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2018 LOCAL ELECTIONS

MOZAMBIQUE POLITICAL PROCESS BULLETIN

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Constitutional amendment proposes little decentralization in 'unitary state'

A 14 page set of constitutional amendments has been submitted to parliament, setting out the decentralization agreement struck between President Filipe Nyusi and Renamo head Afonso Dhlakama. It follows closely Nyusi's statement last week, confirming the end of mayoral elections, but also makes clear decentralization will be limited.

The full text is on <http://bit.ly/2F1VU4C>

The ending of the election of the mayor (municipal president) is justified as "having the advantage of simplifying the municipal electoral process, meaning that there will be only a single vote, for municipal assembly." Another "advantage", according to the background document (fundamentação), is that it will avoid having to run second rounds in mayoral contests and by-elections (as now in Nampula).

The amendment is presented as an urgent one which can be approved by parliament. As we noted in the last bulletin, some lawyers have questioned if the mayoral election can be abolished without a referendum. The proposal tries to bypass the issue by amending article 135 on elections to say that only the President of the Republic and the four assemblies (national, provincial, district, and municipal) are elected by "universal suffrage."

Under an entire new section of the constitution, there will be three levels of decentralization, with

elected provincial, district, and municipal assemblies. Provincial and municipal assemblies already exist, the district assemblies will only be elected for the first time in 2024. Parties, coalitions, and citizens lists will be able to contest all of these three lower assemblies. (Citizen's lists cannot stand for national parliament.) At each level, "the political party, coalition of political parties or groups of citizens which obtained a majority of votes in the elections" chooses one it is elected members to the most senior post. The president of Mozambique then formally names the governor and the Minister of State Administration names the district administrator; the municipal mayor is formally named by the speaker of the municipal assembly. (In some provinces no single party received a majority of votes in provincial assemblies in 2009, so this requirement will force coalitions.)

These senior figures - governor, district administrator and mayor - can be dismissed by their own assembly, or by the President of Mozambique (who must consult both the Constitutional Council and the Council of State).

There is to be a "representative of the state" at all three decentralised levels; at provincial level it will be a Secretary of State. Laws must be passed to define the division of powers between central and decentralised bodies.

2018 Local Elections is part of the
Votar Moçambique programme



Limited powers

The provincial and district assemblies will have only limited powers, in some ways less than municipalities. Nothing is said in the constitutional amendment about taxation and finance, whereas municipalities have limited taxing powers.

Provincial assemblies must approve the provincial annual plan and budget and "inspect and monitor" their implementation, but this is their only power. They can also have formal opinions on a range of issues.

District assemblies can only approve the annual plan, and inspect and monitor its implementation.

They both can be given additional powers through legislation.

Division of powers

The background paper stresses "the principle that national interest prevails and that the political unity of the state must be maintained" and thus there are a long list of issues which are considered national issues because they are about sovereignty. These include defence, security and public order, minerals and energy, natural resources, and inland water and the sea.

Decentralised powers can include:

Agriculture, fishing, forestry.

Land management

Local roads and public transport

Conservation and tourism

Primary health care and primary and technical education

Rural and community development

Water and sanitation

Registration starts in two weeks

Voter registration for the 10 October 2018 municipal elections and October 2019 national elections starts on 1 March and will continue through April. Civic education for the registration begins tomorrow, 14 February.

The law requires an entirely new registration for each 5-year electoral cycle, so all voters must register again even if they have voters cards from past registrations - the old voters card will no longer be valid.

The registration this year is not national, but only in districts and the 53 cities which will have municipal elections in October. CNE expects to register 8 million people. There will be a national registration next year. These new voters cards are valid for both local elections this year and national elections next year.

In December 2017 the CNE did an experimental mock registration in 9 districts to test equipment left over from the 2013/14 registration. The experience showed much of it has not survived and will be unable to be used in this registration. Brigade members also showed that they were poorly trained. It was taking 6 to 8 minutes to register a voter, three times as much as STAE expects.

Nampula still unclear

Registration takes place in all districts and municipalities where there will be local elections in October, which will include Nampula. But the Constitutional Council still has not ruled on the first election, and the second round must take place within 30 days of that ruling - surely during the registration period - unless a decision is taken to not hold the second round as mayoral elections are being abolished.

A second round will be confusing, because voters will have to use their 2013/14 voters cards, and not their new ones.

In his statement announced the opening of the registration education campaign, CNE President Sheik Abdul Carimo Sau did not mention Nampula and did not take questions from the press afterwards.

Detailed coverage of 2018 municipal and 2019 national elections is again being provided by the *Mozambique Political Process Bulletin*, which has covered all of Mozambique's multi-party elections. We will have a large team of local journalists throughout the country, ensuring that our reports are accurate and verified. Publication will become more frequent in the run-up to the Nampula by-election; we will publish daily in election periods.

Elections newsletters are distributed on the "Mozambique News Reports and Clippings" mailing list.

If you do not want to receive the elections newsletter, simply send a note to j.hanlon@open.ac.uk with the subject line "no election".

The elections newsletter is also in Portuguese; para subscrever <http://eepurl.com/cYjhdb>

Previous issues are available on <http://cipmoz.org:9000/elections2018/>

CNE wants "0 abstentions"

Faced with turnout of less than half in recent elections, the civic education campaign for registration will call for "0 abstentions", the CNE president Sheik Abdul Carimo Sau said in a press conference today, 13 February. It is an ambitious goal, because in elections in the last 10 years (2008, 2009, 2013, 2014) turnout has always been below 49% - and in the Nampula by election in January it was below 25%.

"The objectives of this campaign are to inform the voter of the value of his or her vote," Carimo said. The CNE wants "to help them recognize the importance of participation in the elections" and also link elections to peace, harmony and tolerance.

For the 24 January Nampula by-election, there was no government or CNE publicity because there was no budget.