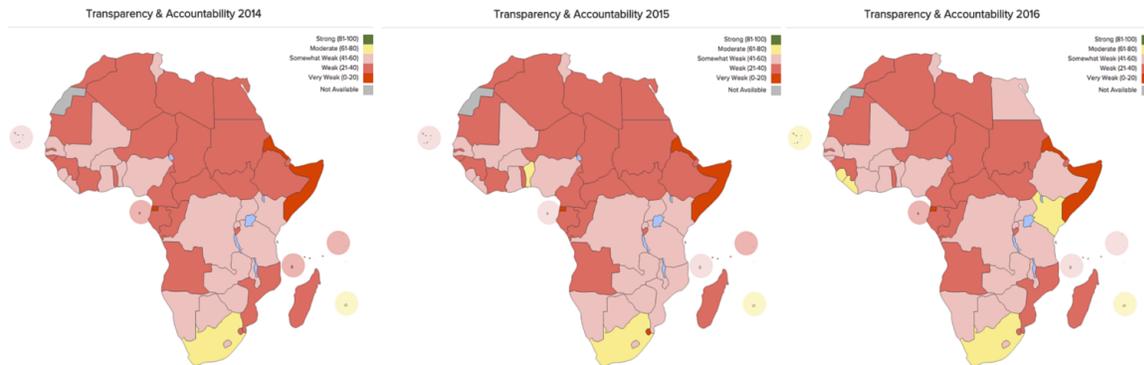


Africa Integrity Indicators – Country Findings



Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at www.globalintegrity.org.

What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include [2013](#), [2014](#), [2015](#), [2016](#); the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at <http://aii.globalintegrity.org>.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted.

Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at aii@globalintegrity.org.

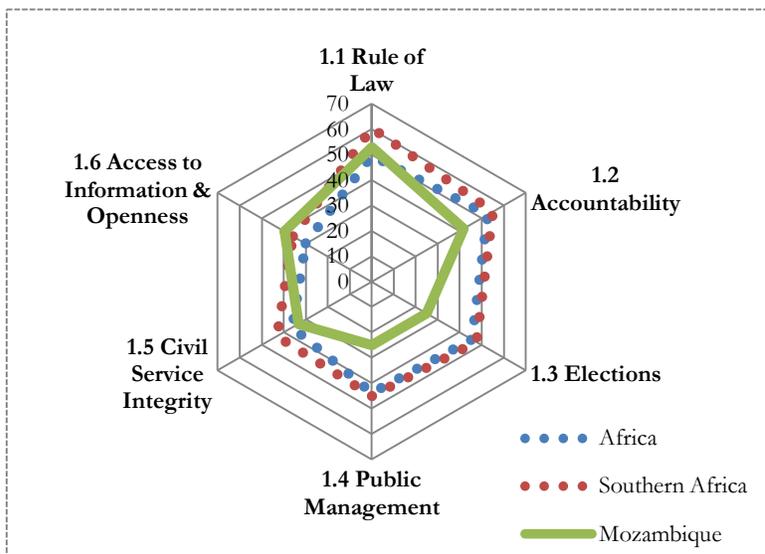
Mozambique – Country Findings Summary

1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

The overall category score decreased by five points from 41 in 2015 to 36 in 2016, and shifted Mozambique’s placement from “somewhat weak” down to the “weak” area on the Global Integrity scale.¹

With an aggregate score of 53 in 2016, Rule of Law was the highest performing subcategory. It stood slightly above the continental average of 50, but below the Southern African average of 60. Rule of Law was followed by the subcategories Accountability (40), Access to Information & Openness (39) and Civil Service Integrity (33). Both Elections and Public Management earned aggregate scores of 25, and were the lowest performing subcategories. The two subcategories stood significantly below the regional and continental averages. For Public Management, the Southern African average was 45 and the continental average stood at 44. For the Elections subcategory, the respective averages were 48 and 46.



< Figure 1 > Mozambique’s subcategory scores in comparison to the region and the continent. The radar chart depicts the country’s aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country’s region (red dotted lines).

Selected highlights

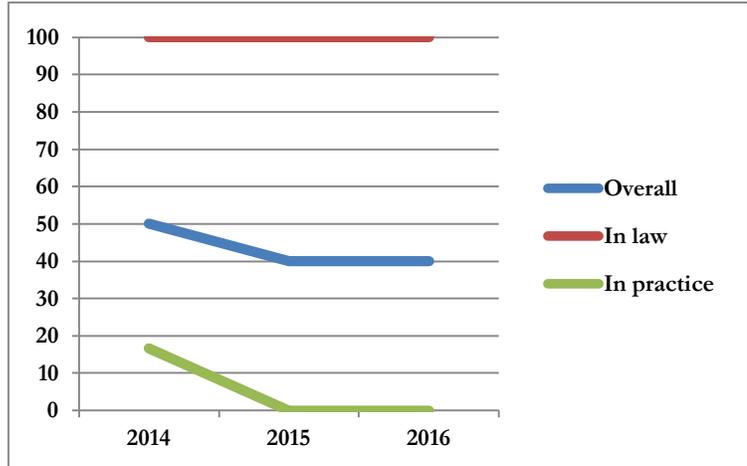
- **While judges are subject to political influence from the executive branch, they are generally transparent about their rulings.** Despite the fact that the Constitution establishes in its Article 217 that “in the exercise of their functions, judges shall be independent and shall owe obedience only to the law” ([indicator 1](#)), in practice, Mozambique’s judiciary is subject to influence from the executive

