

## Bulletin A PERDIZ

### About the De-Partisanship of the State

Government and RENAMO agree on a Declaration of Principles.

#### I – Contextualization

1. The issue of presence and influence of the FRELIMO Party in the public administration has been a matter constantly addressed in several reports, analyses and by numerous other critics from various social sectors, including the RENAMO Party. Such reports and critics are fundamentally focused on: a) the perception that career civil servants belonging to the opposition would have their progression in the career blocked; b) the perception that members of the Frelimo party would have preference in getting contracts over others, c) as well as promiscuous administrative practices between acts of public functions and acts belonging to the party's activities, namely collection of contributions, acquisition of material goods for the party, time off for party activities and other acts.

2. The Government, when faced with these allegations, replied to them with the Directive no. 20 from the Ministry of Planning and Finance (MPF), published in 29/02/2012, stating as we cite: "All elements capable of endangering Peace in Mozambique were removed, and the separation between Party's activities and the institutions of the State was secured. The Government stated beforehand that the questions on recruitment and career progression will be done in light of the General Statute of Civil Servants and Employment System, as provided by articles 9 and 10 of the Decree n. 54/2009 from the 8th of September".

3. Additionally, legislative measures were undertaken to alter the current situation, such the approval of the General Statute of Civil Servants and State Agents (Law n. 14/2009, from the 17th of March), the Law of Administrative Procedures (Law n. 14/2011 from the 10th of August) and the Basic Laws for the Organisation and Functioning of Public Administration (Law n. 7/2012, from 8th of February), which establishes clear principles of eminent nonpartisan nature.

4. Notwithstanding the existence of this regulatory apparatus, both sides understand that it is not possible to immediately eliminate specific practices, contrary to what is established, as well as interrupting the perceptions that consecrated the understanding that public administration in Mozambique is partisan.

5. Both sides understand that a nonpartisan Public Administration in Mozambique is an urgent and pertinent issue of national interest. Therefore, additional actions should be taken in order to remove the current practices and perceptions.

#### II – Proposal of Measures

In order to eliminate the perceptions above mentioned, those that still exist, both sides agree on the necessity to adopt the following principles, as additional measures:

a) The introduction of the system of career entrance examination and making the principal phases of the entrance examination (release of the examination, presentation of candidature, composition of the jury, selection, and ascertainment of candidatures) public. These measures

would be necessary 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 holders of public offices that have direct or indirect business interests shall not interfere or influence in contests related to their interests, observing and safeguarding ethical principles and the conflict of interests. This stipulation is to guarantee transparency and impartiality, in accordance with the law.
- c) Prohibition of discounts by deduction of wage of civil servants and State agents for any purpose, except those determined by law;
- 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.

### 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.

### IV – Social Communication

Both sides agree in proposing a revision on the powers, competencies, organization and functions of the Superior Council on Social Communication.

### 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.