



PRELIMINARY STATEMENT

BY

HIS EXCELLENCY DR. AMANI ABEID KARUME,

FORMER PRESIDENT OF ZANZIBAR

AND

HEAD OF THE SADC ELECTORAL OBSERVATION MISSION (SEOM)

TO

THE PRESIDENTIAL, LEGISLATIVE AND PROVINCIAL ELECTIONS

IN

THE REPUBLIC OF MOZAMBIQUE

RADISSON BLU HOTEL, MAPUTO

11TH OCTOBER, 2024

Your Excellency Bornito de Sousa Baltazar Diogo, Former Vice President of the Republic of Angola and Head of the African Union Electoral Observation Mission to the Republic of Mozambique;

Honourable Dr. Kenny Anthony, Former Prime Minister of Saint Lucia and Head of the Commonwealth Observer Group to the Republic of Mozambique;

Honourable Joao Gomes Cravinho, Former Minister of Foreign Affairs of Portugal and Head of the Community of Portuguese Language Countries Electoral Observation Mission to the Republic of Mozambique;

Honourable Justice Manuel Pereira da Silva, Chairperson of the National Electoral Commission (CNE) of Angola and Head of the Electoral Commissions Forum (ECF) Election Observation Mission to the Republic of Mozambique;

Distinguished Members of the SADC Organ Troika;

Distinguished Representatives of the Government of the Republic of Mozambique;

His Excellency Elias Magosi, SADC Executive Secretary;

Chairperson and Representatives of the National Electoral Commission (CNE), and The Technical Secretariat for Election Administration (STAE);

Distinguished Representatives of International Electoral Observation Missions;

Your Excellencies, Heads and Representatives of Diplomatic Missions Accredited to the Republic of Mozambique;

Members of the SADC Electoral Advisory Council (SEAC);

SADC Election Observers;

Representatives of Local Election Observers;

Religious Leaders and Members of the Civil Society;

Members of the Media;

Distinguished Guests;

Ladies and Gentlemen.

1. INTRODUCTION

On behalf of the Southern African Development Community (SADC) and as mandated by Her Excellency Dr. Samia Suluhu Hassan, President of the United Republic of Tanzania and the Chairperson of the SADC Organ on Politics, Defense and Security Cooperation, it is my honour to welcome you to this important event of the release of the Preliminary Statement of the SADC Electoral Observation Mission (SEOM) on the conduct of Presidential, Legislative and Provincial elections held on the 09th of October 2024 in the Republic of Mozambique. As the Head of Mission, I am well supported by the representatives from the Republics of Malawi and Zambia, who are Members of the SADC Organ Troika.

The Mission had a total of 53 observers from 10 SADC Member States, namely; the Kingdom of Eswatini, the Republics of Angola, Botswana, Malawi, Namibia, South Africa, Zambia, Zimbabwe, the Democratic Republic of Congo and the United Republic of Tanzania. These observers were deployed across all eleven provinces (11) of the Republic of Mozambique. The Mission observed the Presidential, Legislative and Provincial Elections in accordance with the SADC Principles and Guidelines Governing Democratic Elections (2021) and the laws of the Republic of Mozambique.

As part of its mandate, the Mission engaged key stakeholders in Mozambique, including the Election Management Bodies, namely the National Electoral Commission (CNE), and the Technical Secretariat for Election Administration (STAE), the Government of Mozambique (Ministry of Foreign Affairs and Cooperation and Office of the Attorney General), Heads and Representatives of the Diplomatic Missions accredited to the Republic of Mozambique; political parties, civil society, faith-based organizations, professional bodies, academia, the youth and the media.

This Preliminary Report covers the Mission's observation of the Pre-Election process, Voting Day and Counting. The Final Report will cover our observations of the Post-Election Processes, which include the results management and announcement.

2. SUMMARY OF KEY FINDINGS

(i) The Political and Security Environment

Notwithstanding the insecurity in some parts of Cabo Delgado Province that has been experiencing acts of terrorism, the Mission observed that the country was calm and peaceful in the pre-election and election period. Political activities, particularly campaign rallies, public meetings, door-to-door campaigns, roadshows, canvassing and voting were conducted in a peaceful atmosphere. Efforts were made by the authorities to ensure that those citizens displaced by the terrorists in some districts of Cabo Delgado were able to vote in areas where security was provided.

The presence of the Mozambique security agencies complemented this peaceful environment by providing the necessary security experienced during the electoral process.

(ii) Management of the Electoral Process

The elections legal frameworks are mainly governed by the Constitution of the Republic of Mozambique and various electoral legislation which include;

- (a) Organic Law of the Constitutional Council (4/11/2018);
- (b) Law 9/2014 on the National Electoral Commission (CNE);
- (c) Law 9/24/2019 on the Regulation of the Technical Secretariat for Electoral Administration;
- (d) Electoral Legislation 2019 (Law 2/2019 regulating the presidential and parliamentary elections, and Law 3/2019 regulating the provincial assemblies and provincial governor elections) as amended by Law no. 14/2024 of August 2024 and Law no. 15 of August 2024;
- (e) The Law on the Organisation, Coordination, Execution, Conduct, Management and Supervision of Voter Registration and Elections No.6/2013; and
- (f) Law 7/1991 on political parties.

