



PROACTIVE DISCLOSURE OF INFORMATION DURING ELECTIONS:
AN ASSESSMENT OF THE MOZAMBIQUE'S COMPLIANCE WITH THE
GUIDELINES ON ACCESS TO INFORMATION AND ELECTIONS IN AFRICA,
ISSUED BY THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS



Dércio Tsandzana

PhD, Senior Lecturer, Eduardo Mondlane University

Final Report: 2024

Commissioned by the Centre for Human Rights, Faculty of Law, University of Pretoria



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA



Centre for
Human Rights
UNIVERSITY OF PRETORIA



OPEN SOCIETY
FOUNDATIONS

ISBN: 978-1-0672373-4-9

© 2025

Centre for Human Rights, University of Pretoria

Authors

Dr Dércio Tsandzana

Editors and Reviewers

Hlengiwe Dube and Ivy Gikonyo

Acknowledgements

The research work was commissioned by the Centre for Human Rights, Faculty of Law, University of Pretoria (the Centre). The report was researched and written by Dércio Tsandzana. The review and editing of the report were undertaken by representatives of the Centre for Human Rights: Hlengiwe Dube and Ivy Gikonyo. The Centre also acknowledges the valuable support of the Open Society Foundation, which funded this research initiative. The Centre further extends its sincere appreciation to all individuals and institutions who contributed to the successful completion of this report.

Photo Acknowledgments

Adobe Stock Images (***Licensed***)

Design and Layout

Busisiwe I. Crafford

Communications and Advocacy Unit, Centre for Human Rights

The Centre for Human Rights

The Centre for Human Rights, Faculty of Law, University of Pretoria, is an internationally recognised university-based institution combining academic excellence and effective activism to advance human rights, particularly in Africa. It aims to contribute to advancing human rights, through education, research and advocacy.

[**www.chr.up.ac.za**](http://www.chr.up.ac.za)



Workshop on the Information Ecosystem and Elections in Mozambique
(Maputo, September 2024)

TABLE OF CONTENTS

TABLE OF CONTENTS	ii
ACRONYMS	v
PREFACE	vii
EXECUTIVE SUMMARY	xi
INTRODUCTION: BACKGROUND TO THE REPORT	1
ASSESSMENT OF THE 2024 ELECTIONS	5
Legal Framework for Access to Information in Mozambique	8
Electoral Legal Framework	11
Electoral Institutions and Their Role in Information Dissemination	14
Impact on the Information Ecosystem	16
Media Environment and Information Access During Elections	16
Media Violations and 2024 General Elections	19
ACHPR GUIDELINES ON ACCESS TO INFORMATION AND ELECTIONS IN AFRICA: GENERAL PRINCIPLES	22
Electoral Stakeholders and the Mozambican Elections	25
Appointing Authority	25
Electoral Management Body (EMB)	27
Political Parties and Candidates	27
Law Enforcement Agencies	27
Election Observers and Monitors	28
Media and Internet Regulatory Bodies	29
Media and Online Media Platform Providers	29
Civil Society Organisations (CSOs)	29
ASSESSMENT OF STAKEHOLDERS' COMPLIANCE WITH THE GUIDELINES	31
Appointing Authority	32
Overview of the Appointment Process	32
Legal Framework Governing Appointments	33
Allegations of Political Bias	33
Remuneration and Lack of Transparency	34
Impact on Electoral Credibility	34
Conclusion	35

Election Management Bodies	36
Overview of Mozambique’s EMBs	37
Vulnerable and marginalised groups	38
Voter Registration and Electoral Roll Management	38
Challenges in Election Logistics	39
Electoral Dispute Resolution	39
Monitoring and Oversight of Campaign Activities	40
Public Communication and Voter Education	40
Coordination with Stakeholders	41
Conclusion	41
Political Parties And Candidates	42
Overview of Political Parties in Mozambique	43
Electoral Competition and Dominance of FRELIMO	44
Candidate Selection and Campaign Strategies	44
Challenges Facing Opposition Parties	46
Role of Political Manifestos and Public Engagement	46
Gender and Youth Representation	46
Political Violence and Intimidation	47
Collaboration with Civil Society and International Partners	47
Conclusion	47
Election Observers And Monitors	48
The Role of Election Observers and Monitors	49
Domestic Election Observation	49
International Election Observation	49
Accreditation and Deployment Process	50
Challenges Faced by Observers	50
Key Findings from the 2024 General Elections	51
The Impact of Observation Reports	51
Collaboration with Stakeholders	51
Enhancing Observer Impact Through Technology	52
Conclusion	52
Law Enforcement Agencies	53
The Role of Law Enforcement in Elections	53
Coordination with the Electoral Management Body	54
Pre-Election Period Activities	54
Election Day Responsibilities	55
Allegations of Partisanship	55
Use of Force and Human Rights Violations	55
Training and Capacity Building	56
Oversight and Accountability	56
Collaboration with Other Stakeholders	57
Conclusion	57

Media And Internet Regulatory Bodies	58
Overview and Role in Elections	58
Regulatory Framework and Legal Mandate	59
Monitoring Media Coverage	59
Addressing Digital Challenges	60
Allegations of Partisanship	61
Intimidation of Media	62
Capacity and Resource Constraints	62
Collaboration with Stakeholders	62
Enforcement Mechanisms and Accountability	62
Conclusion	63
Media And Online Media Platform Providers	64
Overview and Role in Elections	64
Logistical and Infrastructural Constraints	65
Traditional Media and Election Coverage	65
The Rise of Online Platforms: Proliferation of Misinformation and Disinformation	65
Challenges of Content Moderation	66
Collaboration with Stakeholders	67
Bias and Partisanship in Reporting	67
Impact on Voter Behaviour	67
Legal and Ethical Accountability	68
Conclusion	68
Civil Society Organisations	69
Role in Electoral Processes	70
Voter Education and Awareness Campaigns	70
Election Monitoring and Advocacy	70
Challenges to CSO Operations	71
Intimidation of Civil Society	71
Collaboration with Other Stakeholders	71
Advocacy for Electoral Reforms	72
Protecting Marginalised Groups	72
Capacity-Building and Empowerment	72
Funding and Resource Constraints	73
Conclusion	73
IMPLEMENTATION	75
RECOMMENDATIONS ON COMPLIANCE WITH THE GUIDELINES	78
Electoral System and Stakeholders	78
Appointing Authority	79
Electoral Management Body (EMB)	79
Political Parties and Candidates	80
Law Enforcement Agencies	81
Election Observers and Monitors	81
Media and Internet Regulatory Bodies	82
Media and Online Media Platform Providers	83
Civil Society Organisations	84



ACRONYMS

ACRONYMS

ACHPR	–	African Commission on Human and Peoples' Rights
AGA	–	African Governance Architecture
AMB	–	African Media Barometer
CNE	–	National Election Commission
EMB	–	Electoral Management Body
FRELIMO	–	Mozambique Liberation Front
INCM	–	National Communications Institute
MDM	–	Democratic Movement of Mozambique
MISA	–	Media Institute of Southern Africa
RENAMO	–	Mozambican National Resistance
STAE	–	Technical Secretariat for Electoral Administration
TVM	–	Television of Mozambique



PREFACE

PREFACE

Across the African continent and globally, electoral processes are becoming increasingly complex. The digital age, while offering unprecedented opportunities for information sharing and civic participation, also presents new risks to electoral transparency and integrity. In this evolving context, access to information remains a cornerstone of democratic legitimacy and public trust. This report, therefore, comes at a critical moment, offering a timely and necessary assessment of Mozambique's 2024 general elections through the lens of access to information.

I welcome this important report evaluating the information ecosystem during the 2024 general elections in the Republic of Mozambique. It draws on the Guidelines on Access to Information and Elections in Africa (2017), adopted by the African Commission on Human and Peoples' Rights as the normative benchmark. At its core, the assessment examines the extent to which the right to access information, enshrined in Article 9 of the African Charter on Human and Peoples' Rights was upheld before, during, and after the electoral period. This right enables citizens to make informed choices, participate meaningfully in governance, and hold public officials accountable. It is also intrinsically linked to Article 13 of the Charter, which guarantees the right of every citizen to participate freely in the government of their country. Elections, as a key expression of democracy, must therefore be underpinned by transparency and the free flow of accurate, timely, and relevant information.

The report evaluates how electoral stakeholders in Mozambique, including electoral management bodies, government agencies, political parties, media actors, law enforcement, observers, and civil society fulfilled their duty to proactively disclose information that would enable the electorate to make informed decisions. It also identifies systemic and contextual gaps that hindered the full realisation of these obligations.

Mozambique's 2024 elections unfolded against a backdrop of persistent institutional challenges, political complexity, and a dynamic communication environment shaped by both promise and peril. While important strides have been made, including the publication of voter rolls, civic education campaigns, and digital voter verification tools, the report surfaces pressing concerns such as media bias, limited access to state resources by political actors, opacity in campaign financing, and the unchecked spread of disinformation on digital platforms. These challenges are not unique to Mozambique. They echo across many electoral contexts on the continent, making this assessment not only nationally relevant, but instructive for other jurisdictions navigating similar dynamics.

This report is intended as a practical tool for electoral commissions, policymakers, government institutions, civil society organisations, journalists, and international partners. It offers both diagnosis and direction, highlighting best practices, identifying areas for reform, and recommending actionable steps for advancing access to information before, during, and after elections. It is my hope that it will support advocacy, institutional reform, and rights-based policy development.

While digital technologies continue to reshape the electoral information ecosystem, their governance must not outpace rights. The report calls for thoughtful, rights-respecting regulation and meaningful collaboration among state actors, technology platforms, and civil society. This is essential to curb disinformation, hate speech, and online manipulation, while preserving the democratic promise of digital spaces.

Critically, the report reveals a broader continental challenge which is the under-implementation of the Guidelines on Access to Information and Elections. In Mozambique, gaps remain in awareness, enforcement mechanisms, and institutional coordination. To address these, the study recommends stronger capacity building, clear norms for proactive disclosure, and deliberate strategies to integrate the Guidelines into national legal and institutional frameworks. This is not merely a technical recommendation, but a call to action. I urge the Government of Mozambique, the National Electoral Commission, the Technical Secretariat for Electoral Administration, political actors, media professionals, civil society, and international partners to act boldly in strengthening access to information as a safeguard of electoral integrity and democratic resilience.

I extend my sincere appreciation to Dr. Dércio Tsandzana for his rigorous work in preparing this report. I also thank the Centre for Human Rights, Faculty of Law, University of Pretoria, for their technical leadership and commitment to promoting access to information across the continent. I further acknowledge the generous support of the Open Society Foundations, whose contribution made this initiative possible.

As Special Rapporteur on Freedom of Expression and Access to Information in Africa, I reaffirm my commitment to supporting all stakeholders in advancing the realisation of access to information as a human right, a democratic imperative, and a foundation for electoral justice. I encourage electoral actors in Mozambique and across Africa to take the findings of this report seriously and to institutionalise the principles of transparency, participation, and accountability in all electoral processes.

Honourable Commissioner Ourveena Geereesha Topsy-Sonoo

*Special Rapporteur on Freedom of Expression and Access to Information in Africa,
African Commission on Human and Peoples' Rights*



EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

The African Commission on Human and Peoples' Rights (ACHPR) is a body mandated by the African Union to promote and protect the rights and obligations enshrined in the African Charter on Human and Peoples' Rights (the Charter) and other AU human rights treaties. Among the rights protected in the African Charter is the right of access to information. Article 9(1) of the Charter, which provides for both the freedom of expression and the right to 'receive information', has been interpreted to fully encompass the right of access to information.

This report assesses the information ecosystem surrounding Mozambique's 2024 elections, with particular emphasis on the role of electoral institutions, media, and law enforcement agencies in shaping democratic processes. Drawing upon the Guidelines on Access to Information and Elections in Africa¹ issued by the ACHPR, the report evaluates both the challenges and opportunities in the dissemination of electoral information, the protection of democratic rights, and the promotion of transparency and accountability during the electoral period.

Mozambique's electoral process faces significant hurdles, notably in terms of logistical challenges that hinder the equitable distribution of electoral information to its geographically dispersed and linguistically diverse population. Limited internet access, poor infrastructure, and financial constraints of media outlets further exacerbate the difficulties. While state-owned outlets, such as Rádio Moçambique and Televisão de Moçambique dominate the media landscape, they have been criticised for biased coverage, often favouring the ruling party, and limiting access for opposition parties. Independent media, despite their crucial role in investigative reporting, are constrained by political interference, financial limitations, and harassment, which impede their ability to provide comprehensive coverage.

1 Guidelines on Access to Information and Elections in Africa
https://www.chr.up.ac.za/images/researchunits/dgdr/documents/resources/guidelines_on_access_to_information_and_elections_in_africa_en.pdf, accessed on 31 December 2024.

The rise of digital platforms, such as Facebook, WhatsApp, and X, has expanded access to information, particularly among urban youth. However, the proliferation of misinformation, disinformation, and fake news poses a significant challenge, distorting public perceptions and undermining electoral integrity. These platforms, while vital in promoting democratic discourse, also contribute to the spread of falsehoods that threaten to erode public trust in the electoral process.

In terms of law enforcement, the report highlights the crucial role of the police in maintaining security, fairness, and order during elections. However, there are ongoing concerns regarding the impartiality of law enforcement, with accusations of bias, excessive use of force, and intimidation directed towards opposition parties and civil society. These actions undermine the confidence of the public in the electoral process and raise questions about the independence of Mozambique's judicial and legal systems. The Attorney General's office has similarly been criticized for supporting the ruling party, particularly in politically sensitive cases, further eroding trust in Mozambique's commitment to impartial justice.

In line with the ACHPR, this report underscores the importance of guaranteeing unrestricted access to information during elections. The shutdown of the internet in Mozambique during the electoral period starkly contrasts with these principles, as it hindered citizens' ability to access critical information, engage in open dialogue, and participate fully in the democratic process. The Guidelines advocate for the active release of electoral information and the need for electoral institutions to ensure that the flow of information is not obstructed by political interests or institutional weaknesses.

The drafting of this report faced several significant limitations that compromised the breadth and depth of analysis. Firstly, access to reliable and up-to-date information was limited. Many key actors were either unwilling or unavailable to share critical data or perspectives, hindering a more comprehensive understanding of the electoral environment. Furthermore, frequent Internet outages, especially before and after the election season, seriously hampered online communication, digital resource access, and fact-checking. Episodes of post-election violence made these difficulties even worse by limiting stakeholders' safe movement and engagement and fostering a climate of dread. Because of this, certain conclusions had to be based on secondary sources or kept tentative until they were clarified. Additional efforts were made to keep the report as accurate and representative of the Mozambican context as possible.

In conclusion, Mozambique's electoral environment requires urgent reforms to strengthen the independence of media, law enforcement, and judicial institutions, and to safeguard the free flow of information. The full implementation of the ACHPR Guidelines would contribute to a more transparent, inclusive, and fair electoral process, enhancing public trust and participation in Mozambique's democracy.



INTRODUCTION

Background To The Report

1

INTRODUCTION

BACKGROUND TO THE REPORT

Access to information is a cornerstone of democratic governance, enabling citizens to make informed decisions during elections. Elections are also a cornerstone of democratic governance, providing citizens with the opportunity to shape their country's political landscape. However, for elections to be free, fair, and credible, access to information is a critical prerequisite.

Citizens require timely, accurate, and impartial information to make informed decisions about candidates, policies, and the electoral process. In the context of Mozambique, a country with a complex socio-political history and ongoing democratic consolidation, the information ecosystem plays a decisive role in determining the transparency and integrity of electoral processes.² This access remains a contested space, shaped by laws, institutional practices, media environments, and emerging digital technologies.

The 2024 General Elections in Mozambique occurred against the backdrop of heightened political tensions and deep-seated public mistrust in electoral processes.³ The elections, which sought to elect the president, members of the Assembly of the Republic, and provincial assembly representatives, were marked by controversies reminiscent of previous electoral cycles, including allegations of irregularities, voter suppression, and unequal access to information. These challenges highlight the importance of examining the country's information ecosystem to assess its capacity to support transparent and inclusive elections.

The Guidelines on Access to Information and Elections in Africa, issued by the African Commission on Human and Peoples' Rights, provide a critical framework for evaluating

2 The Conversation, Mozambique's deadly protests: how the country got there <https://theconversation.com/mozambiques-deadly-protests-how-the-country-got-here-245052>, (accessed on 27 December 2024).

3 Crisis Group, What is Driving Mozambique's Post-electoral Protests? <https://www.crisisgroup.org/africa/east-and-southern-africa/mozambique/what-driving-mozambiques-post-electoral-protests>, (accessed on 27 December 2024).

Mozambique's electoral information landscape. These guidelines emphasise the legal and institutional obligations of states to ensure access to information throughout the electoral cycle, from voter registration and campaign coverage to the announcement of results. They underscore the necessity of free media, proactive information dissemination by electoral bodies, and robust measures to combat disinformation, all of which are essential to safeguarding electoral integrity.

Mozambique's legal framework, including the Access to Information Act (Law No. 34/2014)⁴ and the General Elections Law (Law No. 8/2013)⁵, establishes the foundations for access to electoral information. Yet, the practical implementation of these laws remains inconsistent, with significant gaps in enforcement, resource allocation, and institutional accountability. The country's electoral institutions, such as the CNE and the STAE face persistent challenges, including political pressures, logistical constraints, and limited capacity to proactively disseminate information. These limitations are compounded by a media environment characterised by state dominance, financial vulnerabilities of independent outlets, and the proliferation of misinformation on digital platforms.⁶

The 2024 elections further illuminated these systemic weaknesses. Questions surrounding voter registration accuracy, particularly the prevalence of "ghost voters," raised concerns about the credibility of the electoral roll. Additionally, unequal access to state-controlled media, coupled with inadequate voter education efforts, hindered citizens' ability to fully engage with the electoral process. Reports of police violence against protesters following the elections and the contentious declaration of the ruling FRELIMO party's victory intensified public scepticism and underscored the urgent need for reforms in the information ecosystem.

