



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
9 February 2007

Original: English

Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-eighth session

14 May-1 June 2007

Responses to the list of issues and questions with regard to the consideration of the initial and second periodic reports

Mozambique *

1. The pre-session working group examined the combined initial and second periodic reports of Mozambique (CEDAW/C/MOZ/1-2).

General

2. **Please provide details about the process used to prepare the combined initial and second periodic reports, including the role of non-governmental organizations that work on woman's human rights and whether the report was adopted by the Government and presented to the Parliament.**

An inter-sectorial technical team under coordination of the Ministry of Women and Social Action was set up. This group comprises relevant institutions from Government and Non Government Organizations working in the area of women's rights such as Women's Forum and Mozambican Association of women's lawyers, that upon a wide consultative process have elaborated the report. The report was sent to the Ministry of Foreign Affairs and Cooperation in order to be deposited in the United Nations.

Article 1 and 2

3. **The report indicates that the Constitution does not establish a legal definition of discrimination (page 17). Please indicate whether the Government intends to incorporate a definition of discrimination in the Constitution or appropriate legislation in line with article 1 of the Convention.**

Although the current Constitution of Mozambique (2004) has not yet established a legal definition of discrimination, it has showed progress by postulating in the articles 35 and 36 the

* The present document is being issued without formal editing.

principle of rights and gender equality, when it defines that “men and women are equal before law in all fields of political, economic, social and cultural life.” In this regard, different institutions and organizations to ensure attainment of such rights have undertaken efforts.

4. Is the Convention directly applicable under Mozambican law? If so, please give examples of cases where the Convention has been cited. If not, what steps are being taken to domesticate the Convention?

With regard to technical procedures for reception of international instruments, Mozambique apply the international practice of full reception, i.e., the International Convention is automatically converted according to prevailing constitutional mechanisms, without any incorporation in internal law, in other words this means that the international law is received, in the space territorial national without losing its international characteristics, although it is conditioned to ratification or publication. Some times it receives transformation, particularly the Convention has domesticated, since its principles and norms are incorporated in the legislation approved by legislative bodies.

Convention on the Elimination of all Forms of Discrimination Against Women has been fully ratified and domesticated by Mozambique and approved by national assembly, so it became, legal instrument to Mozambique.

For instance the family law cites the Convention on its preamble, the draft proposal of the law against domestic violence, include the definition of indirect discrimination and also cites the Convention at its preamble.

The five years Government plan 2005 -2009 states that will be undertaken efforts to ensure implementation of commitments assumed by Mozambique including Convention on the Elimination of all Forms of Discrimination Against Women an important tool international tool to promote human rights (page 155).

5. The report notes that despite the primary of the Constitution, which prohibits discrimination, laws and policies and some aspects of customary law, which discriminate against women, still remain in force. Please indicate what plans are in place to conduct a comprehensive review of all laws and policies as well as customary practices to ensure their compatibility with the Convention and a timetable for their amendment.

Mozambique has ratified the Protocol to the African Charter on the Human Rights and Peoples Rights in Africa. This instrument continental establish the following:

The Protocol use the term “*Women Rights in Africa*” to refer the acknowledgment of women’s rights that a warranted in all instruments international related to human rights, are inalienable, interdependent and indivisible in accordance with Continents specificities ⁽¹⁾.

For an effective implementation of the dispositions that consecrates the rights above mentioned, it is urged the state to take measures appropriated and effective measures to promulgate laws and

¹ The Preamble of the Protocol invoke many conventions that served as fundament for the elaboration of the Protocol, namely the Universal Declaration on Human Rights, the African Charter on Human and Peoples Rights, the International Pact on the Civil and Political Rights, the International Pact on the Economic, Social and Cultural rights, the Convention on the Elimination of all forms of Discrimination against Women, as well as other legal instruments regarding women’s rights.

apply administrative, social, economic and other measures to prevent, punish and eradicate all forms of violation of rights of women.

The Protocol prohibits customary practices such as harmful practices that affect fundamental human rights of women contrary to international norms.

With regard to prevailing discrimination against women within customary law, it was established within the Ministry of Justice the “legal Reform” commission that is responsible to review the discriminatory and inadequate legislation to our reality.

In this process when the commission reviews discriminatory laws, it takes into account the international instruments approved by the national Assembly.

The government is struggling to make the society aware of the harmful consequences of discriminatory customary practices.

The Family Law of 2004 establishes in the Article 3, regarding the rights of the family ... *“Equality of rights and obligations of the family members and between the spouses themselves, in aligning the Family Law with the Constitution of the Republic and other International Law instruments, all legal provisions that promoted unequal treatment in family relationships were eliminated, in order to promote respect for Mozambican, for the culture and identity specific to the people Mozambican.*

Mozambique approved and has been divulging the Land Law. This law explicitly states that women has equal rights to land like men, including the right to inherit the land and land deeds.

It was also approved the Education and Culture Strategic Plan II for the period 2006 -2011. This plan outlines the Government vision regarding the sector of Education and Culture and identifies the main action lines to be followed. The Government has also developed the gender strategy for gender equity in the sector of education for the period 2004 -2008. This strategy provides an overview of the current situation regarding gender and education, the main constraints and priority actions to reach the education global targets.

The Government approved the Agrarian sectorial Strategy and the respective action Plan with the objectives of developing an integrated and synergetic way, the main action lines for planning, budgeting, implementing, monitoring and evaluation of activities aiming promotion of gender equity in the sustainable development in the agriculture.

It was approved a labor law that prescribes equal rights form men and women in the treatment, remuneration and career progression and specific conditions for women workers with maternity leaves during 60 days and specific timetables for child breast feed.

