Number 40 – 21ᵗʰ March 2023

District elections

Frelimo Group proposes altering deadline for announcing date of the 2024 elections

The general elections should be held in October 2024. The date should be announced by 15 April. However, the Frelimo parliamentary group is proposing to postpone this date to 15 July because of the polemic over the district elections.

This idea seeks to allow more time for the President of the Republic, Filipe Nyusi, to set up the Commission which he promised on 19 December last year to discuss the viability of the district elections. Three months have passed and the commission has not yet been formed.

With this proposal, the intention of the Frelimo group is that the Council of Ministers can announce the date of next year's general elections by 15 July this year. Under the current law 8/2013, of 27 February (legal framework for the election of the President of the Republic and of the parliamentary deputies), the Government should announce the date of the 2024 elections by 15 April – that is, within the next 25 days.

The argument of the Frelimo group is that various segments of Mozambican society, namely politicians, religious figures, academics, journalists, civil society organisations and other forces, "have expressed concerns about the opportunity, advantages and disadvantages of holding elections in the districts". These segments, according to Frelimo, argue that the State always "carried out the principle of gradualism, in a secure manner" (Link).

According to the arguments of the Frelimo group, the reflection of society suggests the need "to assess cautiously" the opportunity and the implications of the district elections in consolidating the construction of the State and its respective budget. The same society, Frelimo adds, "has been justly claiming the need" for its "wide-ranging involvement in the debates around these elections".

The same voices, says the document, submitted to parliament last Thursday (16/03), and remitted to the specialised commissions on Friday (17/03), also argue that "the election of new bodies and actors in the districts will require the installation of many executive and decision-making bodies which will have a severe impact on the meagre resources which the State currently collects and has been prioritising for its social function in various areas". But also, adds the argument of the majority parliamentary group, there is the danger that the district elections might result in weakening the power of the State, with the creation of "many decision-making centres".

Thus, amending Law 8/2013 will allow broader consultation of various opinions and sensitivities about "the opportunity and pertinence" of holding, or not holding, the district elections next year. It will also allow the inclusion of questions concerning the organisation of the administrative machinery, the definition of the limits of the activity of the various levels of governance, in the context of the current decentralisation, and its economic and financial sustainability, "without neglecting the need to maintain the unitary nature of the State".

There is nothing new about this argument. Frelimo had already been making these arguments to back up its position that holding district elections in 2024 would be neither necessary or pertinent (see Bulletin No. 35).

Generally, Frelimo has used public consultations to legitimise a decision already taken but opposed by the opposition and by civil society.

Master stroke by Frelimo?

The proposal to amend the Law for the Election of the President of the Republic and of the parliamentary deputies allows Frelimo to gain time until it is legally possible to change the Constitution without needing the support of the opposition.

The Constitution can only be amended five years after the previous amendment came into force (article 301 of the Constitution of the Republic). The last constitutional amendment has been in effect since 12 June 2018. This means that Frelimo can only change the Constitution, resorting to a majority of two thirds of the deputies, without needing any support from the opposition, after 12 June this year.

Currently, the Government has until 15 April (next month) as the deadline for announcing next year's general elections. Announcing the date of the elections without a constitutional amendment would also mean announcing the holding of district elections for next year. In other words, postponing the district elections would firstly oblige an amendment to the Constitution. And at the moment this is not possible without the votes of the opposition. Legally, amending the Constitution before the five year period is up can only be approved by a majority of three quarters of the deputies. Renamo and the MDM do not want a postponement. Hence, they would not support a constitutional amendment to delay these elections.

Thus the Government, facing the impossibility of amending the Constitution to delay the district elections before fixing the date of the 2024 elections, is resorting to what can be interpreted as a master stroke: proposing a reduction from 18 to 15 months in the deadline for announcing the election date, Thus the Government gains three months and has until 15 July, to announce the date of the next elections. As from 13 June it can freely amend the Constitution and postpone the district elections. It can then announce the date of next year's general elections

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