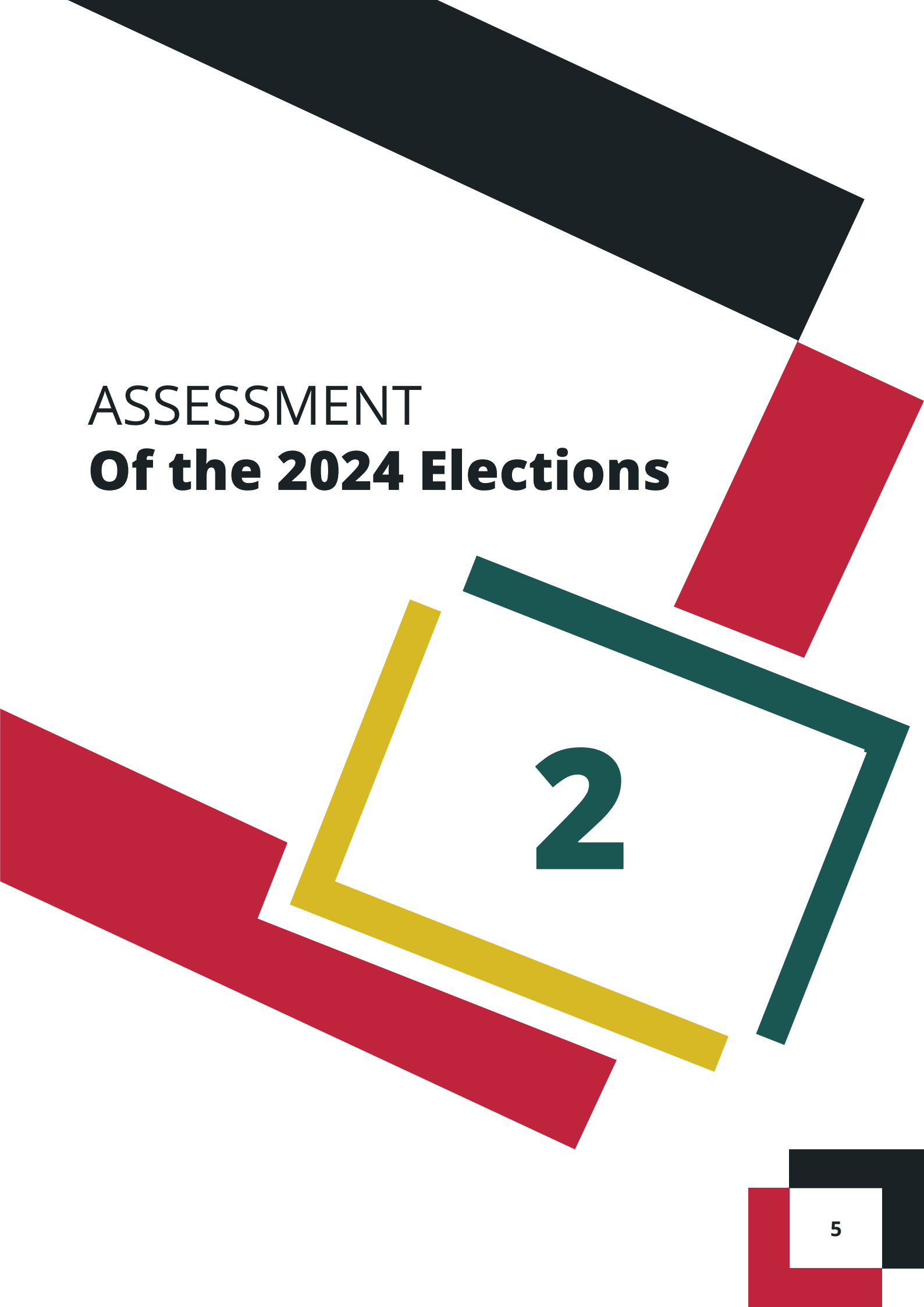
This report seeks to provide an in-depth assessment of Mozambique's information ecosystem in the context of the 2024 elections, guided by the principles outlined in

4 Access to Information Act (Law No. 34/2014) Mozambique https://www.rti-rating.org/wp-content/uploads/2018/09/Mozambique.RTI_.Dec2014.English.pdf, (accessed on 27 December 2024).

5 General Elections Law (Law No. 8/2013) Mozambique <https://aceproject.org/ero-en/regions/africa/MZ/mozambique-law-no.-8-2013-of-27-february-2013/view>

6 Reporters Without Borders, Mozambique <https://rsf.org/en/country/mozambique>, (accessed on 27 December 2024).

the Guidelines on Access to Information and Elections in Africa. It begins by examining the legal and institutional frameworks governing access to information, highlighting their alignment with regional and international standards. The report also evaluates the roles and performance of electoral institutions, the media landscape, and digital platforms in disseminating electoral information. Finally, it identifies key challenges and opportunities for fostering a transparent and inclusive information environment, with recommendations for strengthening Mozambique's electoral processes in future cycles.



ASSESSMENT **Of the 2024 Elections**

2

ASSESSMENT OF THE 2024 ELECTIONS

As part of the 1994 peace process that ended the Mozambican Civil War, Mozambique Liberation Front (FRELIMO), ruling since 1975 when it established a Marxist-Leninist one-party state, introduced multi-party elections.⁷ However, opposition parties have consistently accused these elections of being rigged to favour FRELIMO. Mozambique's presidential elections follow a two-round system. An absolute majority system is another name for it.

To be deemed the winner under this methodology, a candidate needs to receive more than 50% of the legitimate votes in the first round. A second round is held between the two candidates with the most votes if no candidate receives this majority. The purpose of this system is to guarantee the elected president's widespread support and democratic legitimacy. However, because of the ruling party's control and structural inequities in the election environment, Mozambique's two-round system has rarely been used in practice.

The 250 seats in the Assembly of the Republic are filled through a combination of proportional representation in eleven multi-member constituencies aligned with the provinces and first-past-the-post in two single-member constituencies for Mozambican citizens in Africa and Europe. The d'Hondt method is used to allocate seats in the multi-member constituencies, with a 5% electoral threshold. The National Election Commission (CNE)⁸ announces the official results within 15 days, which must then be validated by the Constitutional Council.

On 5 May 2024, during a Central Committee meeting, FRELIMO nominated Daniel Chapo, a 47-year-old law professor and former governor of Inhambane Province, as

7 Britannica, Mozambique - Civil War, Peace, Reconciliation
<https://www.britannica.com/place/Mozambique/Peace-in-Mozambique>,
(accessed on 27 December 2024).

8 National Election Commission <https://www.idea.int/node/6996>, (accessed on 27 December 2024).

its presidential candidate to succeed outgoing President Filipe Nyusi. Born in 1975, the year of Mozambique’s independence, Chapo is FRELIMO’s first presidential candidate born after independence.⁹

The Democratic Movement of Mozambique (MDM) announced Lutero Simango as its candidate for the October elections. Other candidates included Ossufo Momade, leader of RENAMO, and Venâncio Mondlane, who ran as an independent after leaving RENAMO following his failed 2023 mayoral bid in Maputo, which had been marred by allegations of fraud. After the 2023 municipal elections, protests broke out over alleged electoral fraud by FRELIMO, resulting in the deaths of at least three protesters.

On 9 October 2024, Mozambique held its general elections to elect the president, 250 members of the Assembly of the Republic, and representatives for the ten provincial assemblies. In the wake of controversies from the 2019 general election and the 2023¹⁰ municipal polls, the ruling FRELIMO party, often criticised for increasing authoritarian tendencies and impunity, was declared the winner. Its candidate, Daniel Chapo, was announced as the president-elect (see table 1).¹¹

Candidate	Party	%
Daniel Chapo	FRELIMO	65%
Ossufo Momade	RENAMO	7%
Venancio Mondlane	PODEMOS	24%
Lutero Simango	MDM	4%

Table 1: Results of the General Election 2024 (by the author)

9 Club of Mozambique, Frelimo chooses Daniel Chapo to run for President <https://clubofmozambique.com/news/mozambique-frelimo-chooses-daniel-chapo-to-run-for-president-257817/>, (accessed on 27 December 2024).

10 SS Africa, Fraudulent municipal elections cripple democracy in Mozambique <https://issafrica.org/iss-today/fraudulent-municipal-elections-cripple-democracy-in-mozambique>, (accessed on 28 December 2024).

11 Club of Mozambique, Just in: Mozambique Elections: Daniel Chapo proclaimed president of Mozambique with 65.17% of Votes <https://clubofmozambique.com/news/just-in-mozambique-elections-daniel-chapo-proclaimed-president-of-mozambique-with-65-17-of-votes-273001/>, (accessed on 31 December 2024).

The Constitutional Council's announcement confirmed Daniel Chapo's victory, as previously declared by the National Election Commission (CNE) on October 24. At the time, the CNE reported a higher percentage of 70.67% for Chapo. This earlier announcement triggered nearly two months of violent demonstrations and shutdowns, led by Venâncio Mondlane, who did not recognise the results. These events resulted in at least 130 deaths during clashes with the police.¹² The European Union¹³ and the Episcopal Conference of Mozambique raised concerns about the election's integrity, and protests over the results turned violent, leading to the deaths of over 100 protesters at the hands of police forces.¹⁴

Before the elections, concerns over discrepancies in voter registration had emerged, with over 17 million voters having been registered. The non-governmental organisation Centro de Integridade Pública,¹⁵ referencing CNE data, reported that 5% of these registrations were "ghost voters," with some provinces showing 878,868 more registered voters than the voting-age population.

Legal Framework for Access to Information in Mozambique

This section presents a comprehensive analysis of the state of laws governing access to information and elections in Mozambique, highlighting the legal framework, the role of electoral institutions, media dynamics, and the challenges citizens face in accessing credible information during electoral cycles. The analysis underscores the importance of fostering an open and transparent information ecosystem during elections.

According to the fifth African Media Barometer (AMB)¹⁶, Mozambique has a legal,

12 France 24, Mozambique post-election violence kills 125 in three days
<https://www.france24.com/en/live-news/20241226-mozambique-post-election-violence-kills-125-in-three-days-ngom>, (accessed on 27 December 2024).

13 European Union, Statement by the Spokesperson on the Presidential elections
https://www.eeas.europa.eu/eeas/mozambique-statement-spokesperson-presidential-elections_en, (accessed on 29 December 2024).

14 Euronews, Violence after election court ruling leaves 21 dead in Mozambique
<https://www.euronews.com/2024/12/25/violence-after-election-court-ruling-claims-21-lives-in-mozambique>, (accessed on 27 December 2024).

15 Centro de Integridade Pública, CIP Mozambique Elections: Ghosts have 7 seats in parliament
<https://clubofmozambique.com/news/cip-mozambique-elections-ghosts-have-7-seats-in-parliament-258443/>, (accessed on 10 April 2025).

16 African Media Barometer, Mozambique

political, institutional, and infrastructural framework in place to ensure that people can exercise their freedom of expression and press, as well as their right to information, which are guaranteed by Article 48 of the Republic of Mozambique's Constitution.¹⁷ Preference and wide coverage have been given to the public and community radio broadcast sector, which is regarded as the most significant mode of communication.

Mozambique officially has approximately 1,000 media outlets, the majority of which are newspapers and periodicals, but many are no longer in operation due to economic constraints.¹⁸ Notícias, the government-controlled daily, is the leading newspaper while O País is the most popular independent newspaper. Savana and Canal de Moçambique are well-known independent weekly publications. Mozambique also has approximately 20 TV channels and 50 radio stations. A large number of media outlets are directly or indirectly controlled by the authorities or members of FRELIMO, the ruling party.¹⁹ The European Union's election observation mission reported imbalanced electoral coverage. Journalists' reportage is frequently hampered during elections.²⁰

The Constitution, as well as the press and information laws, are designed to ensure journalistic freedom and independence.²¹ However, the Constitution is rarely enforced in a society marked by growing authoritarianism and increasingly restrictive access to information. State influence over the press is also maintained through media ownership and advertising. The majority of the advertisements are placed by massive state-owned corporations that inherited the communist era's hyper-centralised economy. This allows for a tremendous lot of intervention in editorial decisions at both state – and – privately-owned media outlets, which have little room to critique the President.

<https://fesmedia-africa.fes.de/themes/african-media-barometer/mozambique.html>,

(accessed on 27 December 2024).

17 Friedrich-Ebert-Stiftung e.V., African Media Barometer Mozambique

<https://fesmedia-africa.fes.de/themes/african-media-barometer/mozambique.html>,

(accessed on 14 December 2024).

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

(accessed on 27 December 2024).

19 As above.

20 European Union, Statement by the Spokesperson on the Presidential elections

https://www.eeas.europa.eu/eeas/mozambique-statement-spokesperson-presidential-elections_en, (accessed on 29 December 2024).

21 Constitution of the Republic of Mozambique

https://cdn.accf-francophonie.org/2019/03/mozambique_const-en.pdf,

(accessed on 27 December 2024).

Recent years have seen an uptick in attacks against journalists. They have been threatened with death, beaten by police, and even murdered. The murder of journalist João Fernando Chamusse in December 2023 highlights the impunity that exists in Mozambique.²² Accessing the country's North, which has been the site of an Islamist insurgency since 2017, is now nearly impossible without risk of detention. The information blackout has an impact on international media, which is finding it increasingly difficult to acquire permission to cover that territory. Despite all these challenges, Mozambique has taken progressive steps to establish a legal framework that guarantees citizens' right to access information.²³

The primary legal instrument is Law No. 34/2014²⁴ – the Access to Information Act which enshrines the right to seek, receive, and disseminate information. Private and public entities covered by the Act are required to make available public interest information in their possession by publishing such information through various lawful means, rendering it ever more accessible to citizens, subject to the exceptions expressly provided in the Act and other applicable legislation.

The law is in harmony with regional frameworks such as the African Charter on Human and Peoples' Rights and the African Union's Guidelines on Access to Information and Elections in Africa, underscoring Mozambique's commitment to democratic principles. Key Provisions of the Access to Information Law.

The loud participation of media groups and civil societies has addressed the existence of laws that contradict the media ideals outlined in the Constitution. Cases of law violations have been identified and condemned, such as the lack of incentive and laws for equal distribution of state advertising, which is the main advertiser and ensures the viability of media companies.

The media market in various mediums has seen a surge in public interest, leading to the establishment of new newspapers, television production channels, and internet features with the goal of increasing citizen participation.

Friedrich-Ebert-Stiftung, African Media Barometer Mozambique

-
- 22 Club of Mozambique, On the death of Mozambican journalist João Chamusse <https://clubofmozambique.com/news/on-the-death-of-mozambican-journalist-joao-chamusse-carta-de-mocambique-250839/>, accessed on 27 December 2024.
- 23 Tsandzana, D., Disinformation, social media networks and terrorism in Mozambique: Narratives, strategies and practices, In Tony Roberts & George Karekwaivanane, "Digital Disinformation in Africa", ZED Books, 2024.
- 24 As above.

Scope and Applicability

- The law applies to all public institutions, including ministries, state-owned enterprises, municipal councils, electoral bodies, and other entities exercising public functions.
- Civil society organisations (CSOs) and journalists are recognised as key actors entitled to access public information, empowering them to fulfil oversight roles.

Proactive Disclosure

- Public institutions are required to disclose key information proactively, including budgets, annual plans, policies, public procurement activities, and decisions that affect citizens.
- For electoral bodies, this includes disclosing voter registration data, polling station locations, candidate lists, and election results.

Right to Request Information

- Citizens can formally request information from public institutions, which are legally obligated to respond within 21 days.
- Requests may be made orally or in writing, but institutional inefficiencies often delay or obstruct timely responses.

Exemptions and Restrictions

- While the law broadly guarantees access, it includes exemptions for sensitive information related to national security, public order, and privacy. These exemptions, however, are often misapplied to withhold legitimate information.

Despite its progressive nature, the Access to Information Act faces significant implementation challenges. Public awareness of the law remains low, particularly in rural areas and institutions often lack the capacity and/or political will to comply with the Act's provisions. For electoral processes, this gap undermines transparency and reduces public trust in institutions responsible for managing elections.

Electoral Legal Framework

Mozambique does not have a single comprehensive law on elections, but the legal foundations governing elections in Mozambique are provided by:

- The Constitution of Mozambique (2024): Establishes elections as the basis of democratic legitimacy, guaranteeing citizens the right to vote, run for office, and participate in political processes.

- Law No. 8/2013 – General Elections Law: Defines the legal framework for organising elections, outlining the roles and responsibilities of electoral bodies, procedures for voter registration, campaign financing, and result declaration.
- Law No. 15/2018 – Law on the Election of the President of the Republic and Members of Parliament: Introduced reforms to improve electoral transparency, such as mandating the use of transparent ballot boxes, publishing election results by polling station, and ensuring broader oversight by domestic and international observers.
- Law no. 14/92 – Political Party Law: Regulates the formation, funding, and activities of political parties, including equitable access to media during election campaigns.

The Constitution of Mozambique guarantees the right to information for all citizens. Article 48 provides that citizens have the right to information, freedom of expression, and freedom of the press. Mozambique also has a Right to Freedom of Information Act which was passed in 2014. This law allows citizens to request and receive information in the public interest. To make a request, one must provide identification and describe the information they are seeking. The Constitution also guarantees the following rights:

- The right to exercise freedom of expression without censorship;
- The right to establish newspapers and other means of dissemination;
- The right to independent journalism; and
- The right to the impartiality of public sector media.

In June 2022, Mozambique passed a law to counter terrorism which has been seen as a threat to the right to information.²⁵ The law establishes the procedures to designate individuals, groups and entities associated with terrorist crimes and to freeze their funds and assets. It seeks to embargo the movements of individuals associated with terrorism or suspected of financing terrorism. The Mozambican chapter of the regional press freedom body, MISA Mozambique, denounced the law as a threat to freedom of expression. The organisation said it was concerned the law would seek to charge anyone who was involved in the “reproduction of statements about terrorism.”²⁶

25 Tsandzana, D., AfricaLaw – Freedom of expression and combating terrorism in Mozambique: the challenge of enacting laws in a context of conflict https://africlaw.com/2023/02/06/freedom-of-expression-and-combating-terrorism-in-mozambique-the-challenge-of-enacting-laws-in-a-context-of-conflict/#_ftnref19, accessed on 31 December 2024.

26 CPJ, Proposed amendment to Mozambique’s anti-terror law threatens press freedom <https://cpj.org/2022/06/proposed-amendment-to-mozambiques-anti-terror-law-threatens-press-freedom/>, accessed on 27 December 2024.

Even if legislation is important to counter terrorism in Mozambique, the provisions restricting online false news relating to terrorism in this law raise concerns. It is loosely defined in scope, giving authorities discretion to restrict a wide range of speech, and pursue aims which may not be considered “legitimate” according to international human rights standards.²⁷ In other words, the reason behind the law is not clear, as this reason must not be discriminatory in itself and it must be a genuine or real reason. Examples of legitimate aims include the health, safety, and welfare of individuals. It also stipulates penalties between eight to twelve years in prison.

It is potentially disproportionate in their severity and may result in a chilling effect on freedom of expression. In addition to that, the law is vague and does not clearly define terms such as public order, turbulence, and insecurity in its glossary or definitions section. Regarding the ‘Law on the Prevention, Suppression and Countering Terrorism’, Article 8 undermines freedom of expression. It provides that “In public and private places of public access, measures must be adopted to prevent terrorist acts by installing means of security and electronic surveillance”. The distinctions between private and public are not clear since the law is very broad and vague in its definition.

Equally, Article 9 states that “Telecommunications network operators and service providers shall adopt measures to control users in the context of the prevention, repression and combating terrorism.” It is not clear what the law means by “measures to control users”. This provision has the potential of violating the Law of Right to Information, which stipulates the legal procedures and limits to such access. In other words, the limitation of fundamental freedoms must be expressly explained when it affects the greater good or public security such as war or foreign military aggression. Through Article 9 of the law, it is not clear to what extent telephone operators have this right. This is a violation that can also compromise the data protection and security of users, especially because Mozambique does not yet have a law on data protection or a Data Protection Agency.