The Penal Code and the Heritage Law are in the process of revision. A Draft proposal of Law against Woman’s Violence was elaborated. This draft points out, the prevention and sanctions against the perpetrator, as well as, legal protection and assistance of victims of domestic violence.

6. **According to the report, “there are neither effective institutions nor instruments to protect and/or defend the rights of women and to effectively implement CEDAW’s recommendations” (page 19). Please provide information on what is being done or**

contemplated, including a timetable, to put in place effective institutions and mechanisms to protect women's human rights.

There is no any institution to monitor the implementation of the Convention and to carry out the recommendations of the Committee; this is the reason why the Republic of Mozambique is under the list of countries that missed to present regular reports to relevant bodies of United Nations and African Union.

Therefore, in order to ensure the assessment of the implementation of the Convention in Mozambique it was established an “ *ad hoc*” Multi-sectorial group comprising the following institutions:

- Ministry of Foreign Affairs and Cooperation, because it is Government focal point who liaises with international organizations, through the Directorate of International Organizations and Conferences and the Directorate of Juridical and Consular Affairs;
- Ministry of Justice, because this institution coordinates the Human Rights and Legal Reform issues;
- Ministry of Home Affairs, because this deals with Government actions in order to ensure enforcement of human Rights within the Police, prisoner facilities, police stations, as well as the control of small weapons;
- Ministry of Women and Social Action, because this institution is answerable at Government level for implementation of rights of women and children;
- General Attorneyship of Republic, because this institution supervises and oversees the legality in the law enforcement and takes part in the protection of the existing juridical order;

Thus, it is intended to formalize the establishment of an Inter-ministerial Committee for Human Rights competence to track the implementation of Conventions through the elaboration of respective reports. This body will coordinate its actions with the National Commission on Human Rights, whose Project law have been recently created by the Council of Ministers but still have to be approved by the Parliament.

Mozambique introduced a number of Institutional mechanisms for advancement of women evolving a set of institutions that has objectives related with protection of women's rights. These are the following:

- Ministry of Women and Social Action (NAS), its a institution who hold leadership role in the identification of gender inequalities within the country, design of policies and strategies with gender perspective in order to ensure women's empowerment at all levels.
- The National Council for the Advancement of Women (CNAM) – its an consultative body through which the Ministry of Woman and Social Action coordinates inter-sectorial actions.

In order to ensure gender mainstreaming in sectorial policies and programs there were appointed gender focal points and were set up gender units within different Ministries. There were also introduced the cabinets to assist victims of domestic violence.

- The Social, Gender and Environmental Affairs Commission (CASGA) - is responsible for the mainstreaming of social issues and gender equity and environmental protection in national policies and programs tabled to the Parliament.
- The Office of Women MPs - aims to establish mechanisms to link it to feminine organizations so as to ensure that gender, and poverty issues are always present in the deliberations of the Assembly of the Republic.
- Woman Forum, a network of more than 70 non -Government organizations, dealing with women and gender issues.

The fundamental objective of this network is to influence the Parliament and the Government to adopt policies and strategies that best address women's needs and priorities. Its mission is to promote active participation of women in the process of development with aim of improving the quality of life of women and men and outreach of society of well-being and gender equality.

Below are presented some examples of NGOs and associations working in the promotion and defense of women's rights: MULEIDE (Woman, Law and Development) and AMMCJ (Mozambican Association of Women's Lawyers). Other organizations working on the protection of Human Rights in general such as, the League of Protection of Human Rights and the Association for the Defense of Human Rights.

- Its in process of establishment the Network of Women's Ministers and Parliamentarians whose objectives are the promotion of wider sensitization campaigns for gender equity at various levels and strengthening lobby and advocacy actions for revision of laws, policies, practices that constitute barriers for development of women;

Besides of the institutions above mentioned Mozambique has the Gender Coordination Group (GCG), a forum that integrates cooperation partners, representatives of civil society and of government that deliberates related gender issues.

Its worth to refer the elaboration of the National Plan for the Advancement of Women (PNAM) for the period 2002-2006. This Plan provides an overall strategic framework and a guide for the coordination and effective the planning and implementation of actions. Finally, the executive has approved the Gender Policy and Implementation Strategies (PGEI).

Article 3

7. **Please provide additional information about the national machinery for the advancement of women and specify its structure, level of authority, functions and human and financial resources. Please also clarify the respective roles of the Operative Group for the Advancement of Women and Ministry of Women and Coordination of Social Action described on page 20 of the report.**

In 2004 it was established the National Council for Advancement of Women, (CNAM) who replaced the Operative Group for Advancement of Women. CNAM is consultative under coordination of the Ministry of Woman and Social Action, whose main objective is to push forward and follow the implementation of policies and programs approved by the Government in the area of Women and Gender, contributing for the elimination of all forms of discrimination against women.

CNAM has as its organs the Executive Secretariat and Technical Council comprising representatives by all Ministries, public institutions and from civil society.

At provincial level CNAM has a Executive Secretariat and a Technical Council, whose organization and work and regulated by specific diploma.

The National Council for Advancement of Women is chaired by the Minister of Women and Social Action, and the vice-chair is the Minister of Finance. The composition of CNAM is also comprised by the Ministers responsible for the portfolios of Planning and Development, Health, Education and Culture, Agriculture, States Administration, Youth and Sports, Labor, the Executive Secretary and representatives of non-government organizations, religious groups, Trade Unions and private sector that intervene in the areas of women and gender.

The National Council for the Advancement of Women – is a consultative body through which the Ministry of Woman and Social Action is able to coordinate inter-sectorial activities in order to follow up the implementation of policies and programs approved by the government for the area of women and gender.