The Management of elections is overseen by election management bodies in Mozambique which include CNE and STAE whose compositions are based on inclusivity informed by party representation in Parliament. The head of the CNE is proposed by members of the civil

society organisations and is sworn in by the President. The CNE and STAE maintain temporary structures at the District and Provincial levels whose composition are partisan based.

The Mission also observed the following regarding the Election Management Bodies;

- (a) In general, stakeholders appreciated the historical context under which the Republic of Mozambique introduced multi-party democracy following decades of the post-independence civil war. Pursuant to the 1992 Peace Agreement, this context also informed aspects of the composition of the National Electoral Commission, wherein political parties are represented in proportion to the number of seats in parliament. At that time, it was imperative to recognise the delicate balance between the ruling Frelimo party and Renamo in the post-civil war institutional modalities, particularly in the electoral context.

- (b) Article 135 (3) of the Mozambican Constitution of 2007 provides for the General Principles of the Electoral System and stipulates that electoral activities should be supervised by an Independent and impartial body, the composition, organization, operation and powers of which shall be established by law. This provision is in line with Article 5.1.3 of the Revised SADC Principles and Guidelines for Governing Democratic Elections (2021). In accordance with these Guidelines, Member states should establish “*impartial, professional, independent, all inclusive, competent and accountable Electoral Management Bodies (EMBs) staffed by eminent, non-partisan and capable commissioners, and efficient and professional personnel.*” Given the passage of time since the 1992 Peace Agreement, it is indeed the view of a variety of stakeholders that the composition of the EMBs should now move away from the model under which the dominant political parties have representation thereon, to a non-partisan model that is in line with the SADC Principles and Guidelines and the aspirations of the Constitution of Mozambique.

- (c) Efforts were made to enhance and improve certain aspects of the laws related to the elections. These efforts are evidenced by the adoption of Law no. 14 and Law no 15 which were gazetted on 23rd August 2024. The amendments relate to a number of important electoral matters which include, amongst others, the settlement of electoral disputes and the changes to the design of ballot boxes for purposes of transparency and mitigation of irregularities. Notwithstanding the positive intention behind the amendments, it is the Mission's considered view that the amendments were made very late into the electoral process, in particular when election campaigns had already started. This view was echoed by stakeholders across the country. The late changes to the electoral law brought some challenges, including the fact that sufficient time was needed by all stakeholders, including political parties, the EMBs, and law enforcement authorities, to appropriately understand and internalise the implications of the new law. In one respect, our Mission was also informed that the changes regarding the design of the ballot boxes came when they had already been procured for these elections.
- (d) A total number of **17,169,239 people** including 333,839 Mozambicans in the Diaspora registered to cast their votes on 09th October 2024, with 8,892,848 representing women (51.79%) and 8,276,391 representing men (48.2%). This number exceeded the initial target that the EMBs had set themselves for voter registration, and the EMBs are to be commended for their efforts in this regard. The Mission noted that, however, some stakeholders were of the perception that more individuals were registered to vote than the eligible voter population. The Mission noted that most of these perceptions were based on a misunderstanding of the communication regarding the targeted voter registration population and the total number of eligible voters. The Mission also noted concerns from some stakeholders that more time should be allocated to allow voters to verify their voter registration status.

(iii) Gender representation

Our Mission applauds the fact that Mozambique ranks quite highly in regional and global assessments of the representation of women in elected political positions, particularly in Parliament, and consequently in Cabinet.

In this case, and in line with the *SADC Protocol on Gender and Development*, as read with Article 11.3.3 of the *SADC Principles and Guidelines Governing Democratic Elections*, Mozambique is making efforts towards gender parity in decision-making positions. However, our Mission hastens to add that the positive strides that Mozambique has made in this regard are largely due to the policy of one political party that implements the “Zebra-list system” whereby party lists alternate male and female candidates thus achieving 50-50 gender representation.

(iv) Media Coverage in General

With the exception of a few political parties, our Mission took note of the positive assessment of the media, in particular, how the State-owned media outlets covered the election process. It was the view of stakeholders that, unlike in previous election cycles, the State-owned media outlets endeavored to provide impartial coverage of competing political views and political parties.

During the election day, SEOM was satisfied by the tolerance from all authorities involved in granting access to the media both in and outside the polling stations to cover the progress of events. We witnessed interviews conducted outside the polling stations as well as counting process inside the stations.

As it is in other countries, social media is both an opportunity and a challenge in the electoral process in Mozambique. More remains to be done with respect to harnessing the positive aspects of social media and mitigating its harmful aspects for purposes of enhancing democratic elections.