Considering the provisions about disinformation in the online sphere, the Law on the Prevention, Suppression and Countering Terrorism and Proliferation of Weapons of Mass Destruction can also violate international law and standards, specifically the International Covenant on Civil and Political Rights, the General Comment No. 34 of the United Nations Human Rights Committee, the 2017 Joint Declaration on Freedom

27 Global Voices, New laws undermine freedom of expression and press in Mozambique, June 2022 <https://globalvoices.org/2022/06/04/new-laws-undermine-freedom-of-expression-and-press-in-mozambique/>, accessed on 31 December 2024.

of Expression and “Fake News”, Disinformation and Propaganda and the Declaration of Principles of Freedom of Expression and Access to Information in Africa (the Declaration).²⁸

These laws collectively aim to promote free, fair, and transparent elections by providing a structured legal framework that outlines the responsibilities of electoral bodies, the rights of voters, and the rules governing the conduct of political parties and candidates. However, the effective enforcement of these provisions remains a significant challenge. Due to a lack of funding, technical difficulties, and political meddling, electoral institutions frequently face uneven enforcement of the law.

This inconsistency creates gaps in the electoral process, particularly in the dissemination of vital information to the public. Electoral bodies, such as the National Election Commission (CNE) and the Technical Secretariat for Electoral Administration (STAE) oftentimes lack the operational capacity and proactive mechanisms needed to provide voters, political actors, and the media with comprehensive and timely information. These limitations, which result in delays in publishing voter rolls, incomplete communication of electoral procedures, and insufficient transparency in result tabulation, undermine public trust in the electoral process and open the door to misinformation, speculation, and scepticism.

Electoral Institutions and Their Role in Information Dissemination

Electoral institutions help shape democratic processes by ensuring that citizens are well-informed and empowered to make decisions during elections. In a rapidly changing digital context, these organisations have increasing hurdles in providing accurate and timely information to varied and frequently geographically distant populations. This is especially important in situations where infrastructure, linguistic variety, and digital literacy might impede efficient communication.

This section examines the critical role that electoral institutions play in controlling and disseminating information, stressing their obligations, strategies, and challenges. Examining their activities provides insight into how they contribute to transparency, inclusivity, and overall election integrity.

28 Tsandzana, D., AfricaLaw – Freedom of expression and combating terrorism in Mozambique: the challenge of enacting laws in a context of conflict.

1. National Election Commission (CNE)

The CNE is the apex body responsible for supervising and overseeing the entire electoral process in Mozambique. Its mandate includes ensuring transparency and credibility throughout the electoral cycle. It is tasked with key responsibilities such as voter registration oversight, validation of electoral results, and resolution of disputes related to elections.

Responsibilities in Information Dissemination

- The CNE has a legal obligation to ensure timely dissemination of election-related information to stakeholders, including political parties, the media, civil society organisations, and the general public.
- This includes the publication of voter rolls, official electoral calendars, polling station locations, and both provisional and final results. The commission is required to ensure that this information is easily accessible and adequately publicised.

Challenges Faced

- **Political Pressures:** The CNE often operates under significant political influence, which compromises its independence and credibility. Allegations of partiality in favour of the ruling party have eroded public trust in its ability to ensure fair elections.
- **Resource Limitations:** Insufficient funding and logistical constraints hinder its ability to fulfil its mandate effectively. For example, delays in voter roll publication have been a recurring issue, leading to criticism from opposition parties and civil society.
- **Communication Gaps:** The CNE's efforts to proactively communicate with citizens, especially in rural areas, remain inadequate, leaving room for misinformation to fill the void.

2. Technical Secretariat for Electoral Administration (STAE)

The STAE functions as the operational arm of the CNE, handling the technical and logistical aspects of elections. Its responsibilities include voter education, election-day logistics, and ensuring the smooth operation of polling stations.²⁹

STAE is responsible for conducting voter education campaigns to ensure citizens understand their voting rights, the voting process, and the importance of participating in elections. These campaigns are particularly critical in addressing issues such as low

²⁹ International IDEA, National Electoral Commission – Mozambique <https://www.idea.int/node/6996>, (accessed on 27 December 2024).

voter turnout and invalid ballots. However, STAE's outreach efforts are often hampered by limited resources, poor infrastructure, and a lack of coordination. Rural and underserved areas, where literacy levels are lower, are particularly affected, leaving many citizens unaware of their electoral rights.

The STAE manages the distribution of election materials, training of polling station staff, and the overall coordination of election-day activities. Ensuring that all polling stations are adequately equipped and staffed is a monumental task, especially in Mozambique's geographically dispersed regions.

Interplay Between CNE and STAE

The efficiency of Mozambique's electoral process is dependent on the coordination of the CNE and STAE. While the CNE establishes strategic direction and guarantees monitoring, the STAE carries out these orders on the ground. However, tensions between the two bodies, frequently exacerbated by political intervention, have hampered their capacity to work together. For example, anomalies in voter registration data have caused conflicts between the two institutions, creating worries about the integrity of the voting process.

Impact on the Information Ecosystem

The shortcomings of the CNE and STAE in proactive information dissemination have significant implications for Mozambique's information ecosystem:

- **Erosion of Public Trust:** Delays and inconsistencies in the provision of information contribute to public scepticism about the transparency and fairness of elections.
- **Opportunities for Misinformation:** The lack of timely and accurate information from official sources creates a vacuum that is often exploited by malicious actors to spread false narratives.
- **Reduced Electoral Participation:** Citizens who feel uninformed or mistrustful of the process are less likely to participate, undermining the democratic mandate of elected officials.

Media Environment and Information Access During Elections

In Mozambique, television is a widely used medium. STV is a well-known private station, whereas TVM, the national network, is run by the state. One of the main news outlets

is the state-run Antena Nacional radio station. Most communities have private FM stations.³⁰ By February 2021, there were 7 million internet users, or otherwise put, 21% of the total population³¹. In general, the Mozambican media landscape is diverse, comprising state-owned, private, and community media, as well as emerging digital platforms. However, the extent to which the media serves as a channel for credible electoral information varies significantly.

Reporters Without Borders (RSF) reports that the government and ruling party still exert control over the media.³² A new bill aimed at updating the 1991 press law has been criticised by media organisations and journalists as “backward” - the new law aims to change the way media entities are licensed and impose high fees on foreign media.³³ In rural places, where newspapers can be prohibitively expensive, access to electricity is restricted, and literacy rates are low, radio is the primary news source. There is, however, a vibrant local media.³⁴ In larger cities and provincial capitals, there is access to websites, social media and print-based local newspapers and magazines. There are also community radio stations, many based in market towns and predominantly using volunteers.

Media outlets like Rádio Moçambique and Televisão de Moçambique (TVM) dominate the media landscape in the country but are frequently criticised for their biased coverage that favours the ruling party. This imbalance restricts opposition parties’ access to public media, limiting the diversity of perspectives available to the public. In contrast, independent outlets such as Canal de Moçambique, Savana, and MediaFax strive to provide critical and investigative reporting. However, they often operate under severe financial constraints, face political interference, and are subjected to intimidation.³⁵

30 RSF, Mozambique <https://rsf.org/en/country/mozambique>, (accessed on 27 December 2024).

31 DataReportal, Digital in Mozambique 2025
<https://datareportal.com/reports/digital-2025-mozambique>, (accessed on 10 April 2025).

32 Reporters Without Borders (RSF), Mozambique <https://rsf.org/en/country/mozambique>, (accessed on 26 December 2024).

33 Jamlab, Mozambique’s new laws undermine freedom of expression and press
<https://jamlab.africa/mozambiques-new-laws-undermine-freedom-of-expression-and-press/>, (accessed on 10 April 2025).

34 Adriano Nuvunga and Joseph Hanlon, Local Media Observation of Mozambique’s Elections, *Journal of African Elections*, Vol 17(1), 2018, 72-92.

35 Committee to Protect Journalists Mozambique <https://cpj.org/africa/mozambique/>, (accessed 26 December 2024).

Journalists working in these spaces play a vital role in exposing electoral irregularities but frequently encounter harassment, censorship, and legal threats as a result.³⁶

Meanwhile, the growing use of digital platforms like Facebook, WhatsApp, and X (formerly Twitter) has significantly expanded access to information, particularly among urban youth. Particularly in cities, WhatsApp is a well-liked site for political discussion and news exchange. However, these platforms are increasingly plagued by misinformation, disinformation, and fake news, which distort public perceptions and pose serious risks to electoral integrity. Balancing the benefits of greater connectivity with the challenges of digital manipulation remains a critical issue in safeguarding the democratic process.

36 Idem.



MEDIA VIOLATIONS **And 2024 General Elections**

3

MEDIA VIOLATIONS AND 2024 GENERAL ELECTIONS

The elections in Mozambique have been characterised by incidents of media violations. Ahead of the election day, Human Rights Watch reported³⁷ widespread abuses by Mozambican police against journalists and civil society activists, warning that such actions could severely hinder their work. Authorities have consistently failed to investigate formal complaints of harassment, threats, physical assaults, arbitrary arrests, and detentions targeting those reporting on election-related activities.³⁸

Case 1

Journalist Rui Minja, from the private television station TV Sucesso in Cabo Delgado Province, described an alarming incident on August 24. At around 2 a.m., the day after airing a report about police disrupting an opposition campaign event, Minja received an anonymous call from a man addressing him by name and instructing him to look out of his window. He saw a white, unlicensed Toyota vehicle with several occupants parked outside his gate.

The Media Institute of Southern Africa (MISA)³⁹ has noted a pattern of increased attacks against journalists during election periods in Mozambique. The organisation documented a rise in such incidents from 11 cases in 2022 to 28 in 2023, most of which were linked to the October 2023 municipal elections, a period marked by police crackdowns on opposition activities.⁴⁰

Case 2

Sheila Wilson, a journalist, and activist affiliated with the Maputo-based Centre for Democracy and Human Rights, recounted her own ordeal on June 4. While reporting live on a protest by

37 Human Rights Watch, Mozambique: Abuses Against Media, Activists Before Elections <https://www.hrw.org/news/2024/09/11/mozambique-abuses-against-media-activists-elections>, (accessed on 31 December 2024).

38 CPJ, Journalists in the crossfire of Mozambique's post-election crisis <https://cpj.org/2024/11/journalists-in-the-crossfire-of-mozambiques-post-election-crisis/>, (accessed on 31 December 2024).

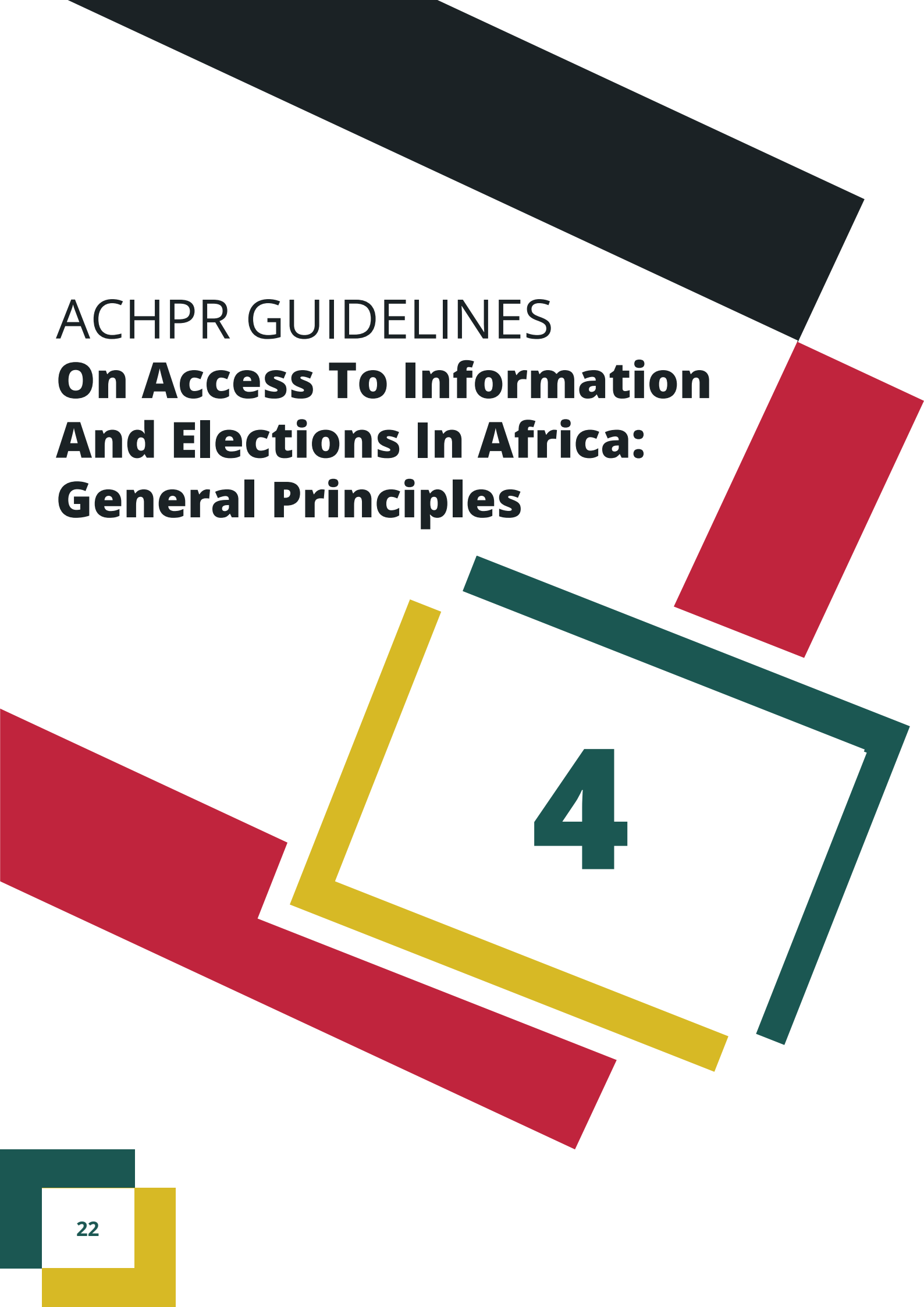
39 MISA Mozambique, MISA calls for end to impunity for crimes against journalists <https://clubofmozambique.com/news/mozambique-misa-calls-for-end-to-impunity-for-crimes-against-journalists-248207/>, accessed on 31 December 2024

40 As above.

former secret service agents over unpaid pensions, police officers reportedly arrested her. They grabbed her, threw her under the seat of a police van, and transported her to a police station, where she was held incommunicado for over five hours before being released.

Despite formal complaints and detailed reports, Mozambican authorities have yet to prosecute the alleged perpetrators of attacks recorded in MISA's 2023 report⁴¹, underscoring the continued culture of impunity in the country.

41 MISA's 2023 report <https://www.misa.org.mz/index.php/publicacoes/relatorios/181-estado-da-liberdade-de-imprensa-em-mocambique-2023-como-as-eleicoes-aumentaram-ataques-contrajornalistas>, (accessed on 31 December 2024).



ACHPR GUIDELINES

On Access To Information And Elections In Africa: General Principles

4

ACHPR GUIDELINES ON ACCESS TO INFORMATION AND ELECTIONS IN AFRICA: GENERAL PRINCIPLES

THE RIGHT OF ACCESS TO INFORMATION

1. The right to information is guaranteed in accordance with the following principles:
 - a. Every person has the right to access information of public bodies and relevant private bodies expeditiously and inexpensively.
 - b. Every person has the right to access information of private bodies that may assist in the exercise or protection of any right expeditiously and inexpensively.
 - c. Any policy or practice creating a right of access to information shall be interpreted and applied on the basis of a duty to disclose. Non-disclosure shall be permitted only in exceptionally justifiable circumstances.
 - d. No one shall be subject to any sanction for releasing information in good faith

PROACTIVE DISCLOSURE

2. The presumption is that all information held by relevant electoral stakeholders is subject to full disclosure. Accordingly, relevant electoral stakeholders are obliged to publish key information of public interest about their structure, functions, powers, decision making processes, decisions, revenue and expenditure in relation to the electoral process.

DUTY TO CREATE, KEEP, ORGANISE AND MAINTAIN INFORMATION

3. All relevant electoral stakeholders are obliged to create, keep, organise, maintain and manage information about the electoral process in machine-readable formats and in a manner that facilitates the right of access to information. This requires that electoral stakeholders keep and record information for a reasonable period of time on electoral cycle activities, and arrange this information in a manner that allows prompt and easy identification and also safeguards the integrity of its content.

PROCEDURE FOR ACCESSING INFORMATION

4. The process for accessing information held by relevant electoral stakeholders shall be simple, quick and affordable. In accessing information, no fees, other than the

actual cost of reproduction, shall be charged. The cost of reproduction shall however be waived where the requester is indigent.

5. Any refusal of information by relevant electoral stakeholders shall be well reasoned and premised on existing regional and international standards and best practices on access to information. The refusal shall also be provided timeously, in writing and be subject to an internal appeal process which shall be expeditious and inexpensive. The right of further appeal against the outcome of an internal appeal process shall lie to an independent body and the Courts.

EXEMPTIONS

6. The right to access information held by relevant electoral stakeholders may only be limited by narrowly defined exemptions, which shall be provided by law and shall comply strictly with regional and international standards and good practices on access to information.
7. Information may only be legitimately withheld as an exemption if its release would:
 - a. Result in the unreasonable disclosure of the personal information of a third party;
 - b. Cause substantial prejudice to a legitimate commercial or financial interest of relevant election stakeholders or other third party;
 - c. Endanger the life, health and safety of an individual;
 - d. Cause substantial prejudice to the national security and defence of the State;
 - e. Cause substantial prejudice to international relations where the information relates to information required to be held in confidence under international law, the position of the State with respect to international negotiations, and diplomatic or official correspondence with States or international organisations and diplomatic or consular missions respectively;
 - f. Cause substantial prejudice to the economic interests of the State in terms of its ability to determine currency or exchange rates, interest rates or taxes;
 - g. Cause prejudice to law enforcement, in particular, the prevention and detection of crime, apprehension or prosecution of offenders, the administration of justice or the assessment or collection of tax or duty;
 - h. Result in the disclosure of confidential communication between medical practitioner and patient, lawyer and client, journalist and sources, or is otherwise privileged from disclosure in legal proceedings; or
 - i. Jeopardise the integrity of a professional examination or recruitment process.

PUBLIC INTEREST OVERRIDE

8. Information can only be legitimately withheld by relevant election stakeholders where the harm to the interest protected under the relevant exemption clearly outweighs the public interest in disclosure of the information.

SEVERANCE

9. Where a portion of a document containing requested information is exempted from disclosure, the exempted portion shall be severed or redacted and access granted to the remainder of the document that is not exempted from disclosure.

WHISTLEBLOWING PROTECTION

10. Persons who, in good faith and in the public interest, disclose information about wrongdoing in the electoral process by a relevant electoral stakeholder or its employees, shall be protected from administrative, social, legal and employment-related sanctions or other sanctions of a similar nature.

The Guidelines urge state parties to the African Charter to implement legislative, administrative, judicial, and other measures to fulfil their obligation of ensuring the proactive disclosure of information throughout the electoral process by key stakeholders. Overall, access to information frameworks in Africa are steadily improving. Many countries now have constitutional provisions that, in various forms, safeguard the right to access information.

