



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.: General  
26 June 2019

Original: English  
English, French and Spanish only

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**Committee on the Elimination of Discrimination  
against Women**

**Seventy-third session**

1–9 July 2019

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**List of issues and questions in relation to the combined third  
to fifth periodic reports of Mozambique**

**Addendum**

**Replies from Mozambique to the list of issues and questions\***

[Date received: 25 June 2019]

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\* The present document is being issued without formal editing.



## I. Constitutional, legislative and policy framework

1. Please indicate whether the State party has taken measures to provide legal remedies and sanctions for the application of the prohibition of discrimination against women, in accordance with the Committee's previous recommendations (CEDAW/C/MOZ/CO/2, para. 13). With regard to the revision of legislation to amend or repeal discriminatory provisions that contradict the provisions of the Convention (CEDAW/C/MOZ/3-5, para. 7),<sup>1</sup> please indicate whether the State party has taken steps to revise laws governing inheritance rights. Please also specify how the State party ensures that the provisions of the Convention are upheld and take primacy over any other conflicting provisions of law, and give specific examples where the rights under the Convention have been invoked before national tribunals or courts and where reference to those rights has been made in the jurisprudence, especially or including the revised Commercial Code with regard to women's autonomy in business

1. Regarding Legislation and Policies, as already mentioned in the report, Mozambique approved several anti-discrimination laws aimed at the promotion and protection of women, namely:

- Law No. 14/2009 of 17 March, on the General Statute for State Employees and Agents, which protects women in the Public Service; Law No. 19/97, Land Law that assigns equal rights to men and women in the use of land, including rights of succession and ownership; Anti-discrimination law against people living with HIV and AIDS (Law no. 12/2009, of March 12), among other laws;
- The Law of Succession is in the process of revision, which will reinforce, among other important aspects, the aspects enshrined in the Land Law related to the succession in the Right of Use of land by women;
- The Commercial Code was revised, which establishes the autonomy of women in conducting business;
- The Penal Code was revised, emphasizing among other aspects: the decriminalization of voluntary termination of pregnancy, the recognition of unsafe abortion as a public health problem and the penalization of intercourse with conscious transmission of disease.

2. Concerning policies, we must highlight the approval of the Gender Strategy, the approval of the Plan of Action on Women, Peace and Security, the Creation of Family and Child Care Offices, the Establishment of the Integrated Mechanism for Assistance to Victims of Domestic Violence, Introduction of Matters on Domestic Violence in the CFJJ Curriculum and in the Police Training Schools.

3. In order to achieve this, the Government has disseminated this information through the various institutions that work for the promotion and protection of women through civic and legal education campaigns, lectures, dissemination through media and information, community radios.

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the combined third to fifth periodic reports of the State party (CEDAW/C/MOZ/3-5).

## II. Access to justice

2. **Please provide information on the legal aid regime in place and the extent to which all women and girls, including those with little or no income and those who do not speak Portuguese, can access legal aid. Please inform the Committee on measures taken to: (a) improve access to justice for women and girls who are victims of discrimination or gender-based violence, including domestic and sexual violence; (b) enhance the legal literacy of women, in particular rural women, with regard to procedures also available to them to enforce their rights under the Convention, challenge discrimination and seek redress; and (c) ensure due diligence by law enforcement officials when conducting investigations in order to encourage reporting and prevent re-victimization. Please also indicate whether the Convention and the Committee's general recommendations are being integrated into capacity-building programmes for lawmakers, judges, prosecutors, lawyers and law enforcement officials, and how this is reflected in the administration of justice and provision of protection services**

4. With regard to access to justice, it should be noted that in Mozambique it is perceived as a complex process, which begins with access to knowledge, so that citizens can be aware of their rights and duties and the institutions to which they can resort to when these rights are violated so as to bring about a fair trial.

5. Regarding legal assistance and judicial sponsorship, another component of guaranteeing access to justice is done through the Institute of Legal Advice and Assistance (IPAJ), which extended its scope of coverage, and is currently implemented in 147 districts of the country, corresponding to about 90 percent coverage. Only 7 districts still lack coverage.