The Ministry of Women and Social Action (NAS) is a states body, that in accordance with the principles, objectives and priorities defined by the government has specific functions of coordination of the implementation of women's empowerment, development policies and social action throughout the national territory while the National Council for the Advancement of Women – is a consultative body through which the Ministry of Woman and Social Action is able to coordinate inter-sectorial activities in order to follow up the implementation of policies and programs approved by the government for the area of women and gender.

8. **According to the report, there is no National Gender Policy but the five-year plan of the Government stresses the need to give political and economic opportunities to women. Please provide a description of the gender aspects of the Government's five-year plan, including information on the goals, objectives and strategies for the advancement and empowerment of women, and indicate what steps are being taken or contemplated to adopt a comprehensive national gender equality policy or action plan.**

The five years government Plan 2005-2009 stresses the objective of achieving gender equality and explicitly mention the strengthening of women's power as decisive factor to poverty eradication. This proposition is an important benchmark to enable greater equity in access to resources, economic participation and in the economic participation and in the participation in the decision-making bodies. Thus, in several chapters of the PRSP II (PARPA II) gender concerns are integrated, including gender itself in the chapter III (pages 142 to 154) dedicated to crosscutting issues. Thus, the integrated approach of crosscutting issues within the PARPA II enables maximization of synergies resulting from involvement and combination of the vision and

objectives of different sectors, producing impacts in the planning, policy design and implementation programs. With reference to Gender, the document mentions eight priority areas as well as actions to be developed in order to ensure political and economic opportunities for women at various levels.

Below are presented examples of some targets and strategies defined in the above-mentioned plan in order to achieve development and empowerment of women:

- Primary Education 1st degree (EP1) – *“increase the rate of girls completion from 36% to 78% in 2009; ensure that 50% of all enrollment in the EP1 in 2009 are girls”*;
- Secondary Education (ESG) – *“introduce exemption of fees to the most vulnerable groups, with particular emphasis to girls and pupils living in rural areas in order to ensure the reduction of the regional disparities; provide training all teachers in the secondary education in the matters of HIV/Aids and Gender”*;
- Higher Education - *“Increase the proportion of female students to 35%; Create scholarships-incentives to degrees in order that female students opt for of Sciences and Engineering areas”*;
- Adult education and literacy programs: *“organize adult education and literacy programs for young people and adults of both sexes”*;
- Science, Technology and Innovation: *“Stimulate the participation of women and girls in the research through promotion of programs targeting priority development areas”*;
- Health: *“strengthen the gender perspective in all health programs, with particular emphasis in the human resources policy and training in order to reach greater justice and social equity, based in the principle of equality in the access and use of health services”*;
- Woman and Social Action: *“create mechanisms to collect sex disaggregated data for both sexes and information about violence cases, with view of facilitating the conception of programs and activities”*;
- Justice: *“Defend and promote the respect for human rights, particularly women’s rights”*;
- Public Order and Tranquility: *“Expand number of police stations with preparation to assist women and children victims of violence”*.

It is worth to note that one of the strategies of education sector Plan is to eliminate the gender gaps in the low Primary Education (EP1) by 2009 and upper Primary Education (EP2) by 2015.

Efforts are in place for adoption of the Gender Policy and Implementation Strategy (PGEI) within the national Assembly, since it has already passed by the Council of Ministers. The main objective of PGEI is to develop in an integrated manner, the major lines of action with a view to

promoting gender equality, respect for human rights and creating conditions for the participation of women in the development of the country.

Article 4

9. **The report notes that temporary special measures that favour women need to be implemented to accelerate the achievement of equality between women and men. However, the report only points to the need for the removal of discriminatory laws and policies under this articles and does not indicate what temporary special measures are in place, such as quotas or incentives to accelerate the achievement of equality in all areas. Please provide this information, taking into account the Committee’s general recommendation 25 on article 4, paragraph 1 of the Convention.**

Besides the above mentioned government efforts in the context of five year government Plan, following efforts have been developed:

- Identification of more flexible mechanisms for the Education and Literacy Programs and defining women as priority group in the National Strategy of Education and Adult Literacy;
- Adoption of measures that scale up the percentage of girls in the schools, paying special attention to the districts having below 40% of girls, e.g., introduction of Gender Units at district level aiming to increase awareness to gender issues in the education sector combining with concretization of communities to offer equal opportunities to children of both sexes;
- Implementation of strategies to increase the percentage of women as teachers, for instance, the establishment of quotas of admission of 50% of women in the teacher training centers.

Through the Ministry of Woman and Social action has been involved in the promotion of creation of women’s associations with objective of reaching economic and social empowerment.

The Family Law and Commercial Code have already incorporated equal rights and opportunities between men and women in the development of commercial activities and in the provision of bank credits.

Article 5

10. **The report notes a number of measures that could be taken to eliminate discriminatory stereotypes of the role of women and men. Please provide details of the measures already in place to eradicate stereotypes and discriminatory cultural practices between men and women, including traditional cultural practices that “prevent women from advancing in society” such as initiation rites, dowry, early marriages and polygamy (page 22) and provide information on the impact of such measures.**

The Family Law has introduced measures with view of eradicating stereotypes and discriminatory practices. Example of such measures are the following:

- The correct law defines an equal treatment in the family affairs and points out the marriage age for 18 years for boys and girls. Exceptionally its admitted marriage of girls an boys with the age of 16 years, for reasons of public interest and through consent of parents or legal representatives.
- It has replaced the option of head of family with “Representative of the Family”, this means that the family can be without distinction be represented either by man or woman.
- With the present law woman can now register their children in absence of the father, a right that in the previous law was not allowed.

The current law recognizes the monogamous marriage, for both men and woman. The law also recognizes religious as well as civil and traditional marriage. This is a very important measure, since by law, a previous marriage no dissolved, regardless the form of the marriage, its enough fact to impeach any other form of union. Its worth t o clarify that to become the marriage effective, the union must be duly registered, by inscription or by transcription depending on the case.