Aligned with the African Union's key objectives under Agenda 2063, member states are committed to fostering democratic values and culture as outlined in the African Governance Architecture (AGA). The goal is to ensure that at least seven out of ten citizens in each member state perceive elections as free, fair, and credible, while recognising democratic institutions, processes, and leaders as accountable. These aspirations are closely tied to broader goals of achieving economic transformation across the region and eradicating poverty.

Access to information is pivotal in shaping these perceptions and supporting the AGA framework. It also takes on heightened importance as member states develop and implement cyber infrastructure in line with Agenda 2063 objectives. This evolution is expected to lead to significant data flows and greater interaction with data, making a strong commitment to open government data and proactive disclosure essential. Such practices will enhance public participation, promote transparency and accountability, and ultimately contribute to achieving the transformative goals set out in Agenda 2063.

Electoral Stakeholders and the Mozambican Elections

Appointing Authority

The process of appointing electoral officials is a critical component of Mozambique's electoral framework. The members of the National Election Commission (CNE), the body responsible for managing elections, are appointed through a process involving parliamentary approval and representation from political parties. However, this appointment mechanism has faced criticism for potential partisan bias, with allegations that ruling party interests often dominate the selection process.⁴²



***Workshop on the Information Ecosystem and Elections in Mozambique
(Maputo, September 2024)***

42 Members of the National Elections Commission (CNE)
https://clubofmozambique.com/wp-content/uploads/2022/09/Moz_Elections-M4-sup-CNE.pdf.

Electoral Management Body (EMB)

The National Election Commission (CNE) serves as Mozambique's primary Electoral Management Body (EMB). It is tasked with overseeing voter registration, organising elections, and announcing results. While the CNE has a legal mandate to ensure impartiality, it often struggles with operational challenges, including inadequate resources, delays in disseminating critical electoral information, and accusations of favouring the ruling party.

The Constitutional Council, which validates election results, also plays a significant role but is similarly perceived as susceptible to political influence. Strengthening the independence, capacity, and transparency of these bodies is crucial to improving Mozambique's electoral integrity. Thus, the electoral management body is crucial in ensuring elections are conducted in a non-partisan and transparent manner. The Guidelines' expectations are that EMBs such as the IEC disclose information on its organizational structure and membership and all information related to the management and administration of elections.

Political Parties and Candidates

Mozambique's political landscape is dominated by the ruling FRELIMO party, which has been in power since independence, and the main opposition parties, RENAMO and the Democratic Movement of Mozambique (MDM). These parties and their candidates were central actors in the electoral process, competing for votes.

The 2024 elections saw Daniel Chapo of FRELIMO, Ossufo Momade of RENAMO, Venancio Mondlane of PODEMOS and Lutero Simango of MDM vying for the presidency. However, opposition parties have consistently alleged electoral manipulation and bias, raising questions about the fairness of the electoral process. The political environment remains fraught with challenges, including limited resources for opposition parties and constraints on campaigning. The Guidelines require political parties to disclose organisational details, including administrative, procedural, and financial information.

Law Enforcement Agencies

Law enforcement agencies play a dual role in elections, ensuring security and order while also being implicated in electoral misconduct. In Mozambique, the police have faced allegations of excessive use of force against protesters, harassment of journalists, and suppression of opposition activities.



Workshop on the Information Ecosystem and Elections in Mozambique (Maputo, September 2024)

During the 2024 elections, reports of violence and intimidation underscored the need for law enforcement to act impartially and respect fundamental rights. Reforming these agencies to align with democratic principles is critical to fostering. Thus, the Guidelines require law enforcement agencies to disclose information regarding their preparation, planning, and operations before, during and after the elections.

Election Observers and Monitors

Election observers and monitors are vital for enhancing transparency and credibility in elections. In Mozambique, both domestic and international observers, including

the European Union and civil society groups, play a crucial role in scrutinising the electoral process. However, their findings often highlight irregularities, such as voter roll discrepancies and delays in result announcements.

The presence of independent observers is essential for ensuring accountability, but their effectiveness depends on their access to information and the cooperation of electoral authorities. Election observers are expected to disclose information about their sources of funding, codes of conduct, conflict of interest and their mission reports.

Media and Internet Regulatory Bodies

Media and Internet regulatory bodies oversee the dissemination of information during elections, ensuring compliance with legal and ethical standards. In Mozambique, these bodies include the National Communications Institute (INCM) and other state entities. However, there are concerns about their partiality, with accusations that they favour state-controlled media and restrict dissenting voices.

Strengthening these regulatory bodies to ensure equitable access to media and uphold freedom of expression is critical for fostering a more inclusive information environment during elections. These bodies are required to proactively disclose information about their codes of conduct and complaints procedures.

Media and Online Media Platform Providers

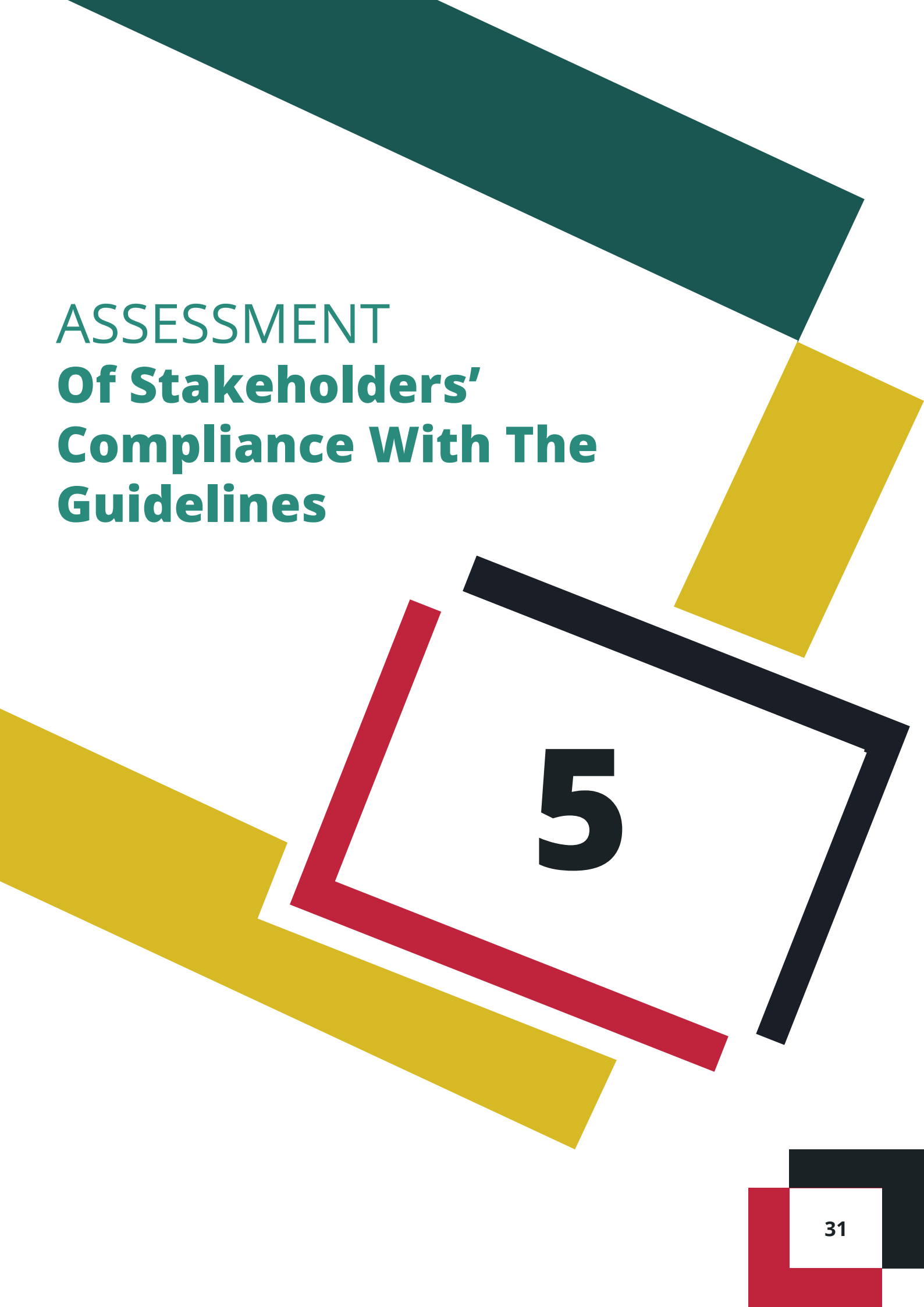
The media landscape in Mozambique is dominated by state-controlled outlets, which have been criticised for favouring the ruling party. Online platforms, while offering alternative avenues for information, have also been vehicles for misinformation and disinformation. The role of media providers and online platforms is central to shaping public opinion, but their effectiveness is undermined by limited access in rural areas and regulatory constraints. Promoting balanced coverage and combating online falsehoods are key to enhancing the role of media in elections. It is against this background that the media, both online and offline, are required to disclose the information outlined in the Guidelines.

Civil Society Organisations (CSOs)

Civil society organisations in Mozambique are instrumental in voter education, election monitoring, and advocacy for electoral reforms. Despite their critical role, many CSOs

face significant challenges, including limited resources, intimidation, and restrictions on their activities. During the 2024 elections, CSOs highlighted issues such as voter roll irregularities and the need for greater transparency in the electoral process.

Supporting and protecting these organisations is essential for strengthening democratic participation and accountability in Mozambique. Being a significant stakeholder in the elections, they are also expected to disclose information regarding their operations such as their aims, sources of funding, composition, their work on elections (voter education for example) and conflicts of interest.



ASSESSMENT **Of Stakeholders' Compliance With The Guidelines**

5

ASSESSMENT OF STAKEHOLDERS' COMPLIANCE WITH THE GUIDELINES

1. Appointing Authority
2. Election Management Bodies
3. Political Parties And Candidates
4. Election Observers And Monitors
5. Law Enforcement Agencies
6. Media And Internet Regulatory Bodies
7. Media And Online Media Platform Providers
8. Civil Society Organisations

Appointing Authority

12. States Parties shall ensure that:
 - a. The process for the selection and appointment of members of the Election Management Body is clearly stipulated in law, and that it is transparent, widely publicised and allows for public participation; and
 - b. It proactively discloses the following categories of information in relation to the Election Management Body:
 - c. Mode, criteria and process of appointment of members, including any requisite considerations such as gender balance, qualifications and experience;
 - d. Appointment process of members;
 - e. Remuneration and conditions of service of members; and
 - f. Procedure for the termination of appointed members of the Election Management Body.

The Guidelines define the 'Appointing authority' as 'any person or institution within a state party that is authorised by law to oversee the appointment of members of the election management body.'

Overview of the Appointment Process

The appointment process for the members of Mozambique's National Election Commission (CNE) is pivotal to the country's electoral framework. The CNE oversees the entire electoral cycle, making its independence and impartiality critical for ensuring

fair elections. The process for appointing CNE members involves multiple stages, including nominations by political parties, review and approval by Parliament. However, this process is often criticised for being overly influenced by political interests, which undermines public confidence in the electoral body.

The current composition of the CNE consists of 17 members, including representatives from political parties and civil society members nominated by the parties. STAE are selected under a public tender supported by political parties.⁴³ Regarding the Guidelines, the process for the selection and appointment of members of the Election Management Body is clearly stipulated in law. However, it is neither transparent nor widely publicised to allow for public participation as it is ultimately controlled by political parties which have the final say on who joins the CNE.

Legal Framework Governing Appointments

The appointment of CNE members is governed by Mozambique's Electoral Law, which outlines the composition of the body and the procedures for selecting its members. The law stipulates that the CNE should be composed of representatives from political parties with parliamentary representation, civil society, and technical experts. This framework aims to create a balance of interests and foster inclusivity. This is line with the Guidelines that require a law on appointment. However, the interpretation and implementation of these provisions have often been contentious. Although their election is public, information about how these members are selected for the position remains unclear. It is widely believed that political affiliation plays a key role in their appointment to the CNE.

Allegations of Political Bias

The most recent appointment of CNE members was marked by allegations of political interference and bias. Opposition parties and civil society organisations accused FRELIMO of dominating the process and sidelining independent voices. These concerns were amplified by the fact that the ruling party holds a majority in Parliament, giving it substantial control over the approval of candidates.

43 Club of Mozambique, Members of the National Elections Commission (CNE) https://clubofmozambique.com/wp-content/uploads/2022/09/Moz_Elections-M4-sup-CNE.pdf, (accessed on 31 December 2024).

Remuneration and Lack of Transparency

A recurring issue in the appointment process is lack of transparency. Civil society organisations and opposition parties have consistently called for more open and inclusive procedures. In the last appointments, these calls went largely unheeded, with limited public disclosure of the criteria used to select nominees or the deliberations during parliamentary reviews. There is no clear information about the agreements political parties make with these members for their nomination. The exact remuneration of the CNE members is also not publicly known but it is believed that they fall under the same remuneration category as government ministers.

Impact on Electoral Credibility

The perceived politicisation of the CNE appointment process has significant implications on electoral credibility in Mozambique. Critics argue that a commission dominated by ruling party appointees is unlikely to act impartially, particularly in adjudicating electoral disputes. This perception has fueled mistrust among opposition parties and the public, undermining confidence in the electoral system.

Stage 1: Nomination by Political Parties

The first step in appointing CNE members is the nomination of candidates by political parties with representation in the Assembly of the Republic. Each party submits a list of proposed individuals who they believe can represent their interests on the commission. In the last appointment process, the ruling FRELIMO party, as the dominant political force, was able to nominate a significant portion of the members, raising concerns about the balance of representation.

Stage 2: Selection of Civil Society Representatives

In addition to political party representatives, the CNE includes members from civil society organisations (CSOs). These representatives are intended to provide a neutral and non-partisan perspective within the commission. The selection of CSO representatives involves a public nomination process, during which organisations propose candidates. However, in the most recent appointments, several CSOs raised concerns about the lack of transparency in this process, with some alleging that politically connected individuals were favoured.⁴⁴

44 Idem.

Stage 3: Parliamentary Review and Voting

Once the nominations are submitted, the Assembly of the Republic reviews the proposed candidates. This stage involves parliamentary debates and voting to approve or reject nominees. The review process is intended to ensure that candidates meet the required qualifications and can operate independently. During the last appointment cycle, opposition parties criticised the process, claiming that FRELIMO used its parliamentary majority to push through its preferred candidates.

Stage 4: Presidential Endorsement

After parliamentary approval, the list of selected candidates is submitted to the President of the Republic for formal endorsement. The president's role is largely ceremonial, as the approval by Parliament is usually binding. In the last round of appointments, civil society groups urged the president to ensure that the process was inclusive and transparent, but no significant changes were made to the approved list.

Conclusion

The appointment process for CNE members is a critical yet controversial aspect of Mozambique's electoral framework. While the legal provisions aim to create a balanced and inclusive commission, the implementation of these processes often falls short. The dominance of political interests, lack of transparency, and limited inclusivity undermine the credibility of the CNE, calling for urgent reforms to strengthen its independence and effectiveness.

Summary

The Appointing Authority		
	Description	Compliance
A	The process for the selection and appointment of members of the Election Management Body is clearly stipulated in law	Complied
B	Mode, criteria and process of appointment of members, including any requisite considerations such as gender balance, qualifications and experience	Not complied
C	Appointment process of members	Partially complied

D	Remuneration and conditions of service of members	Complied
E	Procedure for the termination of appointed members of the Election Management Body	Partially complied

Election Management Bodies

13. To facilitate access to information, Election Management Bodies shall as part of their operations:
 - a. Create, keep, organise and maintain records in a manner that facilitates access to information, including for vulnerable and marginalised groups;
 - b. Adopt and implement flexible proactive disclosure arrangements that enable access to information without the need for individual applications;
 - c. Establish clear and effective processes and procedures to deal with requests for information; and
 - d. Formulate clear procedures for making requests for information, which must include the required format of requests, costs for reproduction, timeframes and formats for providing requested information.

14. An Election Management Body shall cause to be published, on an annual basis, accurate and updated information pertaining to its:
 - a. Organisational structure;
 - b. Strategic plan;
 - c. Decision-making process;
 - d. Procedure for the recruitment of both permanent and temporary staff and their conditions of service;
 - e. Training policies;
 - f. Code of conduct for employees, including declaration of assets;
 - g. Budget and sources of funding, including donor funding, which shall be disaggregated accordingly;
 - h. Mechanisms for voter identification;
 - i. Procurement policy, processes and award of contracts; and
 - j. Annual Report, including audited accounts.

15. An Election Management Body shall proactively disclose information relating to its membership including:
 - a. Details of the professional background of its members;
 - b. Policy on declaration of assets and interests by its members; and
 - c. Its code of conduct and ethics.

16. The proactive disclosure of information by an Election Management Body is required at all stages of the electoral process. Certain categories of information shall be disclosed prior, during and after the conduct of elections.
17. During the pre-election period, an Election Management Body shall proactively disclose the following information:
 - a. Detailed electoral calendar;
 - b. Criteria, process and results for the delimitation of electoral boundaries in a simplified manner;
 - c. List of constituencies or voting districts, if applicable;
 - d. Full details of the voter registration process including criteria, qualifications, requirements and location of voter registration centres;
 - e. Voters roll containing information allowing the unique identification of each voter, including the full name, identity number, photograph (where it exists), gender and age of each voter, and any subsequent amendments to this information;
18. On Election Day and results announcement day(s), the Election Management Body shall proactively disclose the following information:
 - a. Location, as well as opening and closing times of voting stations;
 - b. Support mechanisms for voters and election officials through the provision of episodic and periodic reports of election day activities.
19. Upon the conclusion of elections, an Election Management Body shall proactively disclose the following information:
 - a. Progress in achieving timelines for the declaration of collated results which shall be within a reasonable time or as stipulated by law;
 - b. Declaration and publication of final election results, down to the polling station level;

Overview of Mozambique's EMBs

Mozambique's Electoral Management Bodies (EMBs) play a critical role in organising, supervising, and validating electoral processes. The main EMBs include the National Election Commission (CNE) and the Technical Secretariat for Electoral Administration (STAE). Together, these institutions are responsible for overseeing voter registration, organising polling operations, and ensuring that elections are conducted in a free, fair, and transparent manner. Both entities, CNE and STAE, have a strategic plan, but the decision-making process is not public, including the procedures for the recruitment of both permanent and temporary staff, which appear to be conducted through public

tenders. In addition, they have training policies and Codes of conduct for employees, but declaration of assets is missing. Despite their legal mandate to act independently, the effectiveness and impartiality of these bodies have often been questioned due to allegations of political influence and operational inefficiencies.⁴⁵

Vulnerable and marginalised groups

In Mozambique, efforts to accommodate vulnerable and marginalised groups in the electoral process have been uneven. Persons with disabilities were included in some voter awareness initiatives, particularly through the use of sign language interpretation during televised electoral content. However, this support was largely confined to urban areas, leaving rural communities with limited or no access to such services. A few television stations aired voter education segments specifically targeted at people with disabilities, but these efforts lacked consistency and broad coverage.⁴⁶

There was no publicly available evidence of specific outreach or inclusion measures directed at the LGBTQIA+ community, suggesting a gap in inclusive electoral programming. Notably, prisoners are not entitled to vote under Mozambican electoral law, and thus were not included in voter education or participation efforts. These limitations highlight the need for a more comprehensive and inclusive strategy to ensure equitable access to electoral information for all marginalised populations.

