



**Interim Statement of the Commonwealth Observer Group
By The Hon Dr Kenny D. Anthony**

**Mozambique Presidential, National and
Provincial Assembly Elections 2024**

11 October 2024, Maputo, Mozambique

Introduction

1. My greetings to you all; the people of Mozambique, members of the diplomatic corps, members of the media, fellow observers, ladies and gentlemen. Thank you for coming to this Press Conference. The Commonwealth is honoured to have been invited by the Government of the Republic of Mozambique to observe these significant elections, the seventh multi-party elections in the country's electoral history.
2. I want to express at the outset what a special honour and privilege it has been for the Commonwealth Observer Group to be present here in Mozambique on 4 October, when the country marked the thirty-second Peace and Reconciliation Day, representing a significant achievement in your political history. I wish to acknowledge and commend the people of Mozambique for your courage, resilience and determination, as you continue on your democratic journey. In this spirit, I want to laud the commitment of candidates to peaceful elections, and would encourage this same spirit and positive leadership to prevail throughout the electoral process, to its conclusion.
3. The Commonwealth has been an enduring companion of Mozambique on this journey since the country joined the Commonwealth family in 1995, and continues to stand in solidarity with Mozambique, in supporting the country on its democratic path beyond these elections. As an association bound by common values, the Commonwealth has sought to foster cohesion and cooperation, uniting member countries around aspirational goals of democracy and sustainable development. As a valued member of the Commonwealth,

Mozambique has committed to various declarations and agreements, including the 1991 Harare Declaration, the 2009 Trinidad and Tobago Affirmation of Commonwealth Values and Principles, and the Commonwealth Charter. 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, and will offer some reflections and recommendations in this regard in our Final Report.

4. Our Group, which was constituted by the Commonwealth Secretary-General, The Rt Hon Patricia Scotland KC, comprises experts drawn from the political, electoral, legal, media and civil society fields (including gender, disability and social inclusion), across various Commonwealth states and regions.
5. Following our arrival on 1 October, we received briefings from various stakeholders and were able to observe some rallies before the end of the campaign period on 6 October. We deployed our teams on 7 October to seven of the 10 provinces, with the exception of Cabo Delgado, Niassa and Manica. Our teams were able to observe the electoral environment to gain a comprehensive picture of pre-election day preparations.
6. We have been briefed, both in Maputo and on deployment, by various stakeholders, including the National Election Commission (CNE) and 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 UN. We also established working relationships and exchanged information with other international observers as well as citizen observer groups.
7. I will present our interim observations on the electoral process in the following manner: I will first provide our key findings on the pre-election environment, after which I will focus on our observations on Election Day. Finally, I will share our reflections on the post-election environment. This approach is in line with our mandate as outlined in the statement of 30 September 2024, in which the Commonwealth Secretary-General announced her decision to deploy a Commonwealth Observer Group to Mozambique. Pursuant to this mandate, we are assessing these elections according to the national, regional, Commonwealth and international values and standards to which Mozambique has committed itself.
8. Our final report, setting out our full findings on the entire process and our recommendations, will be submitted in due course to the Commonwealth Secretary-General, whereafter it will be made available to the Government of

the Republic of Mozambique, political parties, civil society organisations and the public.

Key Findings

Pre-Electoral Environment

9. From the feedback received from various stakeholders, as well as our own observations, the pre-election environment was relatively peaceful. We have also noted that the political parties and the presidential candidates in particular have continued to place an emphasis on peace in their messaging to the electorate. This is highly commendable.
10. We also note that these elections have taken place against the backdrop of some security challenges, especially in the northern province of Cabo Delgado, and the problematic municipal elections of November 2023 that cast a shadow over these elections, impacting trust and confidence in the electoral process. I laud the country's significant progress in navigating the complex security environment, and commend the CNE for their determination in undertaking the preparations for these elections in the face of these, and other, challenges.

Legislative Framework

11. We note that the Constitution of Mozambique guarantees fundamental democratic and political rights, including the right to vote and participate in regular elections for all Mozambicans.
12. Several amendments to the legal framework were introduced within two months of the elections, contrary to international good practice, including the African Charter on Democracy, Elections and Governance. The late enactment of electoral laws tends to arouse suspicion and leaves little time for voter education.
13. We also note that proposed legislative reforms on significant areas identified by international observers in previous national elections have not been implemented. For instance, electoral laws regulating elections are not consolidated. This has led to uncertainty, and makes it challenging for Mozambicans to access and understand the law with relative ease. We reiterate the 2019 Commonwealth Observer Group recommendation that the electoral laws be consolidated into a single code.