6. The IPAJ is integrated in the Offices of Assistance to the Family and Minors, next to Police Stations, Penitentiary institutions and the Palaces of Justice. However, there are still challenges regarding language obstacles, because the majority of the population speak the local language, and there is a need to translate using the single file to avoid victimization in cases where the victim has access to existing support and assistance services, for example the Integrated Mechanism.

7. Regarding education, it should be noted that, since 2008, the women's protection issues have been integrated into the training programs for lawmakers, judges, prosecutors, lawyers and law enforcement authorities, including in the Legal and Judicial Training, reflecting on the administration of justice and the provision of protection services, through greater coordination, collaboration and enforcement among these institutions in the protection of women's rights.

### III. National machinery for the advancement of women

3. **Please provide information on the human, financial and technical resources allocated to the existing national machinery, including the Ministry of Gender, Children and Social Action and the National and District Councils for Advancement of Women. Please also provide information on the activities of the Councils, the conditions for implementing the agreed gender plans, and whether there are additional budgets or incentives for the Councils who deliver on the government commitment to gender equality. Please also specify how the State party ensures effective coordination between the National and District Councils for Advancement of Women and the Gender Units within the various ministries, higher education institutions and the Constitutional Court. Please also clarify the role of the gender focal points within the government ministries in implementing strategies for the advancement of women, and whether they have received training on women's rights and the Convention**

8. The following is information related to Financial and Technical Resources allocated to national machinery/mechanisms for Advancement of Women.

#### 3.1 *Ministry of Gender, Child and Social Action (MGCAS)*

9. This Government institution responsible for the coordination of all issues related to social action, has a technical staff that ensures the operationalization of the actions for the integration of a gender perspective.

10. At the central level, there is a specific Directorate with two departments (women promotion and gender promotion) dealing with gender issues and at the local level, provincial directorates have gender departments.

#### 3.2 *National Council for the Advancement of Women (CNAM):*

11. The National Council for the Advancement of Women is an institutional gender mechanism that works in the Ministry of Gender, Child and Social Action. It has a technical staff that ensures the operationalization of all activities assigned to it. It has a specific budget allocated from the State Budget to the sector that oversees the area of women that is enshrined in Decree 26/2013. Evolution of the MGCAS and CNAM Budget since 2014.

#### 3.3 *Activities of Councils at all levels (National, Provincial and District)*

(a) To approve the plans and programs of the National, Provincial and District Council for the Advancement of Women;

(b) To consider, from a gender perspective, macroeconomic development policies and, in particular, to formulate proposals to address the efforts and needs of women in access to resources, employment, markets, trade and savings and credit mechanisms;

(c) Identify legislation and administrative practices that discriminate against women or affect their rights or interests, and make proposals to reverse the situation;

(d) Monitor the development of normative sectoral instruments for gender mainstreaming, gender equality and women empowerment;

(e) Participate in actions to ensure the promotion and protection of women's rights;

(f) Propose measures to ensure equal opportunities for access to education between boys and girls as well as measures to encourage and maintain girls in schools;

(g) Formulate proposals for integrated measures to prevent and combat domestic violence in general and against women and children in particular, based on the analysis of causes and consequences;

(h) Encourage the adoption of measures of integrated assistance to women and children victims of violence;

(i) Promote measures or actions aimed at preventing and combating prostitution, people trafficking and other forms of exploitation of vulnerable persons in general and of women, girls and children in particular;

(j) Promote actions and formulate proposals to take measures to ensure equal access and active participation of women in decision-making and decision-making bodies;

(k) Periodically evaluate, from a gender perspective, the implementation of Government policies and strategies on women and gender equality and make relevant recommendations;

(l) The CPAM and the CDAM shall ensure the implementation of the CNAM guidelines at local level, periodically report to this body on the progress of activities in the area of women and the promotion of gender equality in its territorial jurisdiction.