Voter Registration and Electoral Roll Management

One of the key responsibilities of Mozambique's EMBs is to manage voter registration and maintain accurate electoral rolls. This task is vital for ensuring the inclusivity and integrity of elections. However, the voter registration process has been marred by irregularities, including the presence of "ghost voters" and discrepancies in voter data. For instance, in the 2024 general elections, civil society organisations reported that certain provinces had more registered voters than the adult population.⁴⁷ Such anomalies undermine

45 ECF-SADC, Mozambique - National Election Commission (CNE) <https://www.ecfsadc.org/members/mozambique-national-election-commission/>, (accessed on 31 December 2024).

46 UNDP Mozambique, Advocating for the Inclusion of the Disability Rights Agenda into Electoral Manifestos <https://www.undp.org/mozambique/news/advocating-inclusion-disability-rights-agenda-electoral-manifestos>, accessed on 9 April 2025.

47 Club of Mozambique, CIP Mozambique Elections: CNE results show 170,000 fake votes for Frelimo and Chapo <https://clubofmozambique.com/news/cip-mozambique-elections-cne-results-show->

public confidence in the electoral process and highlight deficiencies in the EMBs' ability to manage this critical function effectively.

In line with point 17 of the Guidelines, there is a detailed electoral calendar available, along with simplified information on the criteria, process, and results of the delimitation of electoral boundaries. A list of constituencies or voting districts is also provided, where applicable. In addition, full details of the voter registration process—including eligibility criteria, qualifications, requirements, and the locations of voter registration centres—are publicly accessible, although sometimes the lists appear with inaccurate or missing information. However, the voters' roll, which should contain information allowing for the unique identification of each voter (such as full name, identity number, photograph, gender, and age), is not publicly available. It is even not possible to access voters' age data for public research purposes. This information remains confidential, raising concerns about transparency and public oversight.

Challenges in Election Logistics

The logistical challenges faced by Mozambique's EMBs are significant, particularly given the country's vast geography and infrastructural limitations. STAE is tasked with ensuring that election materials are distributed to remote areas and that polling stations are adequately staffed and equipped. However, delays in the delivery of materials, inadequate training for polling station staff, and technical failures have been recurring issues.⁴⁸ These logistical shortcomings have led to disruptions on election day and further eroded trust in the electoral process. There is no annual report, including audited accounts. In accordance with the guidelines (section 18 and 19), the location, as well as the opening and closing times of voting stations, is made public. However, the starting time is often not respected due to logistical challenges. Upon the conclusion of the elections, the results are declared and published down to the polling station level. However, these results are often removed by unidentified individuals.

Electoral Dispute Resolution

Another important function of Mozambique's EMBs is to manage electoral disputes. The CNE is responsible for adjudicating complaints and ensuring that grievances are

[170000-fake-votes-for-frelimo-and-chapo-269637/](#), accessed on 9 April 2025.

48 Bloomberg, New Technology Meets Familiar Problems in Mozambique's Election <https://www.bloomberg.com/news/articles/2024-06-23/mozambique-elections-biometric-systems-allow-ruling-party-to-maintain-control>, (accessed on 9 April 2025).

addressed in a fair and timely manner. However, the dispute resolution process has been criticised for its lack of transparency and perceived partiality. Opposition parties and civil society groups have often accused the CNE of favouring the ruling party in its decisions, particularly in cases involving allegations of electoral fraud or irregularities.⁴⁹

Monitoring and Oversight of Campaign Activities

Mozambique's EMBs are also tasked with monitoring campaign activities to ensure compliance with electoral laws. This includes overseeing campaign financing, the use of state resources, and adherence to rules governing political advertising. In practice, however, enforcement has been inconsistent, with allegations that the ruling party has disproportionately benefited from state resources and media coverage. For example, the ruling party is accused of receiving funds without justification.⁵⁰ The inability of the EMBs to address these imbalances has been a source of frustration for opposition parties and voters.

Public Communication and Voter Education

Effective public communication and voter education are essential components of the EMBs' mandate. The CNE and STAE are responsible for disseminating information about voting procedures, election timelines, and the rights and responsibilities of voters. Despite these responsibilities, the EMBs have been criticised for their limited outreach, particularly in rural areas where access to information is constrained.⁵¹ This gap has contributed to confusion among voters and lower participation rates. With reference to point 14 of the Guidelines, the organisational structures, strategic plans, and decision-making processes are not publicly accessible. Interested parties must submit a formal request to obtain detailed information regarding these decisions.

49 Club of Mozambique, CIP Mozambique Elections: CNE results show 170,000 fake votes for Frelimo and Chapo <https://clubofmozambique.com/news/cip-mozambique-elections-cne-results-show-170000-fake-votes-for-frelimo-and-chapo-269637/>, accessed on 9 April 2025.

50 CIP Mozambique, Illicit political financing in Mozambique: from the manipulation of public procurement to the sale of customs exemptions <https://www.cipmoz.org/en/2022/05/31/illicit-political-financing-in-mozambique-from-the-manipulation-of-public-procurement-to-the-sale-of-customs-exemptions/>, (accessed on 9 April 2025).

51 Idem.

There is no known communication strategy from the electoral bodies. Although a website exists⁵², it is rarely or almost never updated. On the day of the results, live updates were not provided, and neither were the Facebook pages⁵³ of the electoral bodies updated. Additionally, the electoral law prohibits anyone from discussing the election results before the official bodies make their announcements.

Coordination with Stakeholders

The effectiveness of Mozambique's EMBs depends on their ability to coordinate with various stakeholders, including political parties, civil society organisations, law enforcement agencies, and international observers. While the EMBs have established mechanisms for stakeholder engagement, these have not always been utilised effectively. The lack of regular and transparent communication with stakeholders has contributed to a perception of bias and reduced trust in the electoral process.

Conclusion

Mozambique's EMBs are central to the functioning of its electoral system, but their performance has been hindered by political influence, operational inefficiencies, and logistical challenges. Addressing these issues is critical to ensuring that the EMBs can fulfil their mandate and contribute to free, fair, and credible elections in Mozambique. Strengthening their independence, transparency, and capacity will be essential for restoring public trust and advancing the country's democratic processes.

Summary

Election Management Bodies		
	Description	Compliance
A	Facilitates access to information, including for vulnerable and marginalised groups	Partially complied
B	Adopt and implement flexible proactive disclosure arrangements that enable access to information without the need for individual applications	Not complied

52 CNE www.stae.org.mz.

53 CNE Facebook <https://www.facebook.com/CNE.STAE.Mocambique>.

C	Formulate clear procedures for making requests for information, which must include the required format of requests, costs for reproduction, timeframes and formats for providing requested information	Partially complied
D	Establish clear and effective processes and procedures to deal with requests for information	Not complied
E	Annual Report, including audited accounts.	Not complied
F	Details of the professional background of its members	Not complied
G	Policy on declaration of assets and interests by its members; and its code of conduct and ethics.	Not complied
H	Detailed electoral calendar	Partially complied
I	Criteria, process and results for the delimitation of electoral boundaries in a simplified manner	Partially complied
J	List of constituencies or voting districts	Complied
K	Location, as well as opening and closing times of voting stations	Complied
L	Progress in achieving timelines for the declaration of collated results which shall be within a reasonable time or as stipulated by law	Partially complied
M	Declaration and publication of final election results, down to the polling station level	Partially complied

Political Parties And Candidates

20. Political parties and candidates (including independent candidates) shall proactively disclose the following information:
- Constitution, names of office bearers as well as the policies of the political party;
 - Symbols, logos or trademarks associated with the political party;
 - Number of registered members;
 - Criteria and procedure for nomination and election of candidates for internal and external office;
 - Process for dispute resolution and the relevant appeal mechanisms;
 - Mechanisms for public participation, including any special mechanisms for persons with disabilities;
 - Mechanisms for monitoring of the nomination process and proceedings;
 - Names of party agents or representatives responsible for or on duty at various stages of the electoral process;
 - Assets, investments, membership subscriptions, subventions and donations; and
 - Financial schemes initiated.

21. The legal framework of States Parties shall provide for the proactive disclosure by political parties of:
 - a. Receipt of campaign funding from both public and private sources;
 - b. Campaign expenditure broken down into distinct line items and specifying the sources of funding and actual amounts;
 - c. Annual audited financial reports; and
 - d. All other information, proactively disclosed or available on request.
22. States Parties shall adopt laws requiring the proactive disclosure of information on the use by all political parties of all state resources, providing for the following:
 - a. Financial resources, covering the period starting one year before and ending six months after elections, including Government or central bank contracts with currency printers, Central Bank or Monetary Policy Committee reports, and Central Bank reports on Government issued bonds;
 - b. Institutional resources, covering the period starting six months before and ending three months after elections, including advertising rates and the allocation of airtime and space to all political parties in State-supported media coverage, vehicle or flight logs and fuel allocations to Government departments, and service agreements, contracts and tenders awarded, their amounts and budgets;
 - c. Regulatory resources, covering the period starting one year before and ending six months after elections, including documentary justification for requests for approval of supplementary budgets by Parliament, supplementary budgets passed by Parliament and political party finance legislation; and
 - d. Enforcement resources, covering the period starting six months before and ending three months after elections, including details of records of the elections deployment strategy for the police, military, paramilitary and other law enforcement agents involved in ensuring security throughout the electoral process.

Overview of Political Parties in Mozambique

In Mozambique, political parties, rather than individual candidates, obtain national or provincial seats based on the proportion of votes they receive. Notably, the party that secures the majority of votes in the provincial elections now also selects the provincial governor, a new development in the electoral process.⁵⁴ In the 2024 general elections, despite the historical strongholds of the opposition party, FRELIMO managed to secure a majority in all 10 provincial assemblies, even in central provinces where RENAMO

54 International IDEA, National Electoral Commission – Mozambique <https://www.idea.int/node/6996>, (accessed on 27 December 2024).

traditionally performed well. This majority grants FRELIMO the authority to appoint all provincial governors.⁵⁵

Political parties in Mozambique play a pivotal role in shaping the country's democratic landscape. Since the introduction of multiparty democracy in 1994, political competition has been primarily dominated by three major parties: FRELIMO, RENAMO and MDM. A fourth contender, PODEMOS, has emerged as a significant player in recent years, though it operates with limited influence compared to the two giants.

The role of political parties extends beyond contesting elections. They are instrumental in shaping public policy, fostering political dialogue, and mobilising citizens. However, Mozambique's political system is often criticised for being overly centralised, with limited space for smaller parties and independent candidates to gain traction.

Electoral Competition and Dominance of FRELIMO

FRELIMO, as the ruling party since independence in 1975, continues to dominate Mozambique's political and electoral processes. Its entrenched position has enabled it to wield significant influence over state institutions, the media, and public resources, giving it a considerable advantage during elections.

RENAMO, the main opposition party, has long contested this dominance, often accusing FRELIMO of electoral fraud, misuse of state resources, and suppression of dissent. The 2024 general elections were no exception, as PODEMOS and other opposition parties raised concerns about irregularities in voter registration and the fairness of the electoral process. These accusations reflect ongoing challenges to establishing a level playing field for political competition in Mozambique.⁵⁶

Candidate Selection and Campaign Strategies

The process of candidate selection within political parties is a critical aspect of Mozambique's elections. Major parties such as FRELIMO and RENAMO typically rely on internal mechanisms, including party congresses and central committee meetings, to

55 360 Mozambique, Frelimo Wins All Provincial Governors Elected
<https://360mozambique.com/development/frelimo-wins-all-provincial-governors-elected/>,
(accessed on 28 December 2024).

56 Crisis Group, What is Driving Mozambique's Post-electoral Protests?
<https://www.crisisgroup.org/africa/east-and-southern-africa/mozambique/what-driving-mozambiques-post-electoral-protests>, accessed on 28 December 2024.

nominate their candidates for presidential and parliamentary elections. For the 2024 elections, FRELIMO selected Daniel Chapo, a law professor and former governor, as its presidential candidate, signaling a strategic attempt to refresh its leadership. Indeed, Chapo is the first President born after independence and who did not participate in the national liberation struggle.

RENAMO, under the leadership of Ossufo Momade, sought to project stability and continuity by fielding seasoned candidates with strong party loyalty. MDM selected Lutero Simango, and PODEMOS supported Venancio Mondlane. Smaller parties and independent candidates often face significant hurdles, including limited financial resources and restricted access to media coverage, which hamper their ability to run effective campaigns. There was no clear information on how these candidate selection processes were conducted and the secrecy behind the parties' agreements was criticised.

For all political parties, including FRELIMO, the party constitution, names of office bearers, and key policies are publicly disclosed, along with associated symbols, logos, or trademarks. However, the number of registered members is not publicly available, and the criteria and procedures for the nomination and election of candidates—both for internal party roles and public office remain largely confidential. This includes internal dispute resolution processes and the mechanisms for appeals.

There are no established mechanisms for public participation in these processes, nor are there any specific provisions to ensure the inclusion of persons with disabilities. Additionally, there is no clear system for monitoring the nomination process or related proceedings. While the names of party agents or representatives assigned to various stages of the electoral process are available at the national level, such information is often unclear or absent at the local level.

Campaign Financing and Resource Inequities

Campaign financing remains a contentious issue in Mozambique's elections. The lack of access to information and transparency in the funding of political parties and candidates has raised concerns about the influence of illicit money and the misuse of state resources.⁵⁷ FRELIMO's access to extensive financial and logistical resources gives it a significant advantage over opposition parties, which struggle to fund their campaigns. This disparity not only affects the competitiveness of elections but also

57 CIP, Illicit political financing in Mozambique <https://www.cipmoz.org/wp-content/uploads/2022/06/Illicit-political-financing-in-Mozambique.pdf>, accessed on 29 December 2024.

undermines public confidence in the integrity of the electoral process. Finally, details on party assets, investments, membership fees, public subventions, and private donations remain undisclosed to the public.

Challenges Facing Opposition Parties

Opposition parties in Mozambique encounter numerous structural and systemic challenges. Chief among these is the lack of equitable access to state resources and media platforms. During election campaigns, state-controlled media often favour the ruling party, marginalising opposition voices. Financial constraints also limit the ability of opposition parties to organise large-scale campaigns and mobilise voters, particularly in rural areas. Moreover, allegations of intimidation and harassment of opposition candidates by state security forces further weaken their ability to compete on equal terms. These challenges undermine the principle of fair competition and contribute to voter apathy and mistrust in the electoral process.

Role of Political Manifestos and Public Engagement

Political manifestos serve as a key tool for parties to communicate their policy priorities and vision to voters. In the 2024 elections, FRELIMO emphasised continuity and economic development, highlighting infrastructure projects and social welfare programmes. PODEMOS, on the other hand, focused on governance reforms, decentralisation, and anti-corruption measures. Smaller parties and independents sought to appeal to niche constituencies, such as youth and urban voters, by addressing issues like unemployment and social justice. However, the reach and impact of these manifestos were limited by the uneven access to media and public platforms, which restricted voter engagement and dialogue.

Gender and Youth Representation

An emerging issue in Mozambique's political landscape is the underrepresentation of women and youth in party leadership and candidate selection. Despite legislative provisions to promote gender equality, women remain significantly underrepresented in both political parties and elected positions. Similarly, young people, who make up the majority of Mozambique's population, are often excluded from decision-making processes within parties. This lack of inclusivity has led to growing calls for reforms to ensure that political parties reflect the demographic diversity of the country and address the concerns of marginalised groups.

Calls for stricter regulation and monitoring of campaign financing have been made by civil society organisations and election observers. Despite the recommendation provided by the law, little to nothing is known about the amounts received by each political party during the campaign, let alone how these funds were managed.⁵⁸

Political Violence and Intimidation

The political environment in Mozambique is often marred by incidents of violence and intimidation, particularly during election periods. Opposition parties and their supporters frequently report cases of harassment, physical assault, and threats by state security forces or ruling party loyalists. These incidents create an atmosphere of fear and deter political participation, especially in areas where opposition support is strong. Efforts to address political violence have been limited, with perpetrators rarely held accountable, further entrenching a culture of impunity.

Collaboration with Civil Society and International Partners

Political parties in Mozambique have increasingly engaged with civil society organisations and international partners to enhance their capacity and legitimacy. Civil society plays a crucial role in monitoring party activities, promoting voter education, and advocating for inclusive and transparent electoral processes. International partners, including election observers and donor agencies, provide technical assistance and funding to strengthen party structures and support democratic development. However, the effectiveness of these collaborations is often hindered by political resistance and limited institutional capacity.

Conclusion

Political parties and candidates are central to Mozambique's democratic process, but the current political landscape is fraught with challenges that undermine fairness and inclusivity. Addressing these issues requires a concerted effort from all stakeholders, including political parties, civil society, and international partners. By fostering a more competitive and transparent political environment, Mozambique can strengthen its democratic institutions and promote greater citizen engagement in the electoral process.

58 As above.

Political Parties and Candidates		
	Description	Compliance
A	Constitution, names of office bearers as well as the policies of the political party	Complied
B	Symbols, logos or trademarks associated with the political party	Complied
C	Number of registered members	Not complied
	Criteria and procedure for nomination and election of candidates for internal and external office	Not complied
D	Process for dispute resolution and the relevant appeal mechanisms	Not complied
E	Mechanisms for public participation, including any special mechanisms for persons with disabilities	Not complied
F	Mechanisms for monitoring of the nomination process and proceedings	Partially complied
G	Names of party agents or representatives responsible for or on duty at various stages of the electoral process	Partially complied
H	Assets, investments, membership subscriptions, subventions and donations	Not complied
I	Receipt of campaign funding from both public and private sources	Not complied
J	Campaign expenditure broken down into distinct line items and specifying the sources of funding and actual amounts	Not complied
K	Annual audited financial reports	Not complied
L	States Parties shall adopt laws requiring the proactive disclosure of information on the use by all political parties of all state resources	Not complied

Election Observers And Monitors

23. Election observers and monitors shall proactively disclose the following categories of information:
 - a. Names and details of key office bearers in the observer or monitoring mission;
 - b. Code of conduct for observers and monitors;
 - c. Financial or non-financial assistance received from any donor or any political party or candidate, including the incumbent government;

- d. The Election Observation Mission Report, specifying the methodology, deployment plan as well as the assessment of the conduct and outcome of the elections. This shall be published widely and timeously, with preliminary reports issued within 30 days and final reports issued within 90 days;
- e. Conflict of interest or political affiliations of local observers or monitors, if any; and
- f. Sources of funding for any organisations

The Role of Election Observers and Monitors

Election observers and monitors are integral to ensuring the credibility, transparency, and fairness of electoral processes in Mozambique. Their primary role is to independently assess whether elections are conducted in accordance with national laws and international standards. Observers include domestic and international entities, such as civil society organisations, regional bodies like the Southern African Development Community (SADC), and continental/international institutions like the African Union (AU), Commonwealth, and the European Union (EU).⁵⁹

Domestic Election Observation

In Mozambique, domestic election observation is primarily conducted by civil society organisations and local platforms. Organisations such as the Mais Integridade, Mais Transparencia, Plataforma Decide, and the Centre for Public Integrity (CIP) play a pivotal role in monitoring elections. They deploy thousands of observers across the country to monitor voter registration, campaign activities, polling day procedures, and vote counting. These organisations also issue detailed reports highlighting challenges, such as logistical issues, voter intimidation, and unequal access to resources by political parties. Their proximity to local communities enables them to provide context-specific insights that are often overlooked by international observers.⁶⁰

International Election Observation

International observers are invited to monitor Mozambique's elections to provide an impartial assessment of the process. Bodies like the AU, Commonwealth, SADC, and

59 European Union, The European Union deploys an Election Observation Mission https://www.eeas.europa.eu/eeas/mozambique-european-union-deploys-election-observation-mission_en, accessed on 28 December 2024.