14. Notwithstanding concerns regarding the lateness of these amendments, it is worth noting that some amendments strengthened and clarified crucial checks and balances, including allowing journalists, media personnel and other stakeholders to observe all aspects of the process, now including the tabulation process. This should be commended. The extent to which these amendments have been understood and implemented by polling staff and CNE/STAE at each level of the results management phase is an issue we will continue to assess as the results process unfolds.
15. In addition, the 2019 Commonwealth Observer Group recommended the introduction of continuous voter registration to reduce the administrative and financial burden on STAE, and avoid having to conduct a fresh and costly registration exercise for every election.
16. While we note the commendable progress made on advancing women's representation, both in parliament and within party hierarchies, these efforts could be extended to other groups, including the youth and persons with disabilities.
17. We also note that amendments to the electoral laws have sought to clarify the role of the Constitutional Council in electoral dispute resolution. However, some stakeholders noted that these amendments have not sufficiently clarified the role of District Courts and the Constitutional Council. We will reflect further on this in our Final Report.

Election Administration

CNE and STAE

18. The political composition of the electoral body and the administration of previous elections have been raised as concerns by multiple stakeholders, with the body perceived to be political in its decision-making. This has resulted in a trust deficit with the CNE. We are concerned that this perceived lack of trust could result in a lack of faith in the credibility and integrity of the electoral process. There appears to be a 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.

Funding

19. We note that Mozambique's elections are among the world's most expensive, both in absolute terms and in terms of the cost per voter.

20. We were also informed by CNE of the late disbursement of funding from Government to deliver these elections. There are also debts owed from previous elections. We will reflect on the impact of the delayed disbursements on the administration of these elections in our Final Report.

Biometric Voter Registration

21. A significant portion of the total cost of the election was related to the procurement of biometric voter registration technology, which cost a reported \$125m. We note the transparency of the procurement process was not without controversy. In addition, there were also concerns around a lack of information regarding the technical specifications of the technology, as well as the accuracy and integrity of the published voter register. 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 as high as 150 per cent in Gaza Province. We note and agree with recommendations from previous observer reports, including the Commonwealth's, that there is a need for an external auditing process. It is also noted that biometric registration is being undertaken without data protection law. We would recommend that such a law be enacted.

Recruitment and Remuneration of Polling Staff

22. We note various reports that many school teachers were recruited to be polling staff, and that names were submitted by the governing party. Additionally, we were informed that some teachers were required to campaign on behalf of political parties, in particular the governing party. Given that these teachers are public servants, and were recruited as polling staff, this would represent a concerning conflict of interest. We therefore recommend that the recruitment of polling staff be undertaken exclusively by STAE in a transparent and open manner.

23. On the eve of the election, CNE issued a ruling that trainers could no longer automatically become presiding officers. Citizen observers highlighted a case in Morrembene, where it was alleged that STAE ignored the CNE ruling, which led to a confrontation with police. There were also reports that some polling staff who allegedly committed electoral offences during the 2023 municipal elections were recruited again to administer aspects of these elections.

24. We also note the issue of polling staff remuneration, including possible incompatibility with Mozambique's Law on Public Probity, and that the possible lack of payment had caused consternation amongst polling staff. We will reflect further on the recruitment and remuneration of polling staff in our Final Report.

Voter Education and Strategic Communications:

25. We recognise 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 UNDP, particularly in relation to women and youth participation.
26. Despite these commendable efforts, it was noted from our various discussions with electoral stakeholders that there was a lack of effective communication to update citizens on key aspects of the electoral process. This extends to a lack of adequate signage at polling stations. We reiterate the recommendation of the 2019 Commonwealth Observer Group that the creation of a dedicated funding stream for voter education should be considered.
27. We also recommend that CNE and STAE consider strengthening training for all relevant staff to enhance the institution's strategic communications, which would contribute to increased transparency and accountability.