¹ The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

branch. As reported in [indicator 2](#), the judiciary's budgetary dependence on the executive branch has a negative effect on the decision making of judges. For instance, only members of the opposition faced trials for clashes between the ruling party Frelimo and the opposition during campaigns for the presidential elections of October 2014, despite the existence of evidence that violent acts were perpetrated by both sides. Such was the case in December 2014, when opposition members from the Renamo party were sentenced by the Provincial Court, whereas no members from Frelimo faced judicial consequences after attacking the presidential candidate of the MDM party. Appointments of national-level judges also do not support the independence of the judiciary, as the president appoints the presiding members of the Judiciary Council, the organ tasked to manage the selection, discipline and removals of judges ([indicator 3](#)). For appointments to the Supreme Court, Administrative Court and the Constitutional Court, the Judiciary Council, the Assembly of the Republic and the President each nominate candidates that need to be approved by the legislature. The president then chooses the chief and deputy chief judges. Public consideration of merit is reported to be nearly nonexistent, with appointments reportedly based more on political connections. The most recent appointment was that of Judge Joao Beirao as vice president of the Supreme Court in February 2015, and no information was publically available about the selection process. However, with the exception of the Supreme Court, judges are generally transparent about their judgments and citizens can access rulings on public cases on the webpages of higher courts or upon request. This explains the relatively high score of 75 of [indicator 4](#), as compared to the lower scores of indicators 2 and 3.

- **Political parties have strong influence on the composition of the Commission of National Elections (CNE). Their access to state-owned media outlets during the latest elections was unequal.** The Electoral Law of 2014 mandates the CNE to organize and supervise national elections. However, as noted in [indicator 19](#), no explicit right is established in law for the CNE to review elections and issue binding decisions. Complaints are to be transmitted to the Attorney General and the Constitutional Court. The Electoral Law of 2014 also provided for the representation of political party members in the Commission. Appointments are reported to be of political nature, rather than merit-based, as noted in [indicator 20](#). The 17-member CNE was thus composed of four representatives from civil society organizations, and 13 members appointed by the three political parties with seats in the Assembly of the Republic. The president of CNE, Abdul Carimo Sau, was appointed in May 2013 and alongside holding the qualifications for his position, is also affiliated to the ruling party Frelimo. Furthermore, the president of CNE enjoys the status of cabinet minister and the remaining members the status of deputy ministers, which compromises the de facto independence of the commission members. While no cases of removal, transfer or disciplinary measures occurred during the study period, members can be removed from their position at the discretion of the appointing political party ([indicator 21](#)). The political divide among parties was also underlined by the unequal access to state-owned media around the presidential elections of October 2014. Criticism was voiced against Radio Mozambique, TVM (Television of Mozambique) and the newspapers Noticias and Domingo for favoring candidates of the ruling party Frelimo in their coverage, and as noted in [indicator 23](#), this was an issue that was also raised by independent observers of the election.

- While Mozambique has laws to regulate public procurement, the implementation remains weak. According to the Decree regulating the Contracting of Public Works, Supply of Goods and Services to the State of 2010, all major procurements of US\$10,000 and more are required to follow open competitive bidding, with the exception of security-related procurements ([indicator 24](#)). The same Decree also forbids companies found guilty of violations of procurements regulations from participating in bids for a period



< Figure 2 > *De jure* and *de facto* gap of Mozambique's public procurement indicators (24-28): This graph provides an overview of the aggregate gap between *in law* indicators (green) and *in practice* indicators (red) of a particular set of indicators, and how they affect the change of the overall aggregate score (blue) between the three rounds of research 2014, 2015 and 2016.