60 European Union, EU EOM Mozambique's second post-election press statement https://www.eeas.europa.eu/eom-mozambique-2024/eu-eom-mozambiques-second-post-election-press-statement_en, accessed on 28 December 2024.

EU have a longstanding history of observing elections in the country. In the 2024 general elections, these organisations deployed multidisciplinary teams comprising election experts, legal advisors, and media analysts. Their assessments often focus on the broader political and institutional framework, including the independence of the Electoral Management Body (EMB), adherence to electoral laws, and respect for civil liberties. International observers are also crucial in offering technical assistance and facilitating dialogue among stakeholders to address electoral disputes.⁶¹

The financial or non-financial assistance received from any donor, political party, candidate, or the incumbent government was not clearly disclosed by either international or domestic election observers. While the European Union compiled and published a detailed Election Observation Mission Report, including its methodology, deployment plan, and assessment of the conduct and outcome of the elections, such documentation was not made available by other missions, such as the Commonwealth.

Accreditation and Deployment Process

The accreditation process for election observers in Mozambique is overseen by the National Electoral Commission (CNE). Observers must apply for accreditation and adhere to a code of conduct that ensures their neutrality and professionalism. Once accredited, observers undergo training to familiarise themselves with Mozambique's electoral framework and their specific roles. Deployment involves assigning observers to strategic locations, including urban centres and remote areas, to ensure comprehensive coverage of the electoral process. Despite these measures, logistical challenges, such as limited access to conflict-affected regions can hinder effective deployment.⁶²

Challenges Faced by Observers

Election observers in Mozambique often face significant challenges that impact their ability to perform effectively. These include bureaucratic delays in the accreditation process, restricted access to sensitive locations, and instances of harassment and

61 Cowater, International manages election observation mission in Mozambique <https://www.cowater.com/en/cowater-international-manages-election-observation-mission-in-mozambique/>, accessed on 28 December 2024.

62 IRI, IRI Deploys International Delegation to Observe Elections in Mozambique <https://www.iri.org/news/iri-deploys-international-delegation-to-observe-mozambiques-general-election-iri-envia-delegacao-internacional-para-observar-as-eleicoes-gerais-de-mocambique/>, accessed on 28 December 2024.

intimidation by state actors. In some cases, domestic observers have reported being denied entry to polling stations or having their movements closely monitored by security forces. Additionally, the lack of financial and logistical resources limits the ability of many domestic organisations to deploy observers nationwide, leaving gaps in coverage.

Key Findings from the 2024 General Elections

Preliminary reports from domestic and international observers of the 2024 general elections highlighted several concerns. These included delayed opening of polling stations, discrepancies in the voter register, and instances of voter intimidation. Observers also noted unequal access to media by opposition parties and a lack of transparency in vote tabulation. Despite these challenges, observers acknowledged improvements in some areas, such as increased voter turnout and enhanced security at polling stations. However, the overall assessment underscored the need for systemic reforms to address recurring issues.

The Impact of Observation Reports

The findings and recommendations of election observers carry significant weight in shaping public perception and guiding post-election reforms. Reports from domestic organisations often provide granular details about specific issues, such as voter suppression or ballot irregularities, while international reports offer a broader assessment of systemic challenges.

These reports are frequently cited by political parties, civil society, and the media to advocate for greater accountability and transparency. In some cases, observer recommendations have led to legal and institutional changes aimed at improving future elections. Although these reports are public, the way missions are funded, their personnel, and complete information about their operational structure are not made clearly and publicly available. This goes against the Guidelines, which clearly states that this information should be made public.

Collaboration with Stakeholders

Effective election observation requires collaboration with various stakeholders, including political parties, civil society, media, and law enforcement agencies. Observers engage with these groups to gather information, address grievances, and promote dialogue. For instance, during the 2024 elections, observer missions facilitated discussions between

the Electoral Management Body (EMB) and opposition parties to resolve disputes over voter registration. Such initiatives contribute to reducing tensions and fostering a more inclusive electoral environment.

Enhancing Observer Impact Through Technology

The use of technology has increasingly become a key component of election observation. Digital tools, such as mobile apps and online platforms, enable observers to report real-time incidents, share findings, and coordinate their activities more effectively. During the 2024 elections, domestic observers utilised mobile reporting systems to document violations, which were later compiled into comprehensive reports, including providing updates and countering misinformation.

Conclusion

Election observers and monitors play a critical role in safeguarding the integrity of Mozambique’s electoral process. Despite the challenges they face, their efforts contribute to enhancing transparency, accountability, and public confidence in elections. By addressing the issues identified by observers and implementing their recommendations, Mozambique can strengthen its democratic institutions and promote more inclusive and credible elections. The continued collaboration between domestic and international observers, along with other stakeholders, remains essential for achieving these goals.

Summary

Election Observers And Monitors		
	Description	Compliance
A	Names and details of key office bearers in the observer or monitoring mission	Partly complied
B	Code of conduct for observers and monitors	Partly complied
C	Financial or non-financial assistance received from any donor or any political party or candidate, including the incumbent government	Not complied

D	The Election Observation Mission Report, specifying the methodology, deployment plan as well as the assessment of the conduct and outcome of the elections. This shall be published widely and timeously, with preliminary reports issued within 30 days and final reports issued within 90 days	Partly complied
E	Conflict of interest or political affiliations of local observers or monitors, if any	Not complied
F	Sources of funding for any organisations	Partly complied

Law Enforcement Agencies

24 In ensuring the maintenance of law and order during the course of the electoral cycle, law enforcement agents shall proactively disclose their:

- a. Code of conduct and roles during the electoral period;
- b. Training and operational plan and manuals for the electoral period;
- c. Deployment plans from pre-election through to post-election period;
- d. Budgetary allocations and actual expenditure for the electoral period;
- e. Details of any reported election related crimes, including the number of cases reported and steps taken to investigate, prosecute or withdraw such cases; and
- f. Details of any arrangements whereby any other persons or groups are authorised by law enforcement agencies to perform specific law enforcement related tasks during the electoral period.

The Role of Law Enforcement in Elections

Law enforcement agencies play a pivotal role in ensuring the security, fairness, and integrity of elections. In Mozambique, their primary responsibilities include maintaining public order, protecting electoral materials and facilities, safeguarding voters and election officials, and addressing violations of electoral laws. These agencies operate under the mandate of national laws and regulations (the Constitution) which outline their duties during the electoral cycle. However, their actions often come under scrutiny due to allegations of partiality, excessive use of force, and intimidation of opposition parties and civil society.

The police have often been targeted as instruments of political control, accused of supporting the ruling party and suppressing opposition voices, especially during periods of heightened political tension. During the 2024 general elections, allegations

of police brutality and the arbitrary detention of opposition figures further undermined the public's trust in law enforcement's impartiality.⁶³ In addition, the judiciary has been seen as vulnerable to political influence, with critics arguing that the courts often fail to provide fair judgments in cases involving electoral disputes or human rights violations.⁶⁴

The Attorney General's office has also been accused of supporting the ruling government, particularly in high-profile cases where legal actions against opposition figures or civil society activists are perceived as politically motivated, such as the case against the opposition presidential candidate Venancio Mondlane and his advisor Dinis Tivane.⁶⁵ These concerns highlight the challenges to ensuring a fully independent and transparent electoral process in Mozambique, where the rule of law should guarantee equal treatment and protection for all parties involved.

Coordination with the Electoral Management Body

A critical aspect of the role of law enforcement agencies during elections is their coordination with the Electoral Management Body (EMB). This collaboration involves securing polling stations, ensuring the safe transportation of election materials, and responding to incidents of violence or unrest. The EMB provides specific guidelines to law enforcement agencies on their responsibilities, emphasising the need for neutrality and respect for human rights. In practice, however, challenges in coordination often arise, particularly in areas prone to political tensions or conflict.

Pre-Election Period Activities

During the pre-election period, law enforcement agencies are tasked with preventing electoral violence and ensuring a safe environment for campaigning. This includes monitoring political rallies, deterring acts of voter intimidation, and investigating complaints of electoral misconduct. In Mozambique's 2024 general elections, reports

63 Relief Web, Mozambique Police Brutally Repress Election Protesters
<https://reliefweb.int/report/mozambique/mozambique-police-brutally-repress-election-protesters>, (accessed on 29 December 2024).

64 Aljazeera, Mozambique's controversial election result upheld: What to know
<https://www.aljazeera.com/news/2024/12/23/mozambiques-controversial-election-result-upheld>, (accessed on 30 December 2024).

65 AIM, PGR postpones hearing of Mondlane's legal adviser
<https://aimnews.org/2025/03/20/pgr-postpones-hearing-of-mondlanes-legal-adviser/>, (accessed on 15 April 2025).

indicated heightened police presence at campaign events, particularly those involving opposition parties. While this was ostensibly to maintain order, critics argued that it created an atmosphere of fear and discouraged public participation.⁶⁶

Election Day Responsibilities

On election day, law enforcement agencies are responsible for securing polling stations, preventing voter intimidation, and addressing any breaches of the peace. Officers are deployed across the country to ensure the safety of voters, election officials, and observers. In the 2024 elections, law enforcement agencies faced significant challenges, addressing allegations of voter suppression, and responding to isolated incidents of violence. Reports from observers noted both commendable instances of professionalism and concerning cases of misconduct, such as the removal of opposition representatives from polling stations, including lack of information in many polling stations about the voting process.

Allegations of Partisanship

One of the most significant concerns surrounding law enforcement agencies during elections in Mozambique is their perceived lack of neutrality. Opposition parties and civil society organisations have repeatedly accused the police and other security forces of favouring the ruling party, FRELIMO. These allegations include selective enforcement of laws, such as allowing pro-government rallies while dispersing opposition gatherings, and the harassment of opposition candidates and supporters.⁶⁷ Such actions undermine public trust in law enforcement and, by extension, the electoral process.

Use of Force and Human Rights Violations

Excessive use of force by law enforcement agencies during elections remains a critical issue. In the 2024 elections, there were documented cases of police using tear gas and live ammunition to disperse protests over alleged electoral irregularities.⁶⁸ Human

66 VOA, Clashes in Mozambique as police disperse election protests
<https://www.voanews.com/a/clashes-in-mozambique-as-police-disperse-election-protests/7848911.html>, (accessed on 30 December 2024).

67 Reuters, Mozambique police clash with opposition protesters after disputed election
<https://www.reuters.com/world/africa/mozambique-police-clash-with-opposition-protesters-after-disputed-election-2024-10-21/>, (accessed on 14 April 2025).

68 Idem.

rights groups reported that over 100 protesters were killed in clashes with security forces, raising serious concerns about accountability and respect for human rights. These incidents not only mar the credibility of the elections but also deepen political and social divisions.

Training and Capacity Building

To address these challenges, there have been calls for enhanced training and capacity building for law enforcement agencies. Training programs should focus on the principles of democratic policing, including impartiality, the proportional use of force, and respect for human rights. International partners and civil society organisations can play a key role in providing technical assistance and resources for such initiatives. For example, prior to the 2024 elections, some officers underwent training on election security, although the effectiveness of these programs remains debatable given the subsequent incidents. For example, UNDP provided training for the police and the Constitutional Council, including the Supreme Court.⁶⁹

Oversight and Accountability

Ensuring the accountability of law enforcement agencies during elections is crucial for maintaining public trust. Mechanisms for oversight include internal disciplinary procedures, independent investigations, and judicial review of alleged misconduct. However, in Mozambique, the effectiveness of these mechanisms is limited. Few officers implicated in electoral abuses face prosecution, and complaints by victims are often ignored or dismissed. Strengthening oversight bodies and ensuring their independence are necessary steps toward addressing these shortcomings.

Related to law enforcement agencies and in line with the Guidelines, the deployment plans from pre-election through to post-election period was not observed, including the lack of budgetary allocations and actual expenditure for the electoral period. The details of any reported election related crimes, including the number of cases reported and steps taken to investigate, prosecute or withdraw such cases were not disclosed.

69 UNDP, Inclusive Governance, Justice, Human Rights, Peace and Social Cohesion <https://www.undp.org/mozambique/inclusive-governance-justice-human-rights-peace-and-social-cohesion>, (accessed on 14 April 2025).

Collaboration with Other Stakeholders

Effective law enforcement during elections requires collaboration with other stakeholders, including the EMBs, political parties, civil society, and election observers. Regular communication and joint planning can help prevent misunderstandings and conflicts. In the 2024 elections, instances of successful collaboration were reported, such as the coordinated protection of polling stations in high-risk areas. However, these positive examples were overshadowed by broader concerns about partisanship and misconduct. In fact, despite the lack of precise information about what happened, there are strong allegations of widespread fraud during the process.⁷⁰

Conclusion

Law enforcement agencies are indispensable to the electoral process in Mozambique, yet their actions often attract criticism for undermining democratic principles. Addressing issues of partisanship, excessive use of force, and lack of accountability is crucial for ensuring free, fair, and credible elections. By implementing necessary reforms and fostering collaboration with other stakeholders, Mozambique can strengthen the role of law enforcement in upholding electoral integrity and protecting the rights of its citizens.

Summary

Law Enforcement Agencies		
	Description	Compliance
A	Code of conduct and roles during the electoral period	Partly complied
B	Training and operational plan and manuals for the electoral period	Partly complied
C	Deployment plans from pre-election through to post-election period	Not complied
D	Budgetary allocations and actual expenditure for the electoral period	Not complied
E	Details of any reported election related crimes, including the number of cases reported and steps taken to investigate, prosecute or withdraw such cases	Not complied

70 France 24, Mozambique top court upholds ruling party's disputed win as tensions escalate <https://www.france24.com/en/live-news/20241223-mozambique-on-edge-as-judges-rule-on-disputed-election>, (accessed on 30 December 2024).

F	Details of any arrangements whereby any other persons or groups are authorised by law enforcement agencies to perform specific law enforcement related tasks during the electoral period	Not complied
---	--	--------------

Media And Internet Regulatory Bodies

25. Media and internet regulatory bodies shall adopt regulations on media coverage during elections that ensure fair and balanced coverage of the electoral process and transparency about political advertising policy on media and online media platforms. Such regulations shall proactively disclose to the public:
 - a. The complaints procedure against media organisations that violate the regulations;
 - b. The enforcement mechanism for ensuring compliance with the decisions taken and sanctions imposed;
 - c. The code of conduct for online media; and
 - d. Details of all complaints or petitions received during the electoral period and how these were addressed.

26. The body responsible for regulating the broadcast media and any other relevant national security, public or private body involved in the provision of telecommunication services shall refrain from shutting down the internet, or any other form of media, during the electoral process.

27. In exceptional cases in which a shutdown may be permissible under international law, the reasons for any shutdown shall be proactively disclosed.

28. Any decision of the Media or Internet Regulatory Body shall be subject to judicial review, which shall be undertaken on an expedited basis.

Overview and Role in Elections

Media and Internet regulatory bodies play a vital role in overseeing the flow of information during elections. It includes the Instituto Nacional de Comunicações de Moçambique (INCM) for the Internet and mobile communication, and Instituto Superior de Comunicação Social (ISCS) for the television and radio.

Their mandate includes ensuring balanced coverage by traditional media, monitoring content disseminated on digital platforms, and upholding ethical and professional standards. In Mozambique, these bodies are crucial in managing the dual landscape of traditional and digital media, especially as elections increasingly take place in an environment shaped by rapid digitalisation. By regulating media and online spaces, they aim to prevent misinformation, promote transparency, and ensure that all political parties and candidates receive fair representation. However, their effectiveness and impartiality have often been called into question.

Regulatory Framework and Legal Mandate

Mozambique's media and Internet regulatory bodies operate under a legal framework that outlines their roles and responsibilities during the electoral cycle. The Gabinete de Informação (GABINFO) and the Instituto Nacional das Comunicações de Moçambique (INCM) are the primary institutions overseeing media and communication platforms. GABINFO regulates public and private media outlets, ensuring compliance with journalistic ethics and standards, while INCM monitors telecommunications and internet providers.

These bodies are tasked with enforcing laws designed to protect the integrity of the electoral process, including preventing hate speech, misinformation, and discriminatory coverage. Despite these mandates, enforcement is often inconsistent, with critics alleging that regulatory decisions are influenced by political considerations.⁷¹

Monitoring Media Coverage

During elections, regulatory bodies are responsible for monitoring the coverage provided by traditional media outlets, such as newspapers, radio, and television. This includes ensuring equitable access for all political parties, addressing complaints of bias, and sanctioning outlets that violate established norms. In the 2024 elections, significant concerns were raised regarding state-controlled media favouring the ruling FRELIMO.

Opposition parties accused these outlets of providing disproportionate coverage to government candidates while marginalising their competitors. Although regulatory

71 MISA Mozambique, Transparency Assessment 2020
<https://www.misa.org.mz/index.php/publicacoes/relatorios/direito-a-informacao-1/104-mozambique-transparency-assessment-2020-the-citizens-analysis-of-government-openness-in-southern-africa/file>, (accessed on 30 December 2024).

bodies were tasked with addressing these issues, their responses were viewed as inadequate and selective, undermining public trust in their impartiality.

Addressing Digital Challenges

The rise of digital platforms has added a layer of complexity to the work of media and internet regulatory bodies. Social media platforms like Facebook, WhatsApp, and X (Twitter) have become key channels for political communication and public discourse. However, they are also rife with misinformation, disinformation, and hate speech. Regulatory bodies in Mozambique have struggled to adapt to this rapidly evolving landscape. The INCM, in particular, faced criticism for its inability to effectively monitor and respond to the spread of false information during the 2024 elections, such as fake news about polling station closures and manipulated images of alleged voter fraud.

During the electoral period (October-November), the government implemented an internet shutdown that disrupted access to online communication, social media platforms, and critical information channels.⁷² This action came at a time when the need for transparent, timely, and accessible information was paramount to ensure that the public remained well-informed about electoral developments. The shutdown⁷³ not only hindered the flow of information, but also limited citizens' ability to engage in open dialogue, discuss electoral matters, and hold authorities accountable.

The Guidelines emphasise the importance of ensuring unrestricted access to information, particularly during electoral periods, as it is essential for a free, fair, and transparent electoral process. The internet shutdown in Mozambique directly contravened these principles, curtailing citizens' right to access information and impeding the democratic process. The Guidelines stress that access to information is a fundamental right that underpins the right to participate in governance, and any action that limits this access undermines the integrity of the election and the broader democratic system.