Observer Accreditation

28. We note reports that a civil society platform, *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 CPE.

The Campaign

29. We noted that, within the context of political parties' ability to hold campaign events, fundamental political rights, including freedom of association and assembly, were generally respected. Political parties were, in most cases, able to engage in campaign activities. We 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. There were also reports that the governing party made use of state resources during the campaign period, such as government vehicles, contrary to law.
30. Despite freedom of association and assembly being generally respected, we received reports from both the governing and opposition parties regarding

isolated attacks on their respective party members and the destruction of party paraphernalia and materials, including posters and banners. There were also alleged restrictions in accessing certain areas considered party strongholds. Where such reported incidents did indeed occur, we would encourage the use of appropriate legal channels to pursue all complaints and grievances, to ensure thorough investigations into these allegations.

The Media

31. Successive Commonwealth Observer Groups have noted a steady improvement in the media landscape. The Constitution and Press Law No. 18 of 1991 provide for the right to regular and equitable broadcasting time on public radio and television. However, we noted an imbalance in coverage by public media, especially TV coverage that was more favourable to the governing party and its candidates. This uneven playing field affects the efforts of opposition parties to reach a wider audience, as well as voters' ability to make an informed decision.
32. However, radio, being the most popular medium, has played a crucial role in disseminating information to the public. Both public and community radio stations provided extensive coverage of the elections, with efforts to maintain balance in airtime allocation.
33. The Group was informed that defamation laws - including criminal defamation - are used to create impediments to legitimate criticism of some parties and public authorities. It was reported to the Group that pressure was applied to some members of the media during the campaign, which resulted in self-censorship and concern for their safety. We commend those members of the media who nevertheless continued to report during the campaign.
34. Although regular internet usage remains low and is concentrated in urban areas, stakeholders are increasingly worried about the rise of misinformation and disinformation. We applaud the UNDP's #VerifyBeforeYouShare digital campaign, conducted in partnership with MISA Mozambique, for its efforts to educate the public about the risks of spreading false information online and to encourage responsible digital practices, especially among young voters.
35. We commend CNE/STAE for fostering a constructive relationship with the media through regular press conferences and statements, ensuring journalists remained informed, but more needs to be done to create a robust communication plan that also caters to other stakeholders, including political parties and civil societies.

Participation and Inclusion

36. It is commendable that measures were taken to ease voter registration requirements for internally displaced persons and to allow them to register in the location of their displacement.
37. We also commend the passage of Law No. 10 of 2024 on the Protection and Respect for the Rights and Fundamental Freedoms of Persons with Disabilities. In particular, we note Article 13, which guarantees the right of persons with disabilities to participate in public and political life on an equal basis with others, and requires concerted measures to ensure its full implementation.
38. Civil society organisations conveyed to observers that freedom of assembly is under pressure, hindering their operations, as was reflected in the reported difficulties experienced by *Mais Integridade* in obtaining accreditation.
39. Women comprised 53 per cent of all registered voters. This is a welcome development. We note with encouragement that major political parties have taken steps to include women in the electoral process through the adoption of quotas. We also note that Mozambique has achieved 42 per cent representation of women in the National Assembly, moving towards the 50/50 gender parity target set by the 65th Commission on the Status of Women.

We reflect on the practical application of human rights norms on election day further down this statement.

Election Day

Eve of Election Day

40. Our observers were deployed in Maputo City and seven of the ten provinces across Mozambique, except Cabo Delgado, Manica and Niassa. They met key stakeholders in these locations, many of whom expressed confidence in preparations ahead of polling day and optimism that the polls would be conducted in a peaceful manner. Some, however, were doubtful that the elections would be transparent. Other citizen and international observers were visible in various districts, where they evaluated final preparations.

Pre-poll Procedures

41. Polling staff largely adhered to the stipulated pre-poll procedures, including showing empty ballot boxes to party agents and observers prior to the opening of the polls.

Opening and Conduct of Poll

42. The general environment of the Election Day was peaceful, with polling opening on time in many polling tables observed. We received reports from our observers that there were some instances of delays, but these were largely administrative in nature. For example, we received several reports of the late arrival of polling materials and staff. It is particularly disconcerting that in some municipalities, as well as in the diaspora, voting is incomplete.
43. Though polling procedures were largely respected, in some cases there were inconsistencies in their application by polling staff. We also received reports that there were a few instances of skirmishes and protests by voters, which was attributed to the slow voting process, due to the length of time it took polling staff to conduct voter education for each voter. This significantly contributed to delays in the voting process, and for future elections we recommend that a more efficient method be utilised to educate voters on proper voting practice. We also noted that the task of folding ballot papers and issuing instructions were 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.
44. 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 seeking to place their marked ballots in the ballot boxes, and at times led to confusion. A minor revision in the layout of the polling table would address this issue and may smooth the process further.
45. Stakeholders raised with us a number of allegations of electoral malpractices, 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, and unregistered voters attempting to vote. We again reiterate the importance of these matters being brought to the attention of the appropriate institutions provided by law. Furthermore, 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 our Observers in Zambézia and Nampula provinces.