*3.4 Conditions for implementation of agreed plans and whether there are incentives for the Councils.*

12. Conditions are indeed created for the implementation of the agreed plans, given that the sectors receive methodological guidance from the Ministry of Economy and Finance, which guides the sectors to plan and to budget with a gender perspective.

13. Coordination between national and district councils and government departments in the ministries, higher education institutions and constitutional court (through sectoral gender units).

14. All ministries have gender units and their activities are coordinated by a coordinator who is the gender focal point responsible for gender mainstreaming in policies, plans, strategies and budgets in the different sectors.

15. Gender focal points are regularly trained and sensitized on human rights, with emphasis on women's human rights, on the main instruments signed and ratified by the country on women's rights, such as CEDAW, Gender Equality in Africa, SADC Protocol on Gender and Development etc., Gender Planning and Budgeting and other issues.

**4. Please describe how the Five Year Government Plan for Poverty Reduction (PQG) has employed instruments and policies to ensure equality of opportunities. With regard to the National Plan for the Advancement of Women 2010–2014, please provide information on: (a) how its implementation was coordinated with the implementation of other gender strategies and action plans (para. 39); (b) how its implementation was monitored and assessed (c) how its results have influenced the development of related policies and programmes; and (d) whether another national plan is envisaged. Please also describe any measures to ensure that gender is effectively mainstreamed into all national policies related to the economic empowerment of women, in particular in labour and the agricultural and extractive sectors, and the mechanisms in place to monitor the impact of gender-related activities across all sectors**

16. The Government's Five Year Program is the main government guiding document from which the guidelines for the sector budgeting and planning process

emerge and sectors should integrate activities with an integrated gender perspective into the Social Economic Plan (Annual Document).

17. In relation to the National Plan of Action for the Advancement of Women, which is a multisectoral plan, it integrates actions from all sectors of the State and civil society, with indicators that are integrated into the Sectoral Social Economic Plan and the stakeholders should report activities to the National Council for the Advancement of Women, which prepares a report that is submitted to the Council of Ministers for its opinion and recommendation.

18. The IV National Plan of Action for the Advancement of Women 2018–2024 was approved.

19. In order to effectively integrate the gender perspective in national policies related to women's economic empowerment, the country has been raising awareness at different levels, with emphasis on the government sectors responsible for women's empowerment, for instance, during the commemoration of Mozambican Women's Day, a lecture was held at the National Institute of Mines.

#### **IV. Women, peace and security**

- 5. Please provide information on the recently adopted National Action Plan on Women, Peace and Security 2018–2022, including how it ensures the participation of women and civil society organizations, its coordination arrangements, the resources allocated for its implementation, and monitoring and evaluation mechanisms. Please also explain how the State party ensures the participation of women in ongoing peace processes, and whether women affected by past hostilities have been provided with adequate access to justice, redress and assistance, including psychological support, in accordance with the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations. Please also specify what measures have been taken to provide assistance to women and young girls who have been affected by the ongoing violence in Cabo Delgado, including those who have been internally displaced**

20. MINT has participated in the conferences on the Kigali Declaration which include the assessment of women's participation in peace missions and training for women's empowerment to intervene in conflict settings. Increase in female troops, as well as capacity building to protect women and girls in different contexts of their lives.

#### **V. National human rights institution**

- 6. Please indicate whether the National Human Rights Commission, established in 2012, has a broad mandate to promote and protect women's rights and gender equality. Please also provide information on: (a) the resources allocated to the Commission to fulfil its mandate; (b) the measures taken to ensure the independence, effectiveness and capacity to deliver its mandate in favour of gender equality, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles); and (c) any steps taken to apply to the Global Alliance of National Human Rights Institutions for accreditation**

## **VI. Temporary special measures**

7. **Please indicate whether any temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, have been adopted to accelerate the achievement of substantive equality between women and men in all areas, including with regard to: (a) decision-making and governance positions; (b) education; (c) employment; (d) veterinary services and mining and extractive industries; and (e) overcoming the disadvantages experienced by specific groups of women subject to multiple forms of discrimination including women heads of households, rural women, older women, refugee and asylum-seeking women and women with disabilities. Please also provide information on any awareness-raising programmes to promote understanding of the importance and non-discriminatory nature of temporary special measures, as well as any incentives, sanctions or time-bound targets in place to encourage the use of temporary special measures**