72 Human Rights Watch, Mozambique: Post-Election Internet Restrictions Hinder Rights <https://www.hrw.org/news/2024/11/06/mozambique-post-election-internet-restrictions-hinder-rights>, (accessed on 30 December 2024).

73 Access Now, #KeepItOn: authorities in Mozambique must stop normalizing internet shutdowns during protests <https://www.accessnow.org/press-release/keepiton-authorities-in-mozambique/>, (accessed on 30 December 2024).

Allegations of Partisanship

The impartiality of media and internet regulatory bodies is a recurring issue in Mozambique. Opposition parties and civil society organisations have accused these institutions of bias, particularly in their handling of complaints against state-controlled media and pro-government content.⁷⁴ For example, during the 2024 elections, several complaints were lodged about the unequal distribution of airtime on public broadcasters, yet little action was taken to address these grievances. Such perceptions of partisanship not only erode public confidence in regulatory bodies but also exacerbate tensions between political stakeholders.⁷⁵

State-controlled media, which dominate Mozambique's information landscape, often exhibit a pronounced bias in favour of the ruling party, particularly during election campaigns. This bias manifests in disproportionate coverage of the ruling party's activities, the promotion of its achievements, and the marginalisation or outright exclusion of opposition parties. Such practices undermine the principle of equitable access to media, a cornerstone of fair and democratic elections.⁷⁶

By restricting the voices and perspectives of opposition parties, state media denies voters the opportunity to access diverse political viewpoints and critically evaluate competing policy proposals. As a result, many citizens are left with a one-sided narrative that compromises their ability to make informed decisions at the ballot box. This lack of balance not only distorts the democratic playing field but also fosters scepticism about the impartiality of state institutions tasked with upholding democratic principles.⁷⁷

74 European Union, Mozambique: Statement by the Spokesperson on the latest developments in the country https://www.eeas.europa.eu/eom-mozambique-2024_en?s=410430, (accessed on 30 December 2024).

75 European Union, Mozambique: Statement by the Spokesperson on the latest developments in the country https://www.eeas.europa.eu/eom-mozambique-2024_en?s=410430, (accessed on 30 December 2024).

76 Club of Mozambique, MISA condemns ban on reporters during election campaign <https://clubofmozambique.com/news/mozambique-elections-misa-condemns-ban-on-reporters-during-election-campaign-266419/>, accessed on 30 December 2024.

77 IMS, IMS statement on the post-election media situation in Mozambique <https://www.mediasupport.org/news/ims-statement-on-the-post-election-media-situation-in-mozambique/>, (accessed on 30 December 2024).

Intimidation of Media

Journalists, independent media outlets, and civil society organisations in Mozambique often operate under a climate of intimidation, harassment, and restrictive legal frameworks, particularly when covering electoral matters or disseminating critical information. These actors, vital to ensuring transparency and accountability during the electoral cycle, frequently face threats, surveillance, and even physical violence, discouraging them from reporting freely and objectively.

Capacity and Resource Constraints

One of the key challenges faced by regulatory bodies in Mozambique is their limited capacity and resources. Monitoring both traditional and digital media across a vast and diverse country requires significant technological infrastructure, skilled personnel, and financial investment. In the 2024 elections, these limitations were evident as regulatory bodies struggled to keep up with the volume of content circulating online and failed to address many complaints in a timely manner. Strengthening these institutions through capacity-building initiatives and increased funding is essential for improving their effectiveness.

Collaboration with Stakeholders

Effective regulation of media and internet platforms requires collaboration with a wide range of stakeholders, including political parties, civil society, media outlets, and international organisations. In the 2024 elections, efforts to foster such collaboration were limited. While some training programs were organised for journalists and media practitioners, broader stakeholder engagement was lacking. Regulatory bodies must prioritise building partnerships with platform providers, fact-checking organisations, and civil society groups to enhance their ability to counter misinformation and promote balanced coverage.

Enforcement Mechanisms and Accountability

A critical aspect of the role of regulatory bodies is enforcing media and internet regulations. This involves investigating complaints, imposing penalties, and ensuring compliance with established guidelines. However, enforcement mechanisms in Mozambique remain weak. For instance, during the 2024 elections, media outlets that were found to have violated coverage rules faced minimal or no penalties, perpetuating

a culture of impunity. Strengthening enforcement mechanisms and ensuring accountability for violations are necessary steps toward building a fair and transparent media environment.⁷⁸

Conclusion

Media and Internet regulatory bodies are integral to ensuring the integrity of Mozambique’s electoral process. However, their effectiveness has been undermined by allegations of partisanship, limited capacity, and weak enforcement mechanisms. By implementing necessary reforms and fostering collaboration with stakeholders, these institutions can play a more constructive role in promoting transparency, fairness, and accountability in the country’s elections.

Summary

Media And Internet Regulatory Bodies		
	Description	Compliance
A	Media and internet regulatory bodies shall adopt regulations on media coverage during elections that ensure fair and balanced coverage of the electoral process and transparency about political advertising policy on media and online media platforms	Not complied
B	The body responsible for regulating the broadcast media and any other relevant national security, public or private body involved in the provision of telecommunication services shall refrain from shutting down the internet, or any other form of media, during the electoral process	Not complied
C	In exceptional cases in which a shutdown may be permissible under international law, the reasons for any shutdown shall be proactively disclosed	Not complied
D	Any decision of the Media or Internet Regulatory Body shall be subject to judicial review, which shall be undertaken on an expedited basis	Not complied

78 European Union, Mozambique: Statement by the Spokesperson on the latest developments in the country https://www.eeas.europa.eu/eom-mozambique-2024_en?s=410430, (accessed on 30 December 2024).

Media And Online Media Platform Providers

29. Print, broadcast and online media, whether publicly or privately owned, shall proactively disclose the following:
- a. Editorial and ethical codes or guidelines utilised in undertaking election coverage, including provisions prohibiting incitement to discrimination, hostility or violence, if any;
 - b. Sanctions for transgressions of these codes or guidelines;
 - c. Complaints procedures for handling breaches of these codes or guidelines;
 - d. Number of complaints received and how these were addressed;
 - e. Code of conduct for staff on procedural matters;
 - f. Criteria for the allocation of airtime or news coverage for political campaign advertisements and activities;
 - g. Polling methodologies and margins of error;
 - h. Actual allocation of airtime or news coverage for political campaign advertisements and activities;
 - i. Plan for transparent repository of all political advertisements, including those targeted at individuals or specific groups on online media;
 - j. Coverage plan for election day;
 - k. Criteria for the selection of election commentators, political analysts or other experts;
 - l. Guidelines on responsible use of online media; and
 - m. Conflict of interest media ownership information, political affiliations or party support arrangements, if any.

Overview and Role in Elections

Media and online media platform providers serve as the principal channels for disseminating information during elections, playing a pivotal role in shaping public opinion and voter behaviour. In Mozambique, the media landscape encompasses traditional outlets such as radio, television, and newspapers, alongside digital platforms⁷⁹ like Facebook, WhatsApp, X (Twitter), and Instagram.

These providers bear the responsibility of ensuring that the public has access to accurate, timely, and balanced information to make informed electoral choices. However, the 2024 general elections revealed deep-seated challenges, including biased coverage, misinformation, and limited regulatory oversight, highlighting the need for stronger commitments to ethical journalism and content moderation.

⁷⁹ 20% of Mozambicans have access to the Internet (DataReportal, 2025).

Logistical and Infrastructural Constraints

The logistical challenges involved in disseminating information to Mozambique's geographically dispersed and linguistically diverse population remain profound. Inadequate infrastructure, marked by limited internet connectivity, insufficient transportation networks, and unreliable communication systems significantly hampers the ability of electoral bodies and media outlets to reach remote and rural areas. This leaves a substantial portion of the population, particularly in hard-to-reach regions, with limited access to crucial electoral information, exacerbating the information gap and undermining the effectiveness of democratic processes.

Traditional Media and Election Coverage

Traditional media outlets, particularly state-owned broadcasters, remain a dominant source of information for many Mozambicans, especially in rural areas where internet access is limited. These outlets are expected to adhere to journalistic principles of neutrality, fairness, and balanced reporting during elections.⁸⁰ This imbalance undermined public trust in the media's role as an impartial informer and exacerbated tensions between political stakeholders. Private media outlets, while offering a broader spectrum of perspectives, also struggled to maintain objectivity, with some aligning themselves with specific political interests.

The Rise of Online Platforms: Proliferation of Misinformation and Disinformation

The increasing penetration of the internet and mobile devices has made online platforms a critical component of Mozambique's information ecosystem. Platforms like Facebook and WhatsApp have become primary channels for political campaigning, voter mobilisation, and public discourse. These platforms offer an accessible and cost-effective means for political parties and candidates to reach voters, particularly young people and urban populations. However, they have also become breeding grounds for misinformation, disinformation, and hate speech. During the 2024 elections, false claims about voter registration, polling station changes, and election results proliferated on these platforms, creating confusion and mistrust among voters.

80 AIM, MISA concerned at attacks on media professionals
<https://aimnews.org/2024/11/05/misa-concerned-at-attacks-on-media-professionals/>,
(accessed on 30 December 2024).

In fact, the rapid expansion of digital platforms and social media in Mozambique has significantly transformed the information ecosystem, but it has also facilitated the widespread dissemination of misinformation and disinformation during elections.⁸¹ False information regarding voter registration processes, the location of polling stations, or provisional and final election results circulates quickly on platforms such as WhatsApp, Facebook, and X(Twitter). These inaccuracies can mislead voters, causing confusion about when and where to vote, and may even discourage participation altogether by eroding confidence in the fairness and transparency of the electoral process.⁸²

Moreover, disinformation campaigns, often deliberately orchestrated to manipulate public opinion or delegitimise opponents, further polarise the electorate and fuel distrust in electoral institutions.⁸³ This growing challenge underscores the urgent need for robust fact-checking mechanisms, media literacy campaigns, and proactive information dissemination by electoral authorities to counter the negative impacts of digital misinformation on the democratic process.

Challenges of Content Moderation

Online media platform providers face significant challenges in moderating content during elections. The rapid spread of user-generated content, often in local languages and dialects, complicates efforts to identify and remove harmful material. In Mozambique, where Portuguese and indigenous languages coexist, platform providers struggled to implement effective content moderation strategies. For instance, fact-checking initiatives were limited in scope, and flagged content often remained online for extended periods.⁸⁴ This allowed misinformation to reach a wide audience, undermining the credibility of the electoral process.

81 Tsandzana, D., Political Parties and Social Media: Between Screenshots, Memes and Hashtags during Municipal Elections in Mozambique, "Digital Technologies, Elections and Campaigns in Africa", Routledge, 2023.

82 Tsandzana, D., Estratégias de Comunicação Política em Moçambique: entre a exclusão de candidatos e o combate à desinformação, Revista Mediapolis, 11(2), 2020, pp. 71-84.

83 AIM, Chissano's alleged praise for Venancio Mondlane is fake
<https://aimnews.org/2024/09/16/chissanos-alleged-praise-for-venancio-mondlane-is-fake/>,
(accessed on 14 April 2025).

84 Club of Mozambique, MISA condemns disinformation against chair of Constitutional Council
<https://clubofmozambique.com/news/mozambique-misa-condemns-disinformation-against-chair-of-constitutional-council-270729/>, (accessed on 15 April 2025).

Collaboration with Stakeholders

To address the challenges of misinformation and biased reporting, collaboration between media providers, regulatory bodies, and civil society organisations is essential. In the 2024 elections, some online platforms partnered with fact-checking organisations to combat the spread of false information, such as MISA Check from MISA Mozambique.⁸⁵ However, these efforts were often ad hoc and lacked the scale needed to make a significant impact. Traditional media outlets, on the other hand, received limited support in strengthening their capacities to provide unbiased coverage. Building robust partnerships among stakeholders is critical for enhancing the quality of election-related information.⁸⁶

Bias and Partisanship in Reporting

Both traditional and online media providers faced accusations of bias during the 2024 elections. State-controlled media was criticised for amplifying the ruling party's narrative while downplaying or ignoring opposition campaigns. Similarly, some online platforms were accused of being used as tools for political propaganda, with coordinated networks disseminating pro-government or anti-opposition content. This environment not only undermined the principle of fair access to media but also distorted the public's perception of the electoral process.⁸⁷

Impact on Voter Behaviour

The role of media and online platforms in shaping voter behaviour cannot be overstated. Biased reporting and misinformation have the potential to polarise voters, suppress participation, and erode trust in democratic institutions. In the 2024 elections, many voters expressed frustration with the quality of information available to them, citing difficulties in discerning credible sources from those disseminating false or biased content. This underscores the urgent need for media providers to uphold ethical standards and for online platforms to invest in robust content moderation mechanisms.

85 MISA Check <http://misa.org.mz/misacheck/>.

86 Idem.

87 Relief Web, European Union Election Observation Mission Mozambique 2024 preliminary statement <https://reliefweb.int/report/mozambique/european-union-election-observation-mission-mozambique-2024-preliminary-statement>, (accessed on 30 December 2024).

Legal and Ethical Accountability

The 2024 elections also highlighted gaps in the legal and ethical accountability of media and online platforms. While Mozambique’s legal framework includes provisions for regulating media conduct during elections, enforcement has been inconsistent. Traditional media outlets that violated rules on balanced coverage often faced minimal consequences.⁸⁸ Similarly, online platforms operated with little oversight, raising questions about their commitment to transparency and accountability. Strengthening regulatory mechanisms and establishing clear guidelines for media and platform providers are critical steps towards addressing these issues.

Conclusion

Media and online platform providers hold immense power in shaping electoral outcomes and public perceptions. While the 2024 elections in Mozambique underscored significant shortcomings, they also highlighted areas where reform and collaboration can lead to meaningful improvements. By addressing issues of bias, misinformation, and regulatory gaps, media and online platforms can play a more constructive role in promoting transparency, accountability, and fairness in the country’s democratic processes.

Summary

Media And Internet Regulatory Bodies		
	Description	Compliance
A	Editorial and ethical codes or guidelines utilised in undertaking election coverage, including provisions prohibiting incitement to discrimination, hostility or violence, if any	Not complied
B	Sanctions for transgressions of these codes or guideline	Not complied
C	Complaints procedures for handling breaches of these codes or guidelines	Not complied
D	Number of complaints received and how these were addressed	Not complied

88 Club of Mozambique, Media body deplores ‘limitation, violation of press freedom’ <https://clubofmozambique.com/news/mozambique-media-body-deplores-limitation-violation-of-press-freedom-236774/>, (accessed on 30 December 2024).

E	Code of conduct for staff on procedural matters	Not complied
F	Criteria for the allocation of airtime or news coverage for political campaign advertisements and activities	Partially complied
G	Polling methodologies and margins of error	Not complied
H	Actual allocation of airtime or news coverage for political campaign advertisements and activities	Partially complied
I	Plan for transparent repository of all political advertisements, including those targeted at individuals or specific groups on online media	Not complied
J	Coverage plan for election day	Not complied
K	Criteria for the selection of election commentators, political analysts or other experts	Not complied
L	Guidelines on responsible use of online media	Not complied
M	Conflict of interest media ownership information, political affiliations or party support arrangements, if any.	Not complied

Civil Society Organisations

30. Subject to exceptional circumstances in which it can be shown that their operations will suffer demonstrable harm, civil society organisations involved in the electoral process shall proactively disclose the following information
- a. Organisational aims and objectives;
 - b. Membership and composition;
 - c. Details of key staff and office bearers;
 - d. Sources of funding;
 - e. Operational plans, methodology, manuals and their implementation for civic and voter education;
 - f. Possible conflict of interest, which may include the promotion of a particular religious, ethnic or political interest or bias or prejudice in cases where they participate in both voter education and election observation; and
 - g. Campaign funders.

Role in Electoral Processes

Civil Society Organisations (CSOs) in Mozambique play a critical role in ensuring the integrity, transparency, and inclusivity of electoral processes. Their activities span voter education, election monitoring, advocacy for democratic reforms, and providing a platform for marginalised voices. As non-partisan entities, CSOs act as intermediaries between the public and government institutions, fostering dialogue and accountability. During the 2024 general elections, Mozambican CSOs faced significant challenges but remained instrumental in addressing electoral concerns and advocating for the rights of voters.

Voter Education and Awareness Campaigns

One of the primary contributions of CSOs in elections is conducting voter education campaigns, particularly in rural and underserved communities where access to information is limited. In the 2024 elections, initiatives like the Mais Integridade and Plataforma Decide focused on educating citizens about their voting rights, the importance of participating in elections, and the procedures for casting ballots. These initiatives aimed to reduce voter apathy and confusion, ensuring that the electorate was better informed and prepared. However, limited funding and logistical challenges restricted the reach of these campaigns, leaving gaps in voter awareness in some remote areas.

Despite the recommended work of these organizations, the way they are funded, their personnel, and complete information about their operational structure are not made clearly and publicly available.

Election Monitoring and Advocacy

CSOs also play a pivotal role in election monitoring to ensure transparency and fairness. In 2024, local and international CSOs deployed thousands of observers across the country to monitor polling stations, identify irregularities, and report incidents or fraud. Reports from organisations such as the Mais Integridade highlighted issues ranging from the late opening of polling stations to instances of electoral violence.⁸⁹ These findings provided valuable evidence for advocacy efforts aimed at addressing electoral misconduct and promoting democratic accountability.

89 360 Mozambique, “Mais Integridade” Refuses to Send Public Notice
<https://360mozambique.com/development/mais-integridade-refuses-to-send-public-notice-of-general-elections-to-the-constitutional-council/>, (accessed on 15 April 2025).

Challenges to CSO Operations

Despite their contributions, Mozambican CSOs faced significant obstacles during the 2024 elections. Intimidation, harassment, and restrictive legal frameworks limited their ability to operate freely. Several organisations reported instances where their staff were denied access to polling stations or faced threats from political actors. Additionally, bureaucratic delays in accreditation processes impeded the timely deployment of election observers. These challenges underscored the need for a more enabling environment for CSOs to effectively fulfil their mandate in electoral processes.

Intimidation of Civil Society

Legal constraints, such as defamation laws or ambiguous regulations on media conduct are sometimes used to suppress dissenting voices or censor investigative reporting that exposes irregularities. This hostile environment creates a chilling effect on free speech, deterring journalists and civil society actors from pursuing in-depth coverage of contentious issues. As a result, the flow of unbiased and investigative reporting is significantly restricted, depriving citizens of the information they need to make informed decisions and undermining the integrity of the democratic process.⁹⁰

Collaboration with Other Stakeholders

Collaboration between CSOs, electoral management bodies, and international partners was a notable feature of the 2024 elections. Through partnerships, CSOs were able to amplify their impact and share resources, such as training manuals and observer networks. For instance, joint efforts between Mozambican CSOs facilitated the exchange of best practices and enhanced the credibility of national observation missions. Some local examples include Mais Inegridade (More Integrity) Electoral Consortium and Decide's Platform.

