



# MOZAMBIQUE



## SUMMARY

Mozambique is a democratic republic with two spheres of government: national and local. Law No. 9/96, the local authority law, enshrines local government in the constitution while the municipality laws establish municipalities in all 33 cities and 20 of the country's 154 towns. Local government therefore only covers a proportion of the population, and is predominantly urban. The Minister of State Administration and Public Service is responsible for the administration of the laws overseeing local government. Following the 2019 national election, 37.6% of elected representatives were women. In 2005-06 local government expenditure was 1.8% of total government expenditure. Municipal budgets must be prepared and managed within the framework of the national government budget and municipalities are also responsible for collecting taxes and user fees. One of the main sources of national-local government transfers is the Municipal Compensation Fund, which represents 2% of fiscal tax revenue raised at national level according to the law. Local government has a number of statutory functions including economic, cultural and social programmes.

## 1. NATIONAL GOVERNMENT

Mozambique is a democratic republic with a unicameral parliament known as the Assembly of the Republic.<sup>29.1a</sup> The head of state and government is the president, who is directly elected through universal adult suffrage with a minimum of 50% of the vote. The president may serve a maximum of two consecutive five-year terms, after which the incumbent must wait a term to be re-eligible. The Assembly of the Republic has 250 members, elected to serve a five-year term under a modified version of the d'Hondt system of proportional representation. Parties or coalitions must secure 5% or more of votes on a national basis in order to qualify for a seat under the proportional system. Following the 2019 national election, 37.6% of assembly members were women.<sup>29.1b</sup> The president appoints the prime minister and a council of ministers (the cabinet). There are 11 constituencies, each corresponding to one of Mozambique's provinces. The council of ministers is convened and chaired by the president, who can delegate this power to the prime minister. The first multi-party democratic elections were held in 1994. Mozambique has 11 administrative provinces, one of which consists of the capital city Maputo. The provinces are further divided into 154 districts and 407 administrative divisions, encompassing smaller localities and aggregated villages (povoações).

It also enshrines local democracy; requiring assemblies to be elected by proportional representation, and the president or mayor of a council to be directly elected.

## 2.2 Main legislative texts

- Law No. 9/96, the 'local authority law': amended the constitution and introduced a local government and revised electoral arrangements
- Law No. 2/97, the 'municipalities law': established municipalities in Maputo City and the ten provincial capital cities
- Laws No. 4/97, 5/97 and 6/97: established ten new municipalities
- Law No. 9/97: defined the roles and responsibilities of office-holders and members of the municipality
- Law No. 10/97: established as municipalities the remaining 22 cities and ten towns in the districts
- Law No. 11/97: established the financial framework for municipalities
- Decree No. 26/13: defined the principles by which the local state bodies should interact with community organisations
- Law No. 1/08: redefined the municipal financial and budgetary regimes
- Law No. 11/13: established ten new municipalities
- Law No. 11/13: established 16 new districts
- Law No. 26/13 and Law No. 3/16: created new districts
- Law No. 1/18: established the specific amendment of the Constitution
- Law No. 6/18: established the legal framework for municipal functioning.

## 2.3 Proposed legislative changes

Under the constitutional amendments, legislation for electing provincial governors will be proposed this year, and for district administrators in 2024.

## KEY FACTS

### POPULATION (2020 estimate):

31,374,997

### AREA (UN 2006):

801,590 sq km

### CAPITAL:

Maputo

### CURRENCY:

Mozambican metical (MZM)

### HEAD OF STATE AND GOVERNMENT:

President Filipe Nyusi

### FORM OF GOVERNMENT:

republic

### PARLIAMENTARY SYSTEM:

unicameral

### STATE STRUCTURE:

unitary

### LANGUAGES:

Portuguese (official); Swahili, Makhuwa, Sena (recognised)

### NATIONAL ELECTIONS:

last: 2019, turnout: 51.8%; next: 2024

### WOMEN IN PARLIAMENT (2014):

37.6%

### LOCAL ELECTIONS:

last: Nov 2018, turnout: na; next: 2023

### WOMEN COUNCILLORS (2013):

~37%

### LOCAL GOVERNMENT EXPENDITURE as a percentage of total government expenditure 2005/06:

1.8%

## 2. LEGAL BASIS FOR LOCAL GOVERNMENT

### 2.1 Constitutional provisions

Local government is enshrined in the constitution<sup>29.2a</sup> as amended by Law No. 9/96: 'Their purpose shall be to pursue the interests of the local population, without prejudice to national interests and to the role of the State.' The constitution defines two types of local authority: municipalities in the cities and towns, and village councils in rural areas.