3. OBSERVATIONS ON ELECTION DAY

The SEOM observed the following critical aspects at the 288 polling stations that were visited:

- (i) The atmosphere outside the polling station was orderly, calm and peaceful at all polling stations and uniformed police were discreetly visible and professional at all the polling stations.
- (ii) Our observers were granted free access to all polling stations.

- (iii) 95% of the polling stations were free of campaign materials or visible campaign activities.
- (iv) 99% of the voting stations observed opened on time, save for one polling station in Cabo Delgado which opened 15 minutes late due to the late arrival of election officials and materials.
- (v) Voter education materials, such as posters were posted outside all polling stations. Voting took on average 3-5 minutes for each voter.
- (vi) All essential election materials in the correct quantities were available at all the polling stations that were observed at the opening of the polls, and throughout the rest of the voting day.
- (vii) The voters' register was displayed outside at 61% of the polling stations observed.
- (viii) 92% of the polling stations observed were accessible to voters living with disabilities, the elderly, and pregnant women. However, 8% of the polling stations observed were not accessible to voters living with disabilities as some of the polling stations were positioned above the ground floor.
- (ix) The voting process was conducted in an orderly manner at 99% of the polling stations observed, save for poor crowd control at the remaining 1% of the polling stations observed.
- (x) All voters were allowed to vote except in four instances in Tete City, where the voters were not allowed to vote, the reason being that they were at the wrong voting station.
- (xi) Women formed 64% of the electoral officials, 39% of citizens observers and 42% of political party agents.
- (xii) All Ballot boxes at the polling stations observed remained locked and/or sealed. In some polling stations the positioning of the ballot boxes did not easily allow seamless processing of voters casting their votes and those receiving advice on the process of voting.
- (xiii) 39% of the observed polling stations did not close on time, that is at 1800hrs, as there were still voters in the queue, and voting went on until 1830hrs, in order to allow those in the queue to vote.

- (xiv) All closing procedures were followed at all the polling stations.
- (xv) Polling officials were courteous and professional in their conduct, and all polling stations had appropriate signage to direct voters to the correct voting stream.

4. BEST PRACTICE

At this stage the Mission commends the CNE, STAE and where relevant, the Government of Mozambique for the following best practices:

- (a) Enabling Mozambican citizens in the Diaspora to register to vote, and the facilitation of voting for Mozambicans in the Diaspora; and
- (b) Ensuring that women were more than half of election officials thus going beyond Article 11.3.3 of the *SADC Principles and Guidelines Governing Democratic Elections*.

5. RECOMMENDED IMPROVEMENTS IN THE ELECTORAL PROCESS

At this juncture, allow me to note that the SEOM is continuing the process of electoral observation in the post-election phase. As such, the Mission will not be rendering comprehensive recommendations or qualifications of the election at this stage. However, the Mission has observed the following areas of the electoral process and system that relevant stakeholders may wish to consider improving:

(a) Electoral Law and Electoral System

- (i) In line with Article 5.1.3 of the *SADC Principles and Guidelines Governing Democratic Elections*, Mozambique is urged to revisit the composition of the EMBs in order to professionalise these critical electoral institutions on the basis of non-partisanship, whilst retaining the inclusion of Civil Society Organisations.

- (ii) Both the Executive and Parliament are urged to ensure that electoral law reforms are enacted early in the electoral cycle in order to avoid the introduction of electoral reforms close to the election periods; and
- (iii) Political parties that have not done so are urged to adopt the “Zebra list” system for party lists in order to ensure 50-50 gender parity for purposes of elections at all levels.

(b) Management of the Electoral Process

The EMBs are urged to engage both central and local government authorities to ensure that all polling stations and voting stations are accessible to people living with disabilities.

6. CONCLUSION

In conclusion, the SEOM observed that the pre-election and voting phases of the 2024 Presidential, Legislative and Provincial Elections were professionally organised, conducted in an orderly, peaceful and free atmosphere. The Mission was heartened by the patience and resilience of the people of Cabo Delgado Province, who turned out to vote despite the terrorist threat in some of the affected districts in the Province.

The Mission also commends the people of Mozambique for the political maturity, spirit of tolerance and calm which generally prevailed during this electoral period. In the event of any electoral disputes, the Mission appeals to all contestants to channel their concerns through established legal procedures and processes. The Mission urges all stakeholders to remain calm and wait for the EMBs and other relevant institutions to finalise the results management and announcement processes. The mission further calls upon all stakeholders to continue imparting positive messages of peace, tolerance and calm across all available platforms, as the country progresses into the post-election phase.

In accordance with *the SADC Principles and Guidelines Governing Democratic Elections (2021)*, our Final Report will be issued within 30 days of this Preliminary Statement. In terms of these Guidelines, our Long-term Observers will remain on the ground to continue with the post-election observation until 20th October 2024. The SEAC shall return at an appropriate time, to undertake a post-election review to determine the extent to which the recommendations of SEOM have been implemented and the nature of support, if any, that the Member State holding elections may require from the SADC region, to implement those proposals.

Thank you very much

Muito Obrigado

Merci beaucoup

Asante Sana