Article 6

11. Please provide information on exploitation of prostitution and trafficking, including its prevalence and the measures in place to combat it.

In Mozambique there is no specific legislation against traffic. However, the Penal Code has a set of crime classification that is applicable for the traffic.

However, efforts are being developed to respond t o the internationals calls, to implement the dispositions of the Transnational Convention on Organized Crime, which Mozambique is signatory part. Some of the actions are the following:

- Talks in public schools and in the community;
- Training of day officers, police station and district commanders;
- Establishments of partnerships with the International Organization for Migration (OIM) in the context of assistance to victims and training of police officers;
- Establishment of partnerships with the orga nization “Terre des Homes” to host temporarily the victims claiming to have been trafficked;
- Training of border control guards in identification, assistance and reference of people claiming to be victims of traffic.

Mozambique has ratified other intern ational instruments such as: United Nations Convention Against Transnational Organized Crime 2000, as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

12. **The report states that a sociological and multi -sectoral approach is needed to enable an intervention that may take the blame from the child involved in prostitution or the victim of sexual abuse (page 27). Please provide in formation on what steps are in place to ensure such a comprehensive approach to exploitation of prostitution and trafficking and describe any programmes that have been developed for the physical and psychological recovery and social reintegration of girls and women who have been victims of sexual abuse and exploitation.**

Related to this issue Mozambique has developed the following activities:

- Adoption by national Assembly of the Law 6/1999 that regulates children access to night entertainment public places and alcohol consumption as well as Tobacco;
- Revision and implementation of the legislation on child prostitution and sexual abuse of children in order to ensure children’s protection and application of severe punitive measures against the perpetrators and promoters;
- Creation of centers and services for psycho -social rehabilitation of children and women victims of violence;
- Development of public education programs with aim of warn family and society, including the child on the risks child prostitution and sexual abuse;
- Organization of the Campaign Against the Sexual Abuse of Minors that also included a component on Children Trafficking. This campaign resulted in the raising of awareness of citizens on the problem of traffic and sexual abuse. Th is has resulted in elaboration of the draft of the Law Against the Trafficking of women and children that was coordinated by the Ne twork against Child Abuse (Rede CAME).

13. **Please outline the efforts being taken to reintegrate and rehabilitate women who w ere victims of violence during the war described on page 24 of the report.**

Violence against women

The armed conflict ceased in Mozambique after the signature of the Peace Agreement in 1994. Consequently it was organized special support programs imple mented by the Ministry of Health with the involvement of the colligation of “All Against Violence” and various NGOs.

The victims of the war and violence benefited from different ways of support trough trained activists. The Ministry for the Coordination of Social Action has plaid an important role in social reintegration of this target group in the families and origin communities, in material support and in the implementation of projects and training in income generation activities.

14. **The report describ es the high incidence and prevalence of violence against women, including domestic violence, and the indifferent attitude towards violence against women by members of law and order and society in general (pages 24-25).**

Please describe what steps have been taken to develop a comprehensive strategy to combat all forms of violence against women including the adoption of legislation and the introduction of capacity -building and awareness raising programmes for various professional groups (such as lawyers, health workers and the judiciary) and the general public.

There is an integrated movement of civil society organizations and government institutions to advocate the approval of draft Proposal of law against domestic that typifies domestic violence as aggravated crime.

Violence against woman and girls continue to be socially legitimated, specially when its exercised in the domestic context, impeding women victims to denounce its perpetrators. Besides that there is a persistent culture of silence, particularly with reference to sexual violence, where the victim, perpetrators and the family participate. However, efforts are being developed to fight distinct forms of violence and diverse mechanism have been created in order to reduce the violence against women, and the organizations that promote the protection of women's rights are the most active agents, through activities of advocacy and lobby and other initiatives that are mentioned below:

- The design and implementation of the program “All Against Violence”. The program included sensitization, advocacy and lobby for reform of discriminatory legislation that discriminates woman, civic -legal education in the decision making levels, training and sensitization of police officers in police stations, clinical assistance, psychological and legal assistance of victims of violence as well as research.
- Lobby and advocacy for creation of counseling and assistance services for the victims of violence. Those actions have positive effects that resulted in the opening of 151 offices for assistance of Women and children in the police stations, with an effective of 600 police officers already trained.

The Department of Woman and Child at the Ministry of Interior is still developing activities mentioned in the page 25 of the do National report of the Convention on The Elimination of All Forms of Discrimination Against Women. However, has been improving partnerships and interventions to fight and prevent violence against women.

It has already been set up a database on domestic violence with sex -desegregated data by at national level. Operators of this database have benefited from training.

Efforts are being developed to introduce SOS lines (green lines) in 2007, to assist in domestic violence cases in the police stations.

15. Please provide information on the provisions of the proposed law to deal with domestic violence and indicate when it is expected to be passed by Parliament.

The draft proposal of the Law Against Domestic Violence is still to be passed in the national Assembly, however efforts are being developed in order that this law is approved by 2007. Its object is the domestic violence against woman in the context of domestic and family affairs.

The law aims to prevent, sanctions the perpetrators of violence and ensure provision of due assistance and protection to the victims of domestic violence, guarantee and introduce measures that provides the state bodies with necessary instruments to eliminate domestic violence. Its also objective of this legal instrument, provide protection against abuse of power in the relationship between people in the domestic context and introduce measures that ensure competent bodies of state provide effective and total support to the forecasts and ensure that the state commits itself to eliminate domestic violence.

