

## **SOBRE A DESPARTIDARIZAÇÃO DO ESTADO GOVERNO E RENAMO ACORDAM A DECLARAÇÃO DE PRINCÍPIOS**

**25 June 2015**

The delegations from the Government and the RENAMO gathered at the Joaquim Chissano International Conference Centre last Monday 22 June and reached an understanding, in the 107th round of negotiations, with the signing of the Declaration of Principles on the De-Partisanship of the Apparatus of State. The document was made public through media bodies.

We present the document arrived at our editorial office.

### **I – Contextualisation**

1. The presence and influence of the FRELIMO Party in public administration has been a matter addressed in several reports, analyses and by numerous other critics from various social sectors, including the RENAMO Party. Such reports and critics focus on the belief that civil servants belonging to the opposition would have career progression blocked, the belief that members of the Frelimo party would have preference in securing contracts, and the promiscuous administrative practices between public functions and party activities, including the collection of contributions, acquisition of material goods for the party, time off for party activities and other acts.
2. Faced with these allegations, the Government responded with Directive No. 20 from the Ministry of Finance and Planning (MFP), published in 29th February 2012, stating: “All elements capable of endangering Peace in Mozambique were removed, and the separation between Party’s activities and State institutions was secured. The Government stated before that questions on recruitment and career progression will be addressed in light of the General Statute of Civil Servants and Employment, as provided by Articles 9 and 10 of the Decree No. 54/2009 from 8th of September”.
3. Additionally, legislative measures were undertaken to alter the current situation, such as the approval of the General Statute of Civil Servants and State Agents (Law No. 14/2009 from 17th March), the Law of Administrative Procedures (Law No. 14/2011 from 10th August) and the Basic Laws for the Organisation and Functioning of Public Administration (Law No. 7/2012 from 8<sup>th</sup> February), which establishes clear and preminent principles of a nonpartisan character.
4. Notwithstanding the existence of this regulatory framework, both sides understand that it is impossible to immediately eliminate specific practices, contrary to established behaviour, and to remove the beliefs concerning the partisan character of public administration in Mozambique.
5. Both sides understand that the development of a nonpartisan public administration in Mozambique is an urgent and pertinent issue of national interest. Therefore, additional actions should be taken in order to correct current practices and perceptions.

### **II – Proposal of Measures**

To eliminate the remaining beliefs and practices mentioned above, both sides agree on the necessity to adopt the following principles, as additional measures:

[Unofficial Translation]

- a) Introduction of a career entrance examination and making public the principal phases of the entrance examination (release of the examination, presentation of candidature, composition of the jury, selection, and ascertainment of candidatures) for the positions of Permanent Provincial Secretaries, Chief of Administrative Posts, Presidents of Localities, and Settlements; Public Managers appointed by Presidents of Administrative Councils, and General-Directors of Public Institutes and Public Funds;
- b) Civil Servants and public officeholders that have direct or indirect business interests shall not interfere or influence matters relating to their interests, in order to observe and safeguard ethical principles against conflicts of interest, and to guarantee transparency and impartiality in accordance with the rule of law.
- c) Prohibition of discounts by deducting the wages of civil servants and state agents for any purpose, except those determined by law;
- d) Prohibition of active participation in partisan political activities for the administration of public universities, public managers, civil servants and state agents, during their working hours;
- e) Civil servants shall not promote political, partisan and religious activities in the workplace;
- f) Prohibition of partisan political activities by magistrates, ambassadors and members of defence and security forces;
- g) Prohibition of party cells or leadership in public institutions or in other institutions that the state participates in, and prohibition of using state resources and facilities for partisan purpose.

### **III – Traditional Authority**

Reinforcing the framework for state authorities' recognition of traditional authorities, according to customary law and its legitimacy application according to familial lineage.

### **IV – Social Communication**

Both sides agree to propose amendments to the powers, competencies, organization and functions of the Superior Council on Social Communication.

### **V – Monitoring Mechanisms**

1. It is necessary to define mechanisms for monitoring, encouraging allegations that might prevent persistent promiscuity between political parties and state institutions, and public education to promote cultural change, deepen democratic practices, and guarantee transparency.
2. In effect, both sides agree to propose to the Assembly of the Republic the establishment of a Commission for Monitoring the De-partisanship of the State, to be created by the Assembly and composed of Government representatives, the political parties represented in parliament, and civil society.

### **VI – Following**

Both sides agree to submit this Declaration of Principles to the Assembly of the Republic to consider bring it into effect.