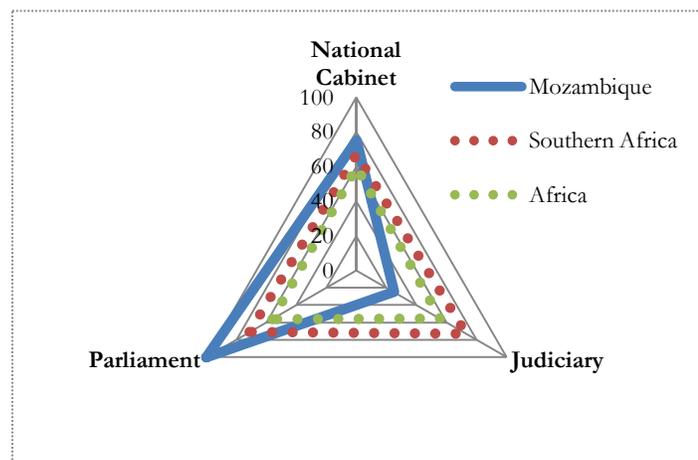
of up to five years ([indicator 27](#)). However, in practice, not all deals were subject to open bidding, as illustrates the case of the tuna fishing company Ematum in [indicator 25](#). Neither were all companies found guilty of violating procurement regulations effectively banned ([indicator 28](#)). For instance, the Portuguese company Britalar was awarded a construction contract despite its failure to deliver on a previous contract for the construction of a road linking the capital Maputo to one of its suburbs. Another Portuguese company called Gabriel Couto won a bid in July 2015 to complete the road in question, even though it was two years behind schedule on another contract to construct the EN 13 road in the Niassa province. No registry existed during the study period of companies forbidden from participating in procurement bids due to prior violations. As reported in [indicator 26](#), no official website or archive exists for documents associated with procurement contracts, and citizens are not able to access such information, including results of bids.

2. Social Development

This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.

Selected highlights

- NGOs did not face any obstacles in their operations and workers also freely exercised their right to unionize. However, citizens belonging to opposition parties were not always able to express their dissent in public.** [Indicator 67](#) notes that authorization requests for gatherings critical of the government were generally denied, whereas pro-government gatherings faced no restrictions. For instance, a public gathering of academics, students and civil society members following the murder of Gilles Cistac in April 2015 was violently dispersed by the police. A professor of constitutional law, Cistac was a well-known critic of the government, and had been identified by the ruling party Frelimo as an adviser of the opposition party Renamo. On the other hand, NGOs generally faced no barriers in their operations or in getting registered ([indicator 68](#)). The only reported case was that of Lambda, an organization advocating LGBT rights that faced hurdles in the registration process. While in March 2015, the Minister of Justice stated that Lambda's registration would be approved with the new Penal Code in effect, the organization remained unregistered until the end of the study period. According to [indicator 75](#), the amended Penal Code of 2014 revoked articles that criminalized homosexuality. During the study period, no NGO employees were killed or physically threatened as retribution for their work ([indicator 69](#)), and neither were there any reported cases of NGOs being shut down or harassed with unwarranted administrative burdens ([indicator 70](#)). Workers were also generally free to exercise their right to unionize, as noted in [indicator 65](#), which saw a score improvement from 50 in 2015 to 100 in 2016. However, many workers were confronted with violations of their labor and human rights, explaining the low score of [indicator 66](#) as opposed to the high scores of above-mentioned indicators. As of August 2015, the General Labor Inspectorate was handling 73 cases of labor rights violations.
- Women's representation is relatively high in the national cabinet and the Assembly of the Republic. The percentage is much lower in the highest courts**



< Figure 3 > Mozambique's female representation in the three branches of government compared to the country's region and the continent.

of the country. A new government was sworn in in January 2015, and among 41 members in the national cabinet, 13 were women (31.7%). [Indicator 85](#), thus, earned a score of 75, which stood above the Southern African average of 67 and the continental average of 60. 38% of Mozambique's parliament consists of female members translating into a 100 score for [indicator 87](#). The regional average on this indicator was 71 and the continental average 56. After South Africa, Mozambique ranks second within the Southern African Development Community (SADC) in terms of female representation within the legislature. In contrast, only 11.8% of the highest echelon of the judiciary was composed of female judges. Out of ten Supreme Court judges, only one was a woman, and out of seven Constitutional Court judges, again only one judge was a woman. [Indicator 86](#) earned a 25 score, which stood significantly below the regional average of 73 and the continental average of 56.

- **The country showed strong statistical capacity.** The National Institute of Statistics (INE) publishes statistics on youth unemployment on an annual basis through its statistics yearbook. The most recent data was published in February 2015 and was accessible for free on the Institute's website ([indicator 91](#)). Data on poverty are also published through the yearbook, and in 2015, two additional quarterly bulletins containing such statistics were published ([indicator 92](#)). Statistics on infrastructure such as ports, airports, and road network are also covered in the yearbook. Certain data that was not included in previous yearbooks, such as those on the number of telecommunications towers, have been added in more recent times ([indicator 93](#)). Mozambique received 100 scores on all three indicators assessing the capacity of the national statistics office, and alongside Malawi and South Africa, was one of the only three countries to receive to do so of all countries covered by the research.

The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website [here](#) for detailed comments and sources for 114 individual indicators.