Participation and Inclusion on Election Day

46. We noted that women and youth were well-represented among both polling staff and voters. 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 to climb steps to access the polling table.
47. Based on discussions with voters, internally displaced persons were able to vote safely, without fear of discrimination.
48. Whilst 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. In addition, we note that Article 79 of Law No. 8 of 2013 lacks clarity on the ability of polling staff to assist voters.
49. 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.
50. Election staff should be trained to support persons with disabilities ensuring confidentiality and assistance without undue influence. These measures 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.

Special and Diaspora Voting

51. We 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 their locations where they are required to vote. We noted also that arrangements were made for diaspora voting for Mozambican citizens located in seven African and two European countries. While we note reports of significant delays in diaspora voting, we nonetheless commend CNE for these provisions, towards ensuring that no Mozambican citizens are unintentionally disenfranchised.

Queue Management and Priority Voting

52. There were varying lengths of queues at polling stations, but 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 Commonwealth Observer Group's drivers, interpreters and security.

53. 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.
54. In some cases, persons with disabilities, older persons, pregnant women, and women carrying infants faced increased safety risks in crowded, tense or slow-moving queues. The conditions in these environments posed particular challenges for these vulnerable voters, particularly persons with albinism.
55. 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 enter the polling room.

Party Agents

56. While the party agents of the governing party were present in nearly all polling stations we visited, we note a number of reports from our Group and other observers that not all other major parties were represented in many polling stations visited. 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 these voter registers. All parties should make greater efforts to ensure the provision of paper copies to agents in future elections.
57. 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.

Security

58. The police were present at most polling stations visited, though in some instances they were not within the legally required 300m distance from the polling table. In reality, 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 not intimidating nor intrusive. It is recommended that this law be revisited to reflect the reality of polling station layouts.

Citizen and International Observers

59. Both citizen and international observers were present at polling stations, including a number of 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 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 process.

Secrecy of the Ballot

60. The layout of polling tables generally guaranteed the secrecy of the ballot, except in instances where the open side of the booths were directly facing the 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.

Close and Count

61. Polling tables closed on time in most cases, except where voters were still in the queue at 6pm who were allowed to cast their ballot. The polling staff allocated numbers to those already in the line at 6pm to enable them to cast their ballot.

62. 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. Enhanced voter education is needed to address this issue.

63. 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.

64. 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.

Results Management Process:

65. 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. 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.
66. There were 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. Therefore, we will address this issue comprehensively in our final report.
67. 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 practices with regard to results transmission.
68. Currently, there is no publicly accessible platform for voters to access nationwide election results, which fosters a perceived lack of transparency. This should be addressed for future elections.

Conclusion

69. We commend all Mozambicans for the peaceful manner in which they exercised their democratic right to vote. We also commend citizen observers for the valuable role they played in contributing to increased accountability. We would like to express our appreciation to all international and citizen observer groups for the cooperation and exchange of views on the unfolding process.
70. Our overall assessment is that these elections were competitive. Freedom of association and participation rights generally provided for and respected, and

voters were largely able to cast their ballots freely. Yet, there were a number of concerning challenges that could have impacted the level playing field in the pre-election period, as well as a number of serious allegations relating to the administration of elections on election day.

71. As the results process continues to progress to its finalisation, we call upon all political party leaders and their supporters to continue to show restraint and magnanimity, to continue to uphold principles of peace and tranquillity, and to prioritise national unity and stability.

72. We note with grave concern the premature unilateral declaration of results by one of the presidential candidates prior to completion of the results tabulation process. We would urge all parties to respect the process to avoid unnecessary confusion and agitation amongst the populace.

73. We hope that Mozambique will continue to draw on lessons have been learned from the past, and that successive elections will be an improvement on the previous one.

74. We also call on the CNE to conduct the results announcement process with all the necessary due diligence and transparency.

75. If any disputes do arise, we would also encourage candidates in these elections to allow the rule of law to prevail.

76. Our full assessment of the entire process, including any recommendations for improvement, will be contained in our final report, which will be made available to the public. We will continue to follow the results process to its conclusion.

77. I thank you.

ENDS.

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