Articles 7 and 8

16. **The report notes that barriers to the participation of women in political and public life include “family, low schooling, traditions and lack of consistent policies aimed at encouraging women to ascend and or occupy senior or leadership positions” (page 28). Please state what measures the Government intends to use to overcome those barriers, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation n°25.**

Mozambique has developed a strategic plan of Education and a Plan to Integrate gender perspective in this strategic plan as a response to multiple constraints faced by girls in the education sector.

The government Plan establish a set of actions to promotion of access, participation and equal opportunities for women in the decision making structures, professional careers that traditionally are dominated by men, in ensuring that women in decision making organs are active agents of transformation and mobilization of female candidatures at all levels.

For instance through the introduction of quotas, female representation in 2002 that was 31,2% increased to 36% from a total of 250 men of parliament. At government level female representation increased from 13,04 % to 24%.

Article 9

17. **While a foreign woman who marries a Mozambican man can acquire Mozambican citizenship, a foreign man who marries a Mozambican woman cannot acquire Mozambican citizenship. Please indicate what is being done or contemplated, including a timetable, to ensure that both men and women are able to pass on their nationality to their spouses without discrimination.**

The Constitution of Republic of Mozambique (2004) in the article 26 regarding the acquisition of Mozambican citizenship refers that both men and women get the nationality of their spouses without discrimination.

Article 10

18. **The report highlights the specific problems faced by girls in gaining access to education, but notes that “few can go further if there is no will from the Government to effectively**

promote the education of girls” (page 33). Please indicate why this is the situation and what can be done at national level to ensure that political will to promote girls’ education is fostered.

One of the main problems is poverty. The impact of HIV/AIDS contributes for emergence of household headed by children. Education is an expensive investment for families and often the expected gains from their investment from girls are not attained.

Government measures are in place to eliminate such barriers and this include free enrolment and distribution of school books as well as provision of direct assistance to low-income families.

To reduce delay in the entrance to the first grade, Government adopted a strategy to increase the number of girls entering in low primary education (EP1) with appropriate age (6 years). This strategy aims to ensure that girls enter into education system at age of 6 years so that they finish primary education with 12 years having better opportunities to continue their studies at subsequent levels. Furthermore efforts are being taken to improve school provision, particularly benefiting girls in districts with major gaps between boys and girls.

Its important to note that school performance at primary education has improved since 2004, as result of introduction of the new curriculum. Semi-automatic progression, resulting from the mentioned curriculum deserves a highlight, since it has contributed for the improvement of rates of promotion and transition.

19. **The Committee on the Rights of the Child (CRC/C/15/Add.172, 7 February 2002) has noted that girls have less access to education than boys over the primary school level, that the literacy rate among girls is low; that less importance is placed on girls’ education and that some practices such as excessive domestic work, early marriage and early pregnancy contribute to limiting girls’ access to education (para. 56). Please indicate what is envisaged or being done to tackle the specific problems faced by female students and to encourage their enrolment and retention in schools. Please also provide data on retention rates at primary and secondary level.**

Government efforts in this area are being concentrated in the expansion of opportunities of access to education with quality and relevance, equity at all levels of national education system, having into account the reduction regional and gender gaps. Its is being developed a special education for children with disabilities, there were reactivated the activities of adult education and literacy as well as there is a commitment to expand to other levels of education.

Its also being promoted the safe education through adoption of severe sanctions against those who commits sexual abuse and harassment against girls in the education, the inclusion of school councils and involvement of community in management as well as mobilization of communities on the equality of rights between boys and girls in access to education.

The Ministry of Education have been developing several initiatives to promote gender equity in education and incentives the education of girls. The measures include the free enrolment for poor families, free distribution of school manuals and provision of free food. The gradual introduction of school feeding in the schools, since 2002, has contributed to improve the access and retention

of orphaned and vulnerable children and girls. In addition, girls benefit from scholarships based on the assistance and their school performance.

With view of achieving strategic needs of girls and women, incentives for female teacher training were introduced (with right to scholarship) as role models that can encourage other girls to enter in the school.

The revision of curriculum and school material to eliminate gender negative stereotypes and promotes teaching for both sexes are also part of this chapter.

Other examples of initiatives are “education for life”, education on reproductive and sexual health and HIV/AIDS, sensitive issues that contribute for sensitization on gender issues.

Community involvement in the creation of conducive environment for girls/women education has been bringing good results. With creation and straightening of school councils, good opportunities to solidify the sensitization of parents has emerged and community involvement in order to promote more equitable gender relations in the schools.

With regard to enrolment and retention it can be mentioned the building of school boards rooms with adequate conditions of privacy and hygiene conditions. The conditions of facilities ensure a conducive social environment for safety and mutual respect between both sexes.

Significant gains have been achieved due adoption of these measures, indeed there is an involvement regarding the percentage of girls in the basic education, particularly in the primary education of the first degree (EP1). For instance, if in 1999 the percentage was 42.7%, in 2001 it had already reached 43.9%, then in 2002 it was 44.6% and finally in 2005 it reached 46,4%. However, there are still strong gaps between provinces and within provinces. While dropouts are still elevated after primary education completion, and this leads to lesser proportion of girls that are enrolled to EP2. in 2005, only 41% enrolled to that level of education.

A greater access and retention will only be significantly achieved, when students no more have to walk long distances to get school; when the quality of teaching learning be strengthened, this implies improving the teacher training to increase the quantity and quality at all levels and types of education.

20. Please provide data on the literacy rate among women and girls and details of any programmes to combat illiteracy.

The illiteracy rate within population with 15 or more years has decreased from 61% in 1997 to 54% in 2003. But there almost two times more illiterate women than men (68% against 37%). The rates of illiteracy among women show wide variations among provinces, from 22% in Maputo city, to more than 75% in the provinces of centre and north of the country.