## **VII. Stereotypes and harmful practices**

8. **Please provide information on the impact of measures taken to eradicate harmful practices that perpetuate discrimination and violence against women, such as polygamy and child or forced marriage, and to promote a positive and non-stereotypical portrayal of women and men in the media and in education curricula (para. 78). Please also provide information on cases of early and forced marriage that have been brought before the courts, and on the outcomes of those cases. Please also inform on measures to address beliefs in witchcraft that perpetuate violence against women and girls, especially those with albinism**

## **VIII. Gender-based violence against women**

9. **Please clarify whether the legislation, including the revised Penal Code and the Law on Domestic Violence of 2009, explicitly criminalizes domestic violence, marital rape, sexual harassment and all forms of sexual abuse, and provides victims with immediate means of redress and protection, including the issuance of restraining orders. Please provide more information on the measures taken to effectively implement legislation concerning gender-based violence against women, and on any obstacles encountered in implementation. With regard to the National Plan for Prevention and Fight against Violence against Women, please indicate what human, technical and financial resources were allocated for its implementation, which entity is responsible for its implementation, and how its implementation has been assessed. Please also provide updated statistical data on: (a) gender-based violence against women, including domestic and sexual violence, disaggregated by sex, age, nationality, geographic location and relationship between the victim and perpetrator; and (b) prosecutions for gender-based violence against women and the punishments imposed, including for perpetrators who married their victims, following the revision of the Penal Code (para. 9)**

21. For the implementation of the National Plan for Preventing and Combating Violence, the human and financial resources established in the sectoral budget plans were used. The MGCAS coordinated the process, however the plan envisaged specific responsibilities for each intervening party. The assessment was done by an external consultant.

22. Law 29/2009 of 29 September and Criminal Code adopted in 2014 explicitly criminalizes domestic violence in articles 245 to 257, as well as crimes against sexual freedom provided for and punishable under articles 218 to 227 of the Criminal Code.
23. Existence of care services for the victims and their expansion of these services to the Administrative Posts, Care Offices and Services; integrated care centers, offices that deal with GBV in the Health Units.
24. The modules on human rights, gender and violence have been introduced in police training institutions, as well as the adoption of a specific training manual for police forces, which include, inter alia, international and regional instruments ratified by the country.
25. Regarding the progress of the Plan, it was verified that in the pillar of Services to Support Victims of Violence, the Multisectoral Mechanism for Integrated Assistance to Women Victims of Violence was approved, an instrument that defines the coordination and interconnected service of the various sectors, key roles, areas and priority needs. According to the report of the Economic and Social Plan (BdPES), up to 2012, nine women's promotion centers had been built, one in Inhambane, one in Zambézia, three in Nampula, one in Cabo Delgado, two in Niassa and one in Sofala. Three health care centers were also set up to receive victims of sexual violence, and two emergency shelters were identified (one in Caia district and one in Beira). The Final Evaluation team was able to verify the functioning of at least one emergency shelter in the city of Quelimane, erected in collaboration with a Non-Governmental Organization (NGO). The dissemination of the rights of victims of violence occurred through television spots and radio spots.
26. In the Education and Training pillar, the BdPES indicates that there are support networks interconnected and co-managed by MMAS, the Ministry of Health (MISAU), the National AIDS Council (CNCS), the Ministry of Justice (MINJUS), the General Prosecutors office (PGR) and international cooperation partners; however, the document does not provide evidence of such networks and their operating mechanisms. In terms of training there is a training register of 125 teachers and 30 representatives of community structures in the province of Cabo Delgado, 40 community activists in the city of Maputo and an equal number in the province of Maputo. At the same time, five training sessions were held (two in Manica and one in Niassa, Tete and Gaza) for police, journalists and community leaders.
27. In the area of Information, Lobby and Sensitization, 15 workshops were held to disseminate instruments to defend women's human rights, specifically five at the central level, three in Zambezia province, two in Maputo, one in Gaza province, one in Nampula and one in Cabo Delgado. These seminars were attended by 618 people. Awareness raising for community-level justice for cases of violence was made through 53 lectures in the province of Niassa, 104 in Cabo Delgado, 42 in Nampula, 55 in Zambézia, 25 in Tete, 15 in Manica, 59 in Sofala, 68 in Inhambane, 24 in Gaza, five in Maputo and 36 in the city of Maputo; making a total of 481 lectures. Seminars with the same purpose totalled 28, seven in the Northern Zone (excluding the province of Niassa), seven in the Central Zone (excluding Manica), and 14 in the Southern Zone (excluding Inhambane and Gaza).
28. With regard to Inter-sectoral Coordination, the indicators for this pillar have not been effectively identified and most of the activities have been reported to have been carried out but there is little evidence of this. As an example in the whole pillar there is no indicator with the numerical, percentage or fractional form, that allows its clear quantification. Some level of coordination is observed at central level but this dynamic is far from being replicated at the lowest levels of province, district or municipality, to name but a few. Groups of coordination of violence at central and provincial level. At the central level 6 meetings were held and in the provinces they

