



WWW.CDDMOZ.ORG

POLÍTICA MOÇAMBICANA

Friday, January 17, 2025 | Year VI, n.º 659 | Director: Prof. Adriano Nuvunga | www.cddmoz.org

REINTEGRATION ALLOWANCES

Nyusi's Government Attempted to Invoke TSU Law to Deny Payments and Protect Top Officials but Ended Up Contradicting Itself

- The CDD is aware that payments were made, but the details were deliberately concealed to prevent the public from knowing who received them and how much they were paid.



The multimillion reintegration allowances for top officials remain a hot topic. Through a clarification note from the now-defunct Ministry of Economy and Finance (MEF), dated January 14, 2025, Filipe Nyusi's outgoing government, whose term ended on January 15, attempted to quell the growing public outrage over these allowances.

However, instead of announcing measures to hold accountable those who authorized and received these payments, as demanded by society, the MEF limited itself to interpreting the TSU Law. This process exposed troubling contradictions and omissions, ultimately aiming to protect high-ranking officials.

In one of its final acts, the MEF claimed that reintegration allowances had been revoked. According to the note, "with the implementation of the Unified Salary Table (TSU) and under the terms of Article 10, Paragraph 4, of Law 5/2022 of February 14, amended and republished by Laws 14/2022 and 7/2023, of October 10 and June 12, respectively, the reintegration allowance is revoked, as that

Article 10, Paragraph 4, states that civil servants, State agents, and other public servants are not entitled to any other benefits beyond those provided by law."

The note appears to be an attempt to pacify public outrage, widely expressed through various information channels and social media. But how accurate is the information presented in this clarification?

At first glance, and in line with the explanation provided by the defunct MEF, the TSU Law seems to revoke reintegration allowances. However, a deeper analysis of the law and its amendments over time reveals that it does not completely prohibit such payments to top officials from Filipe Nyusi's last term. Worse still, the law contains an omission that deliberately creates "confusion" around the payment of these allowances.

This omission was discussed during the TSU revision process but was deliberately ignored in the final version of the law. This is because a small group of individuals who proposed and approved the law stood to benefit the

most from this omission.

The implications of the TSU Law on reintegration allowances were initially addressed during public consultations. At the time, the government explained that the law would not affect the calculation of these allowances and that payments would continue as they had been, based on salaries in effect before the TSU came into force. This was according to the statutes governing the holders and members of sovereign bodies. In practice, this meant these officials would continue to receive allowances ranging from 75% to 100% of their base salary per year of service, without any prior contribution to justify the benefit.

This explanation is detailed in Paragraphs (a) and (b) of Clause 7 of Opinion No. 04/2021 issued by the Budget and Planning Commission regarding the TSU Law proposal. This means that the current claim that Article 10 of the TSU Law revokes reintegration allowances contradicts the government's earlier position on the matter.

7.a) Relativamente ao uso do salário base antes da aprovação da Tabela Salarial Única (TSU) para cálculo do subsídio de reintegração, o Governo respondeu que o mesmo não consta do rol de subsídios previstos na Proposta de Lei em alusão, por esse motivo, vai ser pago nos mesmos termos em que é pago actualmente e com os salários vigentes antes da data de entrada em vigor da TSU.

b) Se o Governo não estará a contradizer o número 1 do artigo 21 "no processo de enquadramento nos novos níveis de ordenamento salarial é salvaguardado o princípio de irredutibilidade salarial", se o subsídio de reintegração integra ou não a estrutura actual, foi esclarecido que Governo não está a contradizer-se, visto que o subsídio de reintegração não integra o salário.

Another indication that this is merely an "organized disorganization" to maintain the multimillion payments to top officials of Nyusi's administration is the deliberate removal of two clauses in Article 10 that explicitly addressed reintegration allowances. In an earlier version of the TSU Law, Article 10 included Clauses 6 and 7, which clearly stated that

allowances would be paid to officials whose terms ended on January 15, 2025, based on the salary scale in effect before the TSU Law was implemented.

The removal of these clauses created a legal vacuum on the matter. With the law now "silent" on this issue, similar to the case of supplementary retirement benefits, top officials ex-

ploited this omission to push for payments of reintegration allowances under the provisions of specific statutes governing public officials, maintaining the same conditions as before.

The MEF's note is silent on whether reintegration allowances were paid to top officials from Nyusi's second term. It merely provides an interpretation of the TSU Law.

6. Os beneficiários do subsídio de reintegração mantêm o direito a sua percepção até ao final do mandato iniciado antes da entrada em vigor da presente Lei.

7. O subsídio referido no número anterior incide sobre o vencimento base da tabela salarial em vigor antes da vigência da presente Lei e é pago nas mesmas condições em que era processado.

However, information shared with the Centre for Democracy and Human Rights (CDD) through whistleblowers indicates that these payments began in August 2024, with most of the beneficiaries—primarily ministers and state secretaries—having received their allowances by November.

According to the cited law, these payments are illegal. The justice system must ensure that beneficiaries who received these allowances illegally are held accountable. Not only are the payments unlawful, but the allowances themselves exacerbate inequalities, drain public resources, and reflect a system de-

signed to serve the interests of a privileged minority. More than just promoting a wasteful and consumerist state benefiting an elitist class, these allowances represent a broader failure in governance, prioritizing the interests of a few over the collective well-being of the nation.



Construindo uma sociedade democrática que promove, protege e respeita os Direitos Humanos.

Building a democratic society that promotes, protects, respect human rights & transform people's lives.

EDITORIAL INFORMATION:

Property: CDD – CENTRO PARA DEMOCRACIA E DIREITOS HUMANOS
Director: Prof. Adriano Nuvunga
Editor: André Mulungo
Author: CDD
Layout: CDD

Address:
 Rua de Dar-Es-Salaam Nº 279, Bairro da Sommerschild, Cidade de Maputo.
 Telefone: +258 21 085 797

Twitter: CDD_moz
E-mail: info@cddmoz.org
Website: http://www.cddmoz.org

FINANCING PARTNERS

