented	Significant efforts were made by CNE and STAE to produce various types of information materials and posters to promote and educate voters on these elections. CNE and STAE were supported in these efforts by the UNDP, particularly in relation to women's and youth participation. The Group also noted that STAE made use of local radio stations to disseminate voter education information.
22	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.	Administrative/Technical	Not implemented	
23	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.	Administrative/Technical	Not implemented	

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