Table 29.1a Distribution of administrative divisions, municipalities and population

Province	Districts	Administrative divisions	Localities	Villages (povoação)	Municipalities	Population (2017 census)	Population (2020 estimate)	% rural (2017)
Cabo Delgado	17	56	153	na	5	2,333,278	na	na
Gaza	14	45	125	na	6	1,446,654	na	na
Inhambane	14	26	73	na	5	1,496,824	na	na
Manica	12	33	93	na	5	1,911,237	na	na
Cidade de Maputo	0	0	0	na	1	1,101,170	na	na
Maputo Province	8	26	76	na	4	2,507,098	na	na
Nampula	23	64	172	na	7	6,102,867	na	na
Niassa	16	38	58	na	5	1,865,976	na	na
Sofala	13	33	85	na	5	2,221,803	na	na
Tete	15	37	127	na	4	2,764,169	na	na
Zambézia	22	49	187	na	6	5,110,787	na	na
<b>Total</b>	<b>154</b>	<b>407</b>	<b>1,149</b>	<b>na</b>	<b>53</b>	<b>28,861,863</b>	<b>31,374,997</b>	<b>66.6</b>

Source: MAEFP communication with CLGF and Census 2017 preliminary results<sup>29.3a</sup>

#### 2.4 Traditional leaders

Local authorities interact with traditional leadership as outlined in the constitution. The main areas of interaction include: national unity, goods and services to ensure citizens' basic needs are met, and local development.

#### 2.5 National urban policy

The Government of Mozambique is working with UN-Habitat to develop a national urban policy. The first draft has been released for consultation and is now awaiting cabinet approval.<sup>29.2b</sup>

### 3. STRUCTURE OF LOCAL GOVERNMENT

#### 3.1 Local government within the state

Only a portion of Mozambique has local government. There are 53 municipalities, covering Mozambique's 33 cities and 20 of the 128 towns in the districts. The first elections for provincial governments are scheduled for 2020.

#### 3.2 Ministerial oversight

The Ministry of State Administration and Public Service<sup>29.3b</sup> (Ministério da Administração Estatal e Função Pública - MAEFP) is responsible for overseeing the administration of the laws governing local government.

#### 3.3 Council types

The committees that local authorities are required to establish depend on their size, in terms of population and land area, and the responsibilities that have been devolved to them. It is recommended that standing committees for the main services provided by the authority be established - eg finance, administration and social services.

The president of the council, or mayor, is head of the executive and appoints councillors (vereadores) to the executive municipal council. The presidency is a full-time position, while councillors may be either full-time or part-time. Presidents and full-time councillors are not permitted to undertake other paid employment. Municipalities are required to have annual activity plans and budgets. These are proposed by the municipal council and must be submitted for approval to the municipal assembly.

#### 4. ELECTIONS

The management of elections is undertaken by the Comissão Nacional de Eleições<sup>29.4a</sup> (CNE) (National Election Commission), composed of multiple stakeholders including political parties represented in parliament and civil society organisations). The CNE is assisted by the Secretariat of Electoral Management (known as STAE) - which is an executive agency responsible for all electoral processes.

#### 4.1 Recent local elections

Elections last took place in all 53 municipal councils in November 2019.<sup>29.4b</sup> The next elections will be in 2023.

#### 4.2 Voting system

Mozambican municipalities are composed of two distinct bodies: the municipal assembly, which acts as a legislature; and the municipal council, which holds executive powers. Members are elected to the municipal assembly under the d'Hondt system of proportional representation for a term of five years. Unlike the national system, there is no requirement to secure 5% of the total vote to qualify for a seat.

Voting for an assembly is conducted on the basis of city-wide and town-wide party lists. There are no wards. The members elect from amongst themselves a president of the assembly, or speaker.

#### 4.3 Elected representatives

The president of the council, or mayor, is directly elected for a term of five years and must secure more than 50% of the vote. Where no candidate achieves this, a second election must be contested between the two top candidates within 30 days. A person may stand simultaneously for the presidency and also be named on a party list for the council. To field a presidential candidate or put forward a list for a municipal assembly, political parties must obtain signatures from 1% of registered voters. Law No. 6/97 allows citizens, citizen groups or political parties which are not recognised also to campaign in elections for the office of president or seats in the municipal assembly. The decision-making process begins with the executive council drawing up an action plan and a budget, which are presented to the municipal assembly for approval. After approval is received, they are displayed for wider public information.

