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The SADC Lawyers’ Association (SADC LA) together with the Bar Association of Mozambique (OAM) jointly observed the general elections held in Mozambique on 15 October. These were one of the most anticipated elections in southern Africa given the unrest and conflict, which began in 2012 and subsequent withdrawal of the main opposition party, Resistência Nacional Moçambicana/Mozambique National Resistance (RENAMO), from the 1992 peace agreement. Overall, the elections took place peacefully but a number of issues of concern were noted by the observation mission that questioned the credibility of the elections.

The joint mission was made up of 30 lawyers and civil society actors from Mozambique, Botswana, South Africa, Tanzania, Zambia and Zimbabwe and was led by a former Mozambican judge, João Carlos Trindade. The mission deployed a short-term mission and observed the voting process on the day of elections in four provinces of Mozambique and 285 polling stations, some of which had been identified as hotspots for political violence and unrest, as well as the most populous regions of the country.

Mozambique is a young democracy and these were the 5th general elections since they first took place in 1994. This was after the end of the 16-year civil war that transitioned the country to multi-party democracy based on a presidential system of governance. It was against this backdrop that the opposition party, RENAMO threatened to return to hostilities, which saw a number of acts of violence prior to elections and they initially refused to run in the 2014 elections. However, following protracted agreements between the government (made up of the ruling party Frente de Libertação de Moçambique/Mozambique Liberation Front (FRELIMO)) and grant RENAMO amnesties for any crimes committed during the hostilities.

The objective of the election observation mission was to determine whether the electoral process took place within the legal framework governing elections at the national, regional and international level, as well as to promote an understanding of democracy and electoral legislation and process. Election observers could also promote confidence and credibility in the electoral process and the election results and prevent conflict from ensuing following the announcement of results.

Generally, the elections occurred peacefully and within the ambit of the law. However, there were a number of specific incidents that questioned the credibility of the electoral processes and offer room for improvement.

The campaigning period, which ran from 31 August to 12 October, witnessed a number of isolated incidences of violence and intimidation among party supporters from the major political parties, FRELIMO, RENAMO and Movimento Democrático de Moçambique/Mozambique Democratic Movement (MDM) and at times, the police. A number of these confrontations turned bloody resulting in three deaths. However, parties were generally allowed access to voters and were able to communicate their manifestoes and policies. The media played a pivotal role in creating an enabling environment for free and fair elections. However, the state-run media favoured the ruling party, FRELIMO and dedicated most of their coverage to their campaigns. The privately run media, on the other hand, appeared to pay more attention to the opposition parties. The OAM-SADC LA Mission encouraged the media to report in an impartial and objective manner.

Some general observations from the voting process included the forming of long queues as the electoral administration staff were slow, poorly-trained and unable to solve administration problems and/or adequately assist voters. A further problem was that some party agents had not been properly accredited and were, therefore, unable to witness the voting and counting process; it will therefore be difficult for a party to challenge election results if their party agents were not present. The vote counting was also a laborious and time-consuming procedure, with some counting stations finish-
ing only at 5am. Electoral administration staff and party agents were noticeably fatigued and this opened the procedure up to human error.

Although the voting process proceeded smoothly with most polling stations opening on time with the necessary materials, problems began to unearth at the time of the vote counting in Nampula and Beira. This was as a result of power cuts right at the moment of the closing of polling stations, which caused the local voters to become riotous and invade the polling stations to insist on observing the counting of the ballots. The National Police Force were unable to handle the situation reasonably and this resulted in a number of injured people and loss of life. The SADC LA-OAM observers were committed to their cause and remained inside the polling stations despite imminent danger and fear.

In general, the elections occurred peacefully and to a large extent within the existing legal framework. However, the reported incidences compromised the voting process in some polling stations and questioned the transparency and credibility of the voting process.

- A full report and the final verdict of the observation mission will be released in the coming months and will be available on the website of the SADC LA.
- For more information, please feel free to contact Chantelle de Sousa, the Programmes Officer at SADC LA at chantelle@sadcla.org
- See 2014 (Aug) DR 17.