It can be noted that there is a trend where younger women are more and more literate than older women. Thus, while the illiteracy rates among 15 -19 years have decreased from 50% in 1997 to 38% in 2003, they have decreased from 56% to 51% in women of 20 -29 years and during same period.

With reference to programs and actions to fight illiteracy we can highlight the following:

- The development and provision of curriculum and literacy materials both in Portuguese and local languages;
- Training of trainers for supervision of literacy;
- The creation of a Directorate to deal with non -formal Education and adults within the Ministry of Education with representation at provincial levels and districts;
- Expansion of adult literacy classrooms from 320 in 1999 for 5.000 in 2005, that contributed for reduction of the rate of illiteracy in adults from 60,5% for 53,6%;
- Greater involvement of external partners and NGOs in the programs of Education and Literacy and other programs.

Article 11

21. **The report notes that most economically active women work in the informal sector, particularly in the rural areas (pages 41 -42). Please describe the strategies in place to support women in the informal sector, including any programmes to inform low -income and poor women, particularly in rural areas, of opportunities to gain access to markets and technology and access to credit, social security and health services.**

The Agrarian Sector Program (PROAGRI) prioritize s the household sector as beneficiary, through intervention of different sub-sectors dealing with different specific matters:

Access to Technology: Services of Agrarian Extension: through different programs defined and dissemination of messages through co mmunity radios in order to improve the production and productivity.

The low levels of education among rural women have also contributed negatively for the low access to technologies, although there is an effort to bring and adequate them to the rural women, e.g. Pedestrian pumps.

Opportunities of Access to markets: the Ministry of Agriculture (MINAG) trough its partners, e.g. PAMA (Program of Agriculture Markets), and SIMA (Information System of Agrarian Markets) are disseminated information on the agricultural products whereabouts and prices;

Access to Credit: the Fund for Agrarian Foment has been assisting associated peasant groups or associations in credit or kind, encouraging the participation of both sexes in this activity. Some NGOs partners of the Ministry of Agriculture provide support on kind credit to women. Women have reportedly show to be better performing in terms of compliance with credit returns in due time;

In Mozambique more than 60% of rural workers are and within is group about 90% of w omen are peasants who practice subsistence farming. The Ministry of Agriculture trough agrarian rural extension services has been carrying out sensitization programs targeting peasants with special focus on women. However, socio -cultural factors represent important barriers, since female extension workers are in minority and dissemination of messages by male extension workers is hardly accepted in rural areas.

There is a lot of work to do in this field, this include the increasing the number of female extension workers and sensitization of women peasants and their partners on the issues of equality of opportunities in access to resources.

The Ministry of Agriculture has developed a strategic plan that include assistance its workers living and already sick of HIV or aids. The Ministry organizes sensitization talks calling their employees to make test to know about their health status. Those who are sero -positive are provided with free treatment and food provision.

The Ministry of Agriculture through its co operation partners in the field of agriculture has been encouraging the dissemination of Land Law, as well as carrying sensitization campaigns on this matter. It has also developed since 2005 a formal strategy, the Gender strategy on agriculture sector and respective action plan. Those instruments set very clear actions prioritizing women in the process of the right of use of land and credit.

Likewise there is the Rural Action Plan (PRA) integrates the following components: micro - finance, support t o loca l organizations and rural communication. This plan has objective of achieving development of rural areas and promote agrarian sector in the country.

With reference to the implementation of programs the National Institute of Social Action (INAS) has a key role in female poverty reduction. In the programs developed by this institution always the principle of gender equity and the women head of households are privileged, elderly women and impaired women n situation of absolute poverty.

There are many health programs targeting to all population, specially the most vulnerable, namely women and children: the infant and maternal health program, STI control program and Nutrition are some examples that can be cited.

In order to guarantee access to most poor grou ps, living in the rural most remote areas, are organized mobile brigades, periodic. Those mobile brigades until very recently were concentrated in preventive activities (specially vaccination and health education), but in the last years, they have been inc luding diagnoses and treatment to sicknesses, attracting more customers. In order to ensure the access to all services, the same are freely provided.

As a way to contribute to fight discrimination and stigmatization of HIV infected people were created home based care targeting mostly to people in precarious health, where volunteers from NGOs visit them, teach their families provision of hygiene and nutrition basic cares as well as in the identification of symptoms and signals of sickness that can be treat ed at home or referred to nearer Health Units. Those volunteers also assist the people in anti -retroviral treatment, with objective of diminishing the rate of dropouts in order to guarantee the access of the most poor, living in the most remote rural areas , periodic mobile rural brigades are organized. These mobile brigades until very recently were concentrated in preventive activities (mainly vaccination and health education), however in recent years, they have included diagnosis and treatment of sickness attracting thus more clients. In order to ensure universal access to these services, they are offered for free.

However, most of the people with AIDS in treatment are women, thus users of counseling and volunteer testing services as well as clients of SAJ (Adolescent and Youth Friendly Services)

are women. It has already been established mobile brigades for HIV voluntary counseling and testing.

In order to contribute in the fighting of discrimination and stigmatization to people living with HIV there we re created home -based services where NGOs volunteers can assist the sickness people in precarious conditions. Those volunteers do visits and teach the families how to deliver basic care activities related to hygiene and nutrition, identification of symptoms and signs of sicknesses that can be treated at home or referred to the nearest health care unit. This volunteers assist also in the administration of anti -retroviral, with view of decreasing the rate of dropouts and ensure access to most poor living in remote rural areas mobile units are organized. This units until very recently were concentrating their intervention in prevention activities (mainly in vaccination and health education), however in the recent years they are including diagnosis and treatment of sickness, attracting more clients. In order to ensure the access to all those services they are freely delivered.

Due to the relationship of violence and HIV, the hospitals are re -organizing themselves to health integrated care to the victims of violence, while in the same time creating at community level, programs of primary prevention of violence in urban centres.