are held twice per year. The Monitoring and Evaluation component was intended to monitor and supervise the activities implemented under the Plan. The harmonized data collection model is considered complete but its effective implementation was denied by all partners of the Final Evaluation team. The consolidation of semi-annual and annual reports was also considered a success, but no report was made available to the team conducting the evaluation. The key actions of the Plan are mirrored in the PES of the Women and Social Action Sector for the duration of the Plan, but it should be noted that due to the lack of effective data collection and consolidation mechanisms many other actions are not reflected. The study on community violence, which could be the lever for the Database, was not carried out. Thus, it was not possible to define national key indicators, given the nonexistence of the Database. The revision of the indicators consisted mainly in incorporating contributions from the Government instruments, than to influence them in order to have a gender approach.

29. In conclusion, it can be stated that the Action Plan for Preventing and Combating Violence against Women (2008–2012) played a key role in efforts to mitigate gender inequality in the country. The Plan opted to aggregate a broad set of activities and leave the process of its implementation to the partners in each sector. This decision, while attributing a high level of ownership to potential implementers, it in turn weakens the cohesion and effectiveness of the leadership to maintain control and supervision over actions on the ground.

30. A baseline study that mapped the whole national reality about the problem could have been an agglutinating moment for all stakeholders, and eventually for an implementation that was more often gathered around the Ministry of Women and Social Action as a coordinating body. Full confidence in Government M&E mechanisms as a way of monitoring activities proved to be pernicious as the indicators contained in the BdPES are not able to reflect the full range of actions that take place at the implementation level.

31. The new plan for planning of the activities is described in the National Plan for Preventing and Combating Gender-Based Violence 2018–2021 and integrates six (6) strategic areas and a series of measures and actions that require the articulation of different legal documents and provisions, namely:

- Strategic Area I: Prevention, Awareness and Education;
- Strategic Area II: Responding to Gender-Based Violence;
- Strategic Area III: Ensure a systemic and consistent response to violence against women and girls;
- Strategic Area IV: Studies and Research;
- Strategic Area V: Information and updated Data;
- Strategic Area VI: Monitoring, Evaluation & Reporting.

NB: Please see Appendix for Statistical Data.

## **IX. Trafficking and exploitation of prostitution**

- 10. Please provide updated information, including any statistical data, on the prevalence of trafficking and exploitation of prostitution in the State party, and on the number of prosecutions under related legislation including the Law on Preventing and Combating the Trafficking of People 6/2008. Please also provide updated information on any measures taken to: (a) address the root causes of trafficking and exploitation of prostitution; (b) prevent women and girls in vulnerable situations from entering into prostitution, including through the provision of alternative income opportunities and exit programmes for women wishing to leave prostitution; (c) improve the identification and referral of victims, enhance their protection and provide them with necessary support services; and (d) raise public awareness of trafficking in persons. In this regard, please also provide information on the measures taken or envisaged to address the challenges identified by the State party with respect to the identification and referral of victims and the collection of related data (para. 62)**

32. To address this problem, the Government has been developing a range of measures including revision of legislation and collaboration with SADC countries. In this context, the revision of Law 6/2008, which establishes the legal regime applicable to the prevention and combat of trafficking in persons, in particular women and children, is under way.