#### 4.4 Women's representation

The total number of female councillors or council leaders was not available. Following the 2013 municipal election, 69 municipal councillors and 411 municipal assembly members were women. At the same elections, there were 5/53 (9.4%) female mayors, and 6/47 (11.3%) female municipal assembly chairpersons - giving 11.0% (11/100) female council leadership. After the 2003 local election, 22.0% of municipal councillors were women, down from 29% in 1999.<sup>29.4c</sup>

**Table 29.1b Women councillors and mayors following the last three local elections**

Election	2003		2008		2013		2018	
	#	%	#	%	#	%	#	%
Councillors	#	%	#	%	#	%	#	%
<b>Female councillors</b>	na	22.0	na	na	~480	~39	na	na
Male councillors	na	88.0	na	na	~750	~61	na	na
<b>Total councillors</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>	<b>1,230</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>
Municipal councillors	#	%	#	%	#	%	#	%
<b>Female councillors</b>	na	na	na	na	69	na	na	na
Male councillors	na	na	na	na	na	na	na	na
<b>Total municipal councillors</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>
Municipal assembly (MA) councillors	#	%	#	%	#	%	#	%
<b>Female MA councillors</b>	na	na	na	na	411	na	na	na
Male MA councillors	na	na	na	na	na	na	na	na
<b>Total MA councillors</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>
All mayors/chairpersons	#	%	#	%	#	%	#	%
<b>All female mayors/chairpersons</b>	na	na	11	11.0	11	11.0	na	na
All male mayors/chairpersons	na	na	89	89.0	89	89.0	na	na
<b>Total mayors/chairpersons</b>	<b>na</b>	<b>100.0</b>	<b>100</b>	<b>100.0</b>	<b>100</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>
Municipal mayors	#	%	#	%	#	%	#	%
<b>Female mayors</b>	na	na	5	9.4	5	9.4	na	na
Male mayors	na	na	48	90.6	48	90.6	na	na
<b>Total mayors</b>	<b>na</b>	<b>100.0</b>	<b>53</b>	<b>100.0</b>	<b>53</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>
Municipal assembly chairpersons	#	%	#	%	#	%	#	%
<b>Female MA chairpersons</b>	na	na	6	12.8	6	12.8	na	na
Male MA chairpersons	na	na	41	87.2	41	87.2	na	na
<b>Total MA chairpersons</b>	<b>na</b>	<b>100.0</b>	<b>47</b>	<b>100.0</b>	<b>47</b>	<b>100.0</b>	<b>na</b>	<b>100.0</b>

Source: MAEFP correspondence with CLGF and Electoral Institute for Sustainable Democracy in Africa 2008

**Table 29.2a Aggregate income and expenditure for local government 2006**

Income	US\$m	Expenditure	US\$m
<b>Centre-local transfers</b>		<b>Administration</b>	
Restricted	na	Staff	na
Unrestricted	na	Property	na
		Other	na
<b>Locally raised revenue</b>			
Property taxes	na	<b>Services</b>	
Licences and fees	na	Water	na
Other	na	Road maintenance	na
		Other	na
<b>TOTAL INCOME</b>	<b>na</b>	<b>TOTAL EXPENDITURE</b>	<b>36</b>

Source: MAEFP communication with CLGF

## 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

### 5.1 Legal requirement

Decree No. 15/00 replaced by Decree No. 35/12 defined the principles by which the local state bodies should interact with community authorities, which included traditional leaders and secretaries of suburban neighbourhoods. Furthermore the Ministerial Act 67/09 established the structure and functions of councils as they relate to community participation.

### 5.2 Implementation

A number of municipalities, such as Maputo, Dondo and Nampula, have undertaken a number of rounds of participatory budgeting.

**5.3 ICT use in citizen engagement** ICT use by local authorities has increased in the last few years. For example, at local level, especially in the villages, community radio broadcast systems are used as a crucial means of communication by different stakeholders to disseminate relevant information. In urban areas, the use of radio, television, smartphones and websites is common.

## 6. ORGANISED LOCAL GOVERNMENT

The National Association of Municipalities of Mozambique<sup>29,6</sup> (ANAMM) was established by the municipalities in 2006 to promote cooperation and solidarity among all municipalities, and contributes to the training and professionalisation of municipal staff.

## 7. INTERGOVERNMENTAL RELATIONS

At district level a district council, convened on a three-monthly cycle, acts as a consultative body. The council's membership is drawn from the district government (the district administrator, the directors, and the chiefs of administrative posts), together with the presidents of any municipal councils, community authorities, and representatives of economic, social and cultural organisations in the district.