22. **The report notes that Mozambique is confronted with social exclusion problems of working women in agriculture and informal sectors as well as disabled workers and those living with HIV/AIDS (page 38) as a result of profit motive and maximization of investment returns. What steps are being taken to ensure employers comply with all labour laws for the protection of workers' rights, especially the rights of women workers, the disabled and those living with HIV/AIDS?**

It was approved the Law 5/2002, of 5 of February that protects infected workers with HIV -AIDS, is one of the punctual measures. This law obliges the employers to guarantee protection against discrimination of their employees infected with HIV/AIDS.

The employer is obliged to ensure due medical and medicine assistance to their employees according to the Labor Law and existing legislation.

The same law obliges the employing entity to train and re -deploy all the HIV/AIDS employees that are not developing their activities.

The Labor Inspection, entity within the Labor Ministry has the responsibilities to ensure the enforcement of labor legislation with view of protecting the workers. In case of detection of irregularities this entity sanction with a fine.

The Labor Law (8/98), of 20th July, obliges in its article 18 the employing entities to respect all rights and warranties of workers. The employer has to ensure the respect of hygiene and safety norms in the work, as well as investigate the causes of accidents in the work and sickness caused by profession being followed, adopting appropriate measures to its prevention.

The same law in its article 76, protects the dignity of woman worker: any attempt against her dignity is punished under the law; the employing entity is not allowed to fire, sanction or any other practice that can affect women on the basis of discrimination or social exclusion; violence against woman worker is sanctioned with a compensation.

Its duty of the employing entity to promote employment in posts or works that is adequate for citizens that their working capacity has been transformed as result of accidents, long sickness, creating the necessary conditions for the exercise of socially important activity.

In order to make the employers to comply the with labor laws regulations and particularly women's rights, disabled and infected by HIV/ AIDS the government of Mozambique has submitted to the parliament a new labor law that is still to be approved by the parliament.

The Council of Ministers has approved the Action Plan for the area of disabled people. This plan provides protection of disabled people in the context of employment, particularly for disadvantaged women, by the reason of being women.

In order to minimize stigmatization of people living with HIV/AIDS in the work, the Parliament adopted the Law 5/2002. Presently are taking places in working places advocacy campaigns on the workers rights and candidates for work living with HIV/ AIDS. The above -mentioned campaign has the participation of the Mozambican Workers Organizations and several NGOs such as: MONASO, KINDLIMUKA, AMOPROC, coordinated by GASD -UEM and funded by the National Council against HIV/AIDS.

23. **Given that only approximately 4 per cent of women are salaried employees (page 42), please describe what opportunities are available for women to gain access to the formal labour market and what program mes, including temporary special measures, are in place to encourage and support them to do so.**

The Ministry of Labor, through the National Institute for Employment and Professional training is engaged in the professional training and promotion of professional internships and expansion of professional training centers in the country in order to revert the unemployment situation in the country that means the promotion of programs to ensure employment to vulnerable groups in the labor market, long term unemployed, women and disabled people.

Article 12

24. **A significant number of women are being attended to by traditional medicine and the maternal and infant mortality rates in Mozambique are very high (page 43- 44). Please provide details of the Government's strategy to reduce the maternal and infant mortality rates, and what concrete steps have been taken to increase the availability, quality of and access to primary health-care services for women.**

The maternal mortality rate, one of the highest in the world, was during the 90s account 1000 deaths per 100.000 live births, but it decreased in 2003, for 408 per 100.000. The decrease of the rates is due to direct and indirect factors such the increment of rate and school level of girls and women. This fact is widely acknowledged has playing positive impacts.

In addition, the Ministry of Health has defined strategies to reduce the mortality rates, starting from on a study using the three delays model, namely at household, community levels and at health units.

25. **The report notes that women do not have control over their sexuality and reproductive rights (page 44 and 51). Please provide information on what strategies are in place to ensure women's access to affordable reproductive and sexual health services and education programmes and their availability to particular groups including adolescent and rural women.**

The main strategies to ensure access to sexual and reproductive health services include gratuity to access these services, daily availability of the services, organization of a specific technical framework to provide this kind of services (infant and maternal nurse), the establishment of mobile units, mobilization of women's associations and community based associations and its connection with community leaders in the mobilization of the families and their wives, as well as the creation of adolescent and youth support services.

26. **The report indicates that there is a significant increase in the HIV/AIDS infection rate among pregnant women (page 44). Please provide information on whether any existing programmes to combat HIV/AIDS integrate a gender perspective, including the availability of antiretroviral medication to prevent mother-to-child transmission of HIV. Please also indicate whether the Government has requested and received assistance from international donors in support of measures that address HIV/AIDS in women.**

With regard to the programs to fight HIV/AIDS in gender perspective, there is a joint program on Gender, HIV/AIDS, where other governmental institutions participate (Ministry of Women and Social Action and the National Council to fight HIV/AIDS) United Nations Agencies (UNFPA, UNAIDS and WHO) and civil society organizations (Kuyakhana, Pathfinder and Woman Forum). The main objective of this program is to reduce the phenomena of feminization of HIV/AIDS. Its important to note that government has been requesting and receiving assistance from international donors in order to cope with the impacts of HIV/AIDS on women. The national program for the prevention of vertical transmission mother-to-child was started in the middle of 2004; and has already covered until 2006, 5% of pregnant women infected with HIV/AIDS.

This area has been benefited of multiple ways of international support, from United Nations Agencies among others, including the World Bank, American Government, Bill Clinton Foundation and Global Fund. The programs include prevention, treatment and mitigation.