The lack of information regarding the scope of action of some organisations, their funders, and political interests has made it difficult to clearly assess the integrity of the work carried out. This lack of transparency is in direct conflict with the Guidelines, which stress the importance of ensuring the availability of comprehensive information about the operations of election-related bodies and organisations to guarantee public trust and the integrity of the electoral process.

90 Idem.

Advocacy for Electoral Reforms

Beyond election-day activities, CSOs in Mozambique have been at the forefront of advocating for electoral reforms. During the 2024 elections, many organisations campaigned for greater transparency in voter registration, equitable access to media, and the strengthening of the independence of the National Election Commission (CNE). These advocacy efforts aimed to address systemic issues that undermine the credibility of elections and erode public trust in democratic institutions. Despite some progress, achieving substantial reforms remains a long-term challenge requiring sustained engagement from CSOs and other stakeholders.⁹¹

Protecting Marginalised Groups

CSOs also play a critical role in promoting the inclusion of marginalised groups, such as women, youth, and people with disabilities, in electoral processes. Initiatives led by organisations like Youth Parliament focused on increasing political participation among these groups, advocating for their representation in decision-making bodies. In the 2024 elections, CSOs highlighted the underrepresentation of women candidates and the lack of accommodations for voters with disabilities as areas needing urgent attention. These efforts underscored the importance of inclusive electoral practices in strengthening Mozambique's democracy.⁹²

Capacity-Building and Empowerment

CSOs contribute to strengthening the capacities of local communities and grassroots organisations to engage in electoral processes. Training workshops, local forums, and civic engagement programs were conducted in the lead-up to the 2024 elections to empower citizens to advocate for their rights and hold political actors accountable.⁹³

91 Crisis Group, What is Driving Mozambique's Post-electoral Protests? <https://www.crisisgroup.org/africa/east-and-southern-africa/mozambique/what-driving-mozambiques-post-electoral-protests>, accessed on 30 December 2024.

92 VOA, Mulheres moçambicanas incomodadas com a invisibilidade na política <https://www.voaportugues.com/a/mulheres-mo%C3%A7ambicanas-incomodadas-com-a-invisibilidade-na-pol%C3%ADtica/7660464.html>, accessed on 30 December 2024.

93 Club of Mozambique, DECIDE requests intervention from the African Commission on Human and Peoples' Rights to annul or repeat the elections <https://clubofmozambique.com/news/mozambique-elections-decide-requests-intervention-from-the-african-commission-on-human-and-peoples-rights-to-annul-or-repeat-the-elections-268834/>, accessed on 15 April 2025.

These initiatives not only enhanced voter confidence but also fostered a culture of active citizenship, laying the groundwork for long-term democratic development.

Funding and Resource Constraints

A recurring challenge for Mozambican CSOs is reliance on external funding, which often comes with limitations and conditions. In the 2024 elections, several organisations faced budgetary constraints that restricted the scope of their activities. Dependence on donor funding also raises questions about the sustainability and independence of CSOs, highlighting the need for diversified funding sources, including local contributions and partnerships with the private sector.

Conclusion

CSOs are indispensable to Mozambique’s electoral landscape, acting as watchdogs, educators, and advocates for democratic principles. Despite the challenges they faced during the 2024 general elections, their contributions were crucial in highlighting irregularities, empowering voters, and pushing for reforms. By addressing the operational constraints and fostering a more supportive environment, CSOs can continue to play a transformative role in strengthening Mozambique’s democracy and ensuring that elections are not only a procedural exercise but a true reflection of the will of the people.

Summary

Media And Internet Regulatory Bodies		
	Description	Compliance
A	Organisational aims and objectives	Partially complied
B	Membership and composition	Not complied
C	Details of key staff and office bearers	Not complied
D	Sources of funding	Not complied
E	Operational plans, methodology, manuals and their implementation for civic and voter education	Partially complied

F	Possible conflict of interest, which may include the promotion of a particular religious, ethnic or political interest or bias or prejudice in cases where they participate in both voter education and election observation	Not complied
G	Campaign funders	Not complied



IMPLEMENTATION

6

IMPLEMENTATION

Mozambique's information landscape is characterised by progressive legislation, electoral processes, and a diversified media environment. However, operational shortcomings, political meddling, digital divisions, and misinformation issues all impede access to reliable election information. As Mozambique prepares for electoral reforms, increasing institutional openness, ensuring media independence, and combatting misinformation are crucial to cultivating an informed public and promoting electoral integrity.

ACHPR GUIDELINES ON ACCESS TO INFORMATION AND ELECTIONS IN AFRICA: IMPLEMENTATION

31. State Parties shall adopt legislative, administrative, judicial and other measures to give effect to these Guidelines.
32. State Parties shall facilitate the dissemination of these Guidelines to relevant electoral stakeholders, as well as all stakeholders in the electoral process such as Parliament, the Judiciary, National Human Rights Institutions and the electorate.
33. State Parties shall ensure that relevant electoral stakeholders are trained in relation to the content of these Guidelines. In particular, these Guidelines shall form part of the training curriculum for officials of Election Management Bodies, election observers, political parties, law enforcement agencies, media and internet regulatory bodies, media and online media platform providers, and civil society organisations participating in the electoral process.
34. State Parties shall, in each Periodic Report submitted to the African Commission in accordance with Article 62 of the African Charter, provide detailed information on the measures taken to facilitate compliance with the provisions of these Guidelines.

The ACHPR Guidelines provide practical direction on what kind of information and how it should be disclosed to the public by electoral stakeholders. In light of the above, it

becomes particularly important for electoral information holders in Mozambique to fully recognise the relationship between the custodianship of information on behalf of the public and the proactive release of such information in pursuit of the mutual goals of democracy, peace, and stability.

In this context, the principles of proactive disclosure, open government, transparency, and public accountability need to be re-emphasised and mandated within both the government and the private sector. This is especially critical in a time when new challenges are emerging related to the deliberate creation and spread of false information, which can have real-world consequences and threaten the stability of Mozambique's democratic processes.

The findings of this report demonstrate that Mozambique has not fully complied with the Guidelines on Access to Information and Elections in Africa. Although certain information is made available, such as the electoral calendar and the fundamental procedures for voter registration, important aspects of transparency, inclusivity, and accountability are either not implemented at all or are only partially implemented. Important processes, such as the nomination of political candidates, the selection of members of the Election Management Body, and financial disclosures by parties and observers, are either opaque or inaccessible to the public. Additionally, mechanisms to ensure the inclusion of marginalised and vulnerable groups, such as LGBTQIA+ people or people with disabilities, are still limited and primarily restricted to urban areas, with no obvious efforts to reach wider constituencies.

Furthermore, there is little proof that Mozambique has taken the necessary steps to incorporate the Guidelines into training programs for pertinent organisations or actively distribute them among electoral players. The lack of publicly available data on the voter roll's disaggregated data, political parties' financial activities, and electoral observers' methods suggests more significant structural problems with accountability and access. All things considered, the absence of thorough steps to operationalise the Guidelines highlights the pressing need for institutional and legislative change to protect the right to information access and guarantee inclusive, equitable, and transparent election procedures.

RECOMMENDATIONS ON COMPLIANCE WITH THE GUIDELINES

Electoral System and Stakeholders

- 1. Strengthen Legal Frameworks:** The legal framework governing elections should be reviewed and updated to align with the ACHPR Guidelines, with explicit provisions on transparency, inclusivity, and access to information. This includes enshrining mechanisms for timely publication of voter rolls, election schedules, and results. The reforms should also address gaps that hinder participation by marginalised groups, ensuring equitable representation of all stakeholders. Legislatures must adopt binding laws that empower electoral bodies and other stakeholders to fulfil their roles without interference while holding them accountable for non-compliance.
- 2. Proactive Disclosure of Electoral Data:** Electoral bodies must adopt proactive disclosure practices, publishing essential information such as voter registration data, polling station locations, and election results promptly and in accessible formats. This transparency helps to pre-empt disputes and fosters public confidence. Clear timelines for disclosure should be established, with penalties for delays or failures to provide timely information. Additionally, platforms like websites, mobile apps, and community radio should be utilised to disseminate information widely.
- 3. Stakeholder Engagement:** A structured mechanism for regular stakeholder consultations should be established to ensure that political parties, civil society organisations, media, and the public are actively engaged in electoral processes. These forums can serve as platforms to address concerns, share updates, and resolve disputes collaboratively. The participation of diverse groups, including youth and women's organisations, should be prioritised to ensure inclusivity.
- 4. Civic Education:** Comprehensive civic education programs tailored to diverse audiences are crucial to enhancing electoral participation. Such programs should focus on voter rights, electoral procedures, and the importance of elections in governance. Rural areas, where literacy and access to information are often limited, should be prioritised. Governments must allocate adequate funding for these initiatives, leveraging traditional and digital media to reach wider audiences.
- 5. Independent Oversight Mechanisms:** The establishment of independent oversight bodies to monitor the electoral process is essential for ensuring accountability. These bodies should have a clear mandate to investigate complaints, audit electoral activities, and recommend corrective actions. Regular public reporting of their findings can enhance transparency and deter malpractice.

Appointing Authority

- 1. Merit-Based Appointments:** The selection of electoral body members should prioritise qualifications, experience, and demonstrated impartiality. Transparent criteria must be established to avoid political interference and ensure that appointments are based on competence rather than political loyalty. Such reforms can enhance public confidence in the neutrality of electoral bodies.
- 2. Transparent Selection Process:** The process of appointing electoral officials should be open and transparent, with timelines, criteria, and decisions made publicly accessible. Public hearings or consultations with civil society can provide an additional layer of scrutiny, ensuring that appointees are qualified and impartial.
- 3. Parliamentary Review and Voting:** A parliamentary oversight mechanism should be instituted to vet and approve appointments to electoral bodies. This ensures broader political consensus and accountability, reducing perceptions of bias or illegitimacy.
- 4. Civil Society Participation:** Representatives from civil society organisations should be included in selection panels to provide independent perspectives and enhance credibility. Their involvement ensures that appointments reflect diverse viewpoints and safeguard the independence of electoral bodies.
- 5. Gender and Diversity Representation:** Appointing authorities must ensure gender balance and the inclusion of marginalised groups in electoral bodies. This diversity not only promotes equity but also enriches decision-making by incorporating varied perspectives.

Electoral Management Body (EMB)

- 1. Capacity-Building:** EMBs require ongoing capacity-building programs to enhance their technical, financial, and human resources. Training on modern electoral practices, conflict management, and technology utilisation is essential for improving their efficiency and effectiveness. Governments must allocate sufficient funding to support these initiatives, ensuring that EMBs are equipped to handle complex electoral processes.
- 2. Digital Platforms for Transparency:** EMBs should leverage digital platforms to provide real-time updates on electoral processes, including voter registration, polling, and results tabulation. These platforms should be user-friendly and accessible to diverse audiences, ensuring that information reaches all stakeholders promptly. Transparency in these processes can significantly enhance public trust.
- 3. Independent Funding:** Establishing independent funding mechanisms for EMBs

is critical to safeguarding their autonomy. Governments should allocate funds through multi-year budgets to prevent financial constraints during election cycles. Donor support can also be leveraged, provided it does not compromise the body's independence.

- 4. Monitoring and Accountability:** Regular audits and performance assessments of EMBs should be conducted to ensure adherence to best practices and accountability. Findings from these evaluations should be made publicly available, fostering trust and deterring malpractices.
- 5. Public Engagement:** EMBs must actively engage with the public through regular briefings, consultations, and educational campaigns. This open communication ensures that citizens are well-informed about electoral processes and decisions, promoting inclusivity and transparency.

Political Parties and Candidates

- 1. Equitable Access to Media:** Regulatory frameworks must ensure that all political parties and candidates receive equal access to media platforms during campaigns. State media, in particular, should be mandated to allocate airtime fairly, providing a level playing field. Independent monitoring bodies can oversee compliance and address grievances.
- 2. Transparent Campaign Financing:** Political parties and candidates should be required to disclose their sources of funding and expenditures. This transparency deters illicit funding and promotes accountability. Electoral bodies can publish these records for public scrutiny, enhancing trust in the electoral process.
- 3. Code of Conduct:** All political parties and candidates should sign a code of conduct committing to ethical campaigning, non-violence, and respect for electoral laws. Violations should be met with penalties, including disqualification, to maintain order and fairness.
- 4. Capacity-Building for Parties:** Training programs for political party representatives on electoral laws, voter outreach, and campaign strategies can enhance their effectiveness. These programs should also focus on promoting inclusivity and internal democracy within parties.
- 5. Inclusive Participation:** Affirmative action policies should be implemented to increase the participation of women, youth, and marginalised groups in political leadership. Financial and technical support can be provided to empower these groups to compete effectively.

Law Enforcement Agencies

- 1. Training on Electoral Laws and Human Rights:** Law enforcement personnel should undergo comprehensive training on electoral laws, human rights standards, and their roles during elections. These sessions must emphasise neutrality, non-partisanship, and the protection of citizens' rights, including the rights of journalists and observers. Capacity-building programs should be conducted regularly, particularly in the lead-up to election periods, to ensure that officers are prepared for their duties.
- 2. Accountability Mechanisms:** Clear accountability mechanisms must be established to address misconduct by law enforcement during elections. Independent bodies should investigate complaints against officers accused of harassment, excessive force, or other violations. Findings and disciplinary actions must be transparently communicated to the public to build trust in the system.
- 3. Community Engagement:** Law enforcement agencies should establish community liaison structures to build trust and foster collaboration with the public. Regular dialogues with civil society organisations, political parties, and community leaders can help address security concerns, ensure peaceful campaigns, and create an environment conducive to fair elections.
- 4. Adequate Resourcing:** Governments must ensure that law enforcement agencies are adequately resourced to perform their electoral duties effectively. This includes providing necessary equipment, logistical support, and personnel to secure polling stations, safeguard electoral materials, and manage crowds without resorting to undue force.
- 5. Protection of Journalists and Observers:** Law enforcement must prioritise the safety of journalists, election observers, and monitors. Officers should be trained to recognise and respect the critical role these stakeholders play in promoting transparency. Specific guidelines should be issued to prevent harassment and ensure the free movement of accredited personnel.

Election Observers and Monitors

- 1. Clear Accreditation Processes:** The accreditation process for election observers and monitors should be streamlined and transparent, with clear criteria and timelines. This ensures that qualified and diverse organisations are granted access to monitor the electoral process. The criteria should include local and international observers, fostering a comprehensive assessment of the election.
- 2. Observer Training and Guidelines:** Observers should receive detailed training

on electoral laws, codes of conduct, and reporting methodologies. This ensures uniformity in their assessments and the reliability of their findings. National electoral bodies, in collaboration with civil society and international partners, can organise these capacity-building initiatives.

- 3. Access to Information:** Election observers must be guaranteed access to all stages of the electoral process, from voter registration to results announcement. This includes access to polling stations, counting centres, and any complaints resolution mechanisms. Ensuring observers' access enhances transparency and public trust in the process.
- 4. Public Reporting of Findings:** Observers should be encouraged to publish their findings promptly and transparently. Comprehensive reports should highlight strengths, weaknesses, and areas for improvement in the electoral process. Regular updates during the election period can help address concerns in real-time and deter irregularities.
- 5. Protection from Intimidation:** Mechanisms should be established to protect observers and monitors from harassment or intimidation. Governments must commit to safeguarding the independence of observation missions and ensuring that no reprisals are taken against individuals or organisations for their findings.

Media and Internet Regulatory Bodies

- 1. Independent Oversight:** Regulatory bodies overseeing the media and internet must operate independently of government influence. Clear legal frameworks should delineate their roles, ensuring impartiality in decisions related to licensing, content regulation, and enforcement of electoral media laws. Independence fosters trust and reduces perceptions of bias.
- 2. Fair Media Allocation:** Regulatory bodies must ensure equitable access to media for all political parties and candidates. This includes monitoring state and private media for compliance with regulations on fair coverage and imposing penalties for biased reporting. Regular audits and public reports on media performance during elections should be a priority.
- 3. Combatting Disinformation:** Internet regulatory bodies must collaborate with media organisations, civil society, and platform providers to address the spread of disinformation during elections. Initiatives should include public awareness campaigns, fact-checking mechanisms, and rapid response teams to counter false narratives.

- 4. Transparent Enforcement Mechanisms:** Enforcement of regulations should be transparent and predictable. Regulatory bodies must clearly communicate their decisions, including reasons for imposing fines, suspending licences, or other actions. This transparency helps to prevent perceptions of arbitrary or politically motivated enforcement.
- 5. Capacity-Building for Regulators:** Continuous training for regulatory bodies on emerging trends in media and technology is critical. This includes understanding the impact of social media algorithms, online advertising, and new communication platforms. Equipped regulators can better address the challenges posed by digital platforms during elections.

Media and Online Media Platform Providers

- 1. Editorial Independence and Ethical Standards:** Media organisations should adopt robust editorial policies that ensure impartial and accurate reporting during elections. These standards must be adhered to consistently, preventing sensationalism and bias. Training programs for journalists on electoral reporting can reinforce these principles.
- 2. Proactive Disinformation Measures:** Online platform providers should implement proactive measures to identify and mitigate the spread of disinformation. This includes collaborating with fact-checking organisations, flagging false content, and providing users with verified information from credible sources. Transparency in content moderation practices is essential to build user trust.
- 3. Equal Airtime for Candidates:** Media outlets, particularly state-run platforms, must guarantee equal airtime for all political parties and candidates. Transparent schedules for political debates, advertisements, and news coverage should be published to ensure fairness and accountability.
- 4. User Education Campaigns:** Online platforms should launch user education campaigns focused on recognising and reporting disinformation. These campaigns can empower citizens to critically evaluate content and reduce the impact of false information on public opinion.
- 5. Monitoring and Accountability:** Media organisations and platform providers must establish internal mechanisms to monitor compliance with electoral laws and ethical standards. Periodic public reporting on their efforts to maintain fairness and accuracy can enhance credibility.

Civil Society Organisations

- 1. Advocacy for Access to Information:** Civil society organisations (CSOs) should advocate for laws and policies that enhance access to electoral information. This includes lobbying for transparency in campaign financing, voter registration processes, and results dissemination. CSOs can also push for reforms to ensure proactive disclosure practices by electoral bodies.
- 2. Voter Education Campaigns:** CSOs play a critical role in educating voters on their rights, the importance of elections, and the electoral process. Tailored programs for marginalised communities, including women, youth, and rural populations, can address knowledge gaps and promote participation.
- 3. Election Monitoring and Reporting:** CSOs should actively monitor electoral processes and report on irregularities. By deploying trained observers, they can provide independent assessments that complement official observations. Their findings should be published widely to inform public discourse and policy reforms.
- 4. Building Coalitions for Transparency:** CSOs should form coalitions to pool resources, share expertise, and amplify their voices on electoral issues. Collaborative efforts can enhance the impact of advocacy campaigns and create synergies in promoting transparency and accountability.
- 5. Capacity-Building for Stakeholders:** CSOs should organise capacity-building programs for political parties, media, and other stakeholders on issues such as access to information, electoral laws, and inclusive participation. These initiatives can strengthen the overall electoral ecosystem and promote democratic values.

[illegible]



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA



Centre for
Human Rights
UNIVERSITY OF PRETORIA



OPEN SOCIETY
FOUNDATIONS