## 8. MONITORING SYSTEMS

Financial scrutiny is exercised by the Office of the General Inspector of Finance of the Ministry of Economy and Finance under Law No. 11/97, reviewed by law 17/2008. Mozambique's Administrative Tribunal, the highest jurisdiction in administrative matters, adjudicates in cases of alleged breaches of administrative law. This power is vested in the Minister of State Administration and Public Service, who may delegate functions to the provincial governors.



**Table 29.2b Local government expenditure as a percentage of total government expenditure 2006/07**

	2006/07 US\$m
Total government expenditure	1,980
Total local government expenditure	36
<b>Local government expenditure as a percentage of total government expenditure</b>	<b>1.8%</b>

Source: MAEFP communication with CLGF

## 9. FINANCE, STAFFING AND RESOURCES

### 9.1 Local government expenditure

Budgets must be prepared and managed within the framework of the national government budget. The aggregate revenue for local authorities in 2006 was approximately US\$36m.

### 9.2 Locally raised revenue

Municipalities are responsible for collecting taxes and user fees. The Municipal Taxation Code<sup>29.9a</sup> governs the taxes available to local government.

### 9.3 Transfers

Under Law No. 1/2008 the national government transfers funds through the Municipal Compensation Fund, which in 2006 represented 3.5% of all tax revenue raised at national level. The fund provides a general grant distributed between the municipalities under a formula published in the annual budget, and based on the following criteria: surface area, population, level of development and success in collecting taxes. In the first year of the fund's operation national government made available MZN49bn, almost doubling the funds allocated to the urban councils. Further finance is provided for local development projects. A percentage of revenue from certain national taxes is also transferred to local government – for example 30% of the tourism tax collected by local establishments, 75% of vehicle taxes, and certain income taxes for people working locally.

### 9.4 Loans

No information is available.

### 9.5 Local authority staff

Municipal assemblies set the salary and expense payments of their own members, the president of the council and the officers, within strict legal limits. The total bill for wages and expenses for the assembly and the council members cannot exceed 40% of the municipality's income and there is a ceiling on salaries for the president of the council and the officers. Members of the assembly are paid for the days they attend. The president of the assembly cannot be paid more than 10% of the salary of the president of the council, and members no more than 3%.

Recruitment and dismissal of staff is the responsibility of the municipality. The president of the municipal council acts as the chief executive officer. The towns have a simple staffing structure. Until they are ready to assume more responsibilities, they typically operate with a finance department and an urban services department. There are a small number of senior officials who supervise the manual workers. Most municipalities own primary schools, as well as dispensaries and other health facilities, whose staff are paid directly by the national government.

## 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

### 10.1 Overview of local government service delivery responsibility

Local government has a number of statutory functions including the execution of economic, cultural and social programmes, delivering its action plan and implementing its budget. It shares many responsibilities with other spheres of government.

### 10.2 ICT use in service delivery

ICT has been used by local authorities to share good practice and combined services as well as to engage with private sector partners.

### 10.3 The role of local government in achieving the UN Sustainable Development Goals (SDGs)

In 2012 the Government of Mozambique, together with the African Development Bank and other key development partners, launched a high-level Roadmap for a Green Economy (GER). The roadmap establishes ambitious targets for Mozambique: to become, by 2030, an inclusive middle-income country which uses its resources rationally to preserve its ecosystems and achieve sustainable and effective development. In 2015, the African Development Bank together with the World Wide Fund for Nature, the United Nations Environment Programme and the UNDP published a new report: 'Transition Towards Green Growth in Mozambique'. The report aims to support the Sustainable Development Goals (SDGs) under the country's 'Green Economy Action Plan'.<sup>29.10</sup>