33. The law includes provisions for protection of victims, protects whistle blowers and witnesses, guarantees the complainant's anonymity, penalizes those who aid traffickers and does not depend on the offender's complaint to formalize the complaint. However, it does not specify the mechanisms for reintegrating victims into society. To address this and other loopholes, a review of the law is under way, as well as the establishment of mechanisms and institutions that are necessary and appropriate for its full implementation through the adoption of the Action Plan.

34. In order to prevent and combat trafficking in persons, the Government has carried out actions to coordinate and carry out the following actions: (i) information campaigns, through the media and other means that are most effective, on the recruitment techniques used by traffickers, the tactics used to keep victims in subjection, the forms of abuse to which victims are subjected, and the competent authorities, organizations and institutions which can provide assistance or information; (ii) the protection and reintegration of the victim; (c) the investigation and collection of information on victims of trafficking, particularly women and children, in the community where they are resident; (iii) coordination with local authorities including Community authorities in combating situations of vulnerability; and (iv) specialized training in immigration, criminal investigation, border guards and customs agents.

35. These actions have been carried out through the elaboration and dissemination of various Information, Education and Communication (IEC) materials at the national level. On the other hand, campaigns have been carried out in a coordinated way with the countries of the region.

36. Training was given to technicians from various institutions (Social Action, Health, Education, Justice, Migration, Customs and Justice Administration), civil society and children, in matters related to the prevention of trafficking in persons, research, support victims and their reintegration.

## **X. Participation in political and public life**

- 11. Please inform the Committee on the timeline for operationalizing the Network of Minister and Parliamentary Women Initiative (para. 37), and any challenges facing its effective operation. Please also provide information on concrete measures to: (a) increase the representation of women, in particular women from minority ethnic groups, in the government and in provincial, district and municipal councils, such as incentives implemented by political parties to increase the representation of women in decision-making positions and capacity building programmes for women who wish to enter into political life or to hold public office; (b) eliminate the barriers to women’s participation in political and public life; and (c) raise awareness among politicians, the media, community leaders and the general public on the fact that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the effective implementation of the Convention. Please also specify any concrete or measurable results that have been achieved through the Law of Local State Institutions, including whether it has led to an increase in the political participation of women at District and Local Councils**

37. With regard to increasing the representation of women, particularly women belonging to ethnic minority groups, it is important to emphasize that there is no distinction at the country level in terms of ethnic or minority groups, since the Constitution of the Republic is clear in this regard, emphasizing in its article 35 that “All citizens are equal before the law, enjoy the same rights and are subject to the same duties regardless of color, race, sex, ethnic origin, place of birth, religion, marital status of parents, profession or political choice” at all levels, Government, provincial, district and municipal councils.

38. The Government and the different partners have been working to sensitize and empower political parties to place women on the lists of candidates in eligible positions.

## **XI. Education**

- 12. In view of the low literacy and secondary and tertiary enrolment rates, please provide information on the measures taken to: (a) address the causes of high dropout rates among girls; (b) promote access by women and girls to tertiary education, such as through advocacy and scholarships; and (c) reduce the extremely high dropout rates for girls and illiteracy rates among women and girls. Please indicate whether pregnant girls are permitted to continue attending school, and provide information on any re-entry programmes in place for young women and girls who have dropped out of school owing to early pregnancy or child marriage. Please also provide updated statistical data, disaggregated by sex, age, ethnicity and residence in rural or urban areas, on the dropout rates of girls at all levels of education**

- Weak financial power of parents and parents, to follow up the