Article 13

27. **There are a large number of women-headed households in Mozambique, the majority of which are extremely poor (page 51). Please describe what measures are in place to support and alleviate the plight of women in poverty, including what is being done to facilitate their access to land and credit.**

The government has started the Rural Support Finance Program with the objective of contributing from economic growth and poverty alleviation, improving thus the quality of life of rural households. In this context, women, individually, or organized in associations benefit from credit and training programs on business management, gender and HIV/AIDS.

There are also other programs in place to be implemented by national Institute of Social action whose objectives are to support individuals and vulnerable households with particular emphasis to women heading households besides the National Integrated Program of Social Action, Employment and Youth whose main objective is to provide opportunities of employment and alternative forms of income generation.

In this context strategies of Program of Support to Rural Finance and respective strategies of implementation, support to development of legal instruments and institutional support of micro-finance institutions.

A Policy on Micro-Finance amend its national strategy will contribute for creation of conducive environment for economic growth and expansion of the industry aiming the reduction of absolute poverty through provision of services for the people with low income but economically active.

Government will concentrate on the improvement of access to financial services by individuals, associated groups, firms in rural areas intervening according with the following components: infra-structures, agriculture and fishing production and commercialization. The Government will create micro-bank, saving and credit organizations and intermediaries in capture of bank deposits (Law nr 9/2004 and Decree nr 57/2004).

28. The report notes the peculiar problems of women with disabilities, which results in stigmatization and social exclusion. Please indicate what measures are in place to ensure women with disabilities access to education, employment and other social services.

Mozambique has approved the Policy on impaired people with the objective of defining strategies of government and civil society interventions in order to contribute for active participation of disabled people in the development process.

The Government approved recently the National Plan in the area of impaired people 2006 -2010. This plan attempts to ensure the fulfillment of constitutional principle universality and equality, ensuring the respect of rights of all Mozambican citizens, especially the impaired people, with view of closing specific disadvantages to this group and its social integration. This Plan resulted from an exercise held by Government institutions, civil society and cooperation partners.

The Plan has identified 11 areas of concentration among them it can be highlighted the following: Education, health and Rehabilitation, sports and leisure activities, Transport and Communication, Poverty, Gender among others. Its worth to note, that each of these areas pays special attention to the needs of children and women due their vulnerability.

Finally reference must be made that the actions defined in the above -mentioned plan have focus on impaired women through implementation of a set of activities with a view of reducing the rate of vulnerability, stigmatization and discrimination as well as its integration in programs and projects in the context of Beijing Platform of Action. These activities are being carried out by civil society organization specialized in those areas as well as by the National Institute of Social Action (INAS).

In order to enable the employees respect all labor laws, with particularly attention to women's workers rights, impaired worker and HIV/aids infected workers, Government of Mozambique,

submitted to the Parliament a new Labor law. This proposal has not yet been passed by the Parliament.

Article 14

29. **The report notes several problems faced by rural women, including absence of political representation and lack of access to health-care services (page 58). The report further notes that the five-year programme of the Government “includes the incorporation of gender problems at the level of the agricultural sector (page 58). Please provide details of how the five-year programme incorporates a gender perspective in the agricultural sector, as well as whether it has a particular focus on enhancing rural women’s standard of living through increased access to education, health-care services, clean water and sanitation, economic opportunities, land ownership and participation in decision-making process related to development planning.**

In the area of health, the first program with gender focus was the assistance to the victims of violence. It is estimated that there is one victim of violence in every three minutes, and most of this go to health units in the critical phases of aggression as well as due sequels derived from moral and physical suffering. The program consists in training of health staff with view of integrated assistance and counseling to break the cycle.

The program to control STI/HIV/AIDS, has important weak gender component, however it is envisaged to improve the knowledge of health service providers in gender issues in order to enable them to assess individual cases, in order to achieve their empowerment.

The program on maternal mortality is a wide field where gender approach would benefit from the quality of life of children and women.

The process has started with elaboration of research that resulted in better knowledge on the distribution of power within family as well as the model for resource distribution. Those will assist in the elaboration of strategies aiming to reach balance of power in the family.

Other areas where gender integration is considered are connected with health human resources, sanitary programs to control sickness such as malaria and tuberculosis, as well as gender budgeting.

Articles 15 and 16

30. **The report notes several instances of discrimination against women in marriage and family relations under the law and in practice, including in contractual capacity, property ownership, recognition of the husband as head of the household, inheritance rights and the prevalence of polygamy (page 63-65). Please provide detailed information on what strategy the Government has in place to eliminate such discrimination and ensure equal rights of women in marriage and family relations in law and in practice, including updated information on the status of the proposed law on the family, what obstacles may be encountered in getting it enacted and how the Government intends overcoming them.**

The Family Law introduces other marriage modalities that safeguard the legitimate interests of the parties and gives more coherence to the populations' way of life. In addition to civil marriage, the law also recognizes religious as well as monogamous traditional marriage.

With regard to the assets of the couple, the Article 102 prescribes that the administration of these for both partners in equality of circumstances. The couple is encouraged to privilege dialogue and consensus in making decision that can affect the common property or the children interests.

With regard to family representation, article 99 refer th at this is indistinctively represented by any of the partners, unless they decide who will represent. The partners can also agree that the head of the household can be exercised with full powers (article 101).

Any of the partners has freedom to have prof essionally or remunerated activity and this right under any circumstance will be subjected to partners consent.

Optional Protocol

31. **Please indicate any progress made towards ratification/ accession of the Optional Protocol to the Convention.**

Processing of documents by the Ministry of Foreign Affairs and Cooperation in order to ensure the ratification/adoption of the Optional Protocol of Convention on The Elimination of All Forms of Discrimination Against Woman is due to take place in 2007.

This p rocess for ratification is being coordinated by the Ministry of Foreign Affairs and Cooperation.