## REFERENCES AND USEFUL WEBSITES

- 29.1a Government of Mozambique [www.portaldogoverno.gov.mz](http://www.portaldogoverno.gov.mz)
- 29.1b Women in national parliaments [www.ipu.org/wmn-e/classif.htm](http://www.ipu.org/wmn-e/classif.htm)
- 29.2a Constitution of Mozambique <http://confinder.richmond.edu/admin/docs/moz.pdf>
- 29.2b Urban Development in Mozambique <https://ials.sas.ac.uk/sites/default/files/files/Research/Sir%20William%20Dale%20Centre/Urban%20Law/2017-IALS%20Mozambique.pdf>
- 29.3a National Statistics Institute, Census 2017 [www.ine.gov.mz/operacoes-estatisticas/censos/censo-2007/censo-2017/divulgacao-os-resultados-preliminares-iv-rgph-2017/view](http://www.ine.gov.mz/operacoes-estatisticas/censos/censo-2007/censo-2017/divulgacao-os-resultados-preliminares-iv-rgph-2017/view)
- 29.3b Ministério da Administração Estatal e Função Pública [www.portaldogoverno.gov.mz/por/Governo/Ministerios](http://www.portaldogoverno.gov.mz/por/Governo/Ministerios)
- 29.4a Mozambique Electoral Commission [www.stae.org.mz](http://www.stae.org.mz)
- 29.4b Local elections 2018 brief [www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk/technology/mozambique/files/files/Local\\_Elections\\_68-16October2018.pdf](http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk/technology/mozambique/files/files/Local_Elections_68-16October2018.pdf)
- 29.4c EISA Mozambique Office [www.eisa.org.za/wep/mozquotas.htm](http://www.eisa.org.za/wep/mozquotas.htm)
- 29.5 No reference for this section
- 29.6 National Association of Municipalities of Mozambique: (Associação Nacional dos Municípios de Moçambique) [www.anamm.gov.mz](http://www.anamm.gov.mz)
- 29.7 No reference for this section
- 29.8 No reference for this section
- 29.9a Municipal tax base [www.die-gdi.de/uploads/media/DP\\_12012.pdf](http://www.die-gdi.de/uploads/media/DP_12012.pdf)
- 29.9b Based on figure of US\$36m as the aggregate revenue for local government in 2006 (see section 9) provided by the Ministry and US\$1,980m as total national government revenue for the same year.
- 29.10 Green Growth in Mozambique [www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Transition\\_Towards\\_Green\\_Growth\\_in\\_Mozambique\\_-\\_Policy\\_Review\\_and\\_Recommendations\\_for\\_Action.pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Transition_Towards_Green_Growth_in_Mozambique_-_Policy_Review_and_Recommendations_for_Action.pdf)
- 29.11a UN statistics surface area 2006 <http://unstats.un.org/unsd/demographic/products/dyb/dyb2006/Table03.pdf>
- 29.11b Commonwealth Local Government knowledge hub [www.clgf.org.uk/resource-centre/knowledge-hub](http://www.clgf.org.uk/resource-centre/knowledge-hub)
- 29.11c UNDP HDR Mozambique country profile <http://hdr.undp.org/en/countries/profiles/MOZ>



Annex 29a Summary of service provision in different spheres of government in Mozambique

Services	Delivering authority				Remarks
	National government	Provinces	Districts	Municipalities	
<b>GENERAL ADMINISTRATION</b>					
Police	■				
Fire protection	■	■			
Civil protection	■	■			
Criminal justice	■				
Civil status register					
Statistical office					
Electoral register	■				
<b>EDUCATION</b>					
Pre-school (kindergarten and nursery)		■			
Primary	■				
Secondary	■				
Vocational and technical	■	■			
Higher education	■				
Adult education	■	■			
<b>SOCIAL WELFARE</b>					
Family welfare services	■				
Welfare homes	■				
Social security	■				
<b>PUBLIC HEALTH</b>					
Primary care	■	■			
Hospitals	■	■			
Health protection	■				
<b>HOUSING AND TOWN PLANNING</b>					
Housing	■			■	
Town planning	■	■	■	■	
Regional planning	■	■			
<b>TRANSPORT</b>					
Roads	■	■	■	■	
Transport	■	■			
Urban roads	■		■	■	
Urban rail					
Ports	■	■	■	■	
Airports	■	■		■	
<b>ENVIRONMENT AND PUBLIC SANITATION</b>					
Water and sanitation	■		■	■	
Refuse collection and disposal	■		■	■	
Cemeteries and crematoria	■		■	■	
Slaughterhouses	■				
Environmental protection	■	■			
Consumer protection	■	■			
<b>CULTURE, LEISURE AND SPORTS</b>					
Theatres and concerts	■	■			
Museums and libraries	■	■			
Parks and open spaces	■		■	■	
Sports and leisure facilities	■		■	■	
Religious facilities	■	■			
<b>UTILITIES</b>					
Gas services	■	■			
District heating					
Water supply	■	■	■	■	
Electricity	■	■		■	
<b>ECONOMIC</b>					
Agriculture, forests and fisheries	■				
Local economic development/promotion	■			■	
Trade and industry	■	■		■	
Tourism	■	■		■	

■ sole responsibility service ■ joint responsibility service ■ discretionary service