

Country/entity	Mozambique
Region	Africa (excl MENA)
Agreement name	Declaração de Princípios sobre a despartidarização da Função Pública
Date	23 Jun 2015
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict Mozambique Civil War (1976 – 1992) and RENAMO Insurgency (2012 –) The Mozambique conflict has roots in the independence movement launched by the Mozambique Liberation Front (FRELIMO) (est. 1962) against Portuguese colonization. Despite the insurgency, independence only came a year after a military coup d'état in Lisbon overthrew the longstanding 'Estado Novo' dictatorship. Nonetheless, FRELIMO installed itself as the ruling party and officially became a Marxist-Leninist party in 1977. Fierce fighting broke out in the Cold War context, between the FRELIMO, supported by the Soviet Bloc, and the anti-Communist Mozambique National Resistance (RENAMO) movement, which received funding from neighbouring 'white' regimes in Rhodesia and later on, South Africa. After the death of President Somaro Moises Machel in a plane crash in 1986, the presidency passed to Joaquim Alberto Chissano who encouraged political pluralism, particularly following the collapse of the Soviet Union in 1989. Following the Rome Peace Accords in 1992, FRELIMO won the country's first multi-party election in 1994. Political tensions began to rise after the 2002 presidential elections, which RENAMO argued were fraudulent. These continued until a low-level outbreak of violence by RENAMO fighters targeting police and economic infrastructure. A new peace accord was signed between RENAMO and FRELIMO in September 2014, but RENAMO's later refusal to accept the terms of the 2014 Presidential election, as well as government difficulties in disarming RENAMO fighters led to a breakdown of the accord in August 2015. Since then, clashes have renewed between the two parties. Close Mozambique Civil War (1976 – 1992) and RENAMO Insurgency (2012 –)
Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Mozambique process - recent
Parties	The Government of Mozambique RENAMO party

Third parties	-
Description	This agreement notes the existence of doubts concerning the independence of the civil service in Mozambique and concerns of use of state resources for party political purposes. In order to avoid such doubts and concerns, the Government and RENAMO agree to put forward a bill to the legislature that would govern the behavior of a range of civil servants and prevent instances of corruption and partisanship in the civil service.

Agreement document	MZ_150623_Declaracao de Principios Funcao Publica_tr.pdf (opens in new tab) Download PDF
Agreement document (original language)	MZ_150623_Declaracao de Principios Funcao Publica.pdf (opens in new tab)

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	Governance→Political parties reform→Other political parties reform Page 2, section II: d) Prohibition of active participation in political-partisan activities, for those in administration of public universities, public managers, civil servants and State agents, during their working hours; e) The civil servant shall not promote political, partisan and religious activities in the workplace; f) Prohibition of political-partisan activities for magistrates, ambassadors and members of defence and security forces; g) Prohibition of party cells or nuclei in the public institutions or in those the State participates in, and prohibition of the use of the State's resources and installations for partisan purpose.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	This agreement as a whole determines the type of role that political parties, partisanship and party organizations can have in the state structures and the civil service.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws Page 2, section III:
III – Traditional Authority
Reinforcing the mechanism of the State authorities’ recognition of traditional authorities, according to customary law and its legitimacy, only the familial lineage is taken into account.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police Page 2, section II, par. f)
f) Prohibition of political-partisan activities for magistrates, ambassadors and members of defence and security forces;

Armed forces Page 2, section II, par. f)
f) Prohibition of political-partisan activities for magistrates, ambassadors and members of defence and security forces;

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption This whole agreement deals with the problem of corruption in the form of use of state resources for the benefit of the official's political party, and aims to prevent such activities.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism

Page 2, Sections V and VI:

V – Monitoring Mechanisms

1. It is necessary to define mechanisms of monitoring, encouragement of allegations that might prevent the persistent promiscuity between political parties and State institutions, as well as a persistent education as a way to promote a change in the already rooted corporate mentality, to deepen democratic practices and guarantee transparency.

2. In effect, both sides agree to propose to the Assembly of the Republic the establishment a Commission for Monitoring the De-partisanship of the State, to be created by the Assembly of the Republic and composed by representatives of the Government, the political parties which are represented in parliament, and civil society.

VI – Following

Both sides agree to submit this Declaration of Principles to the consideration of the Assembly of the Republic for coming into effect.

Related cases

No specific mention.

Source

Original text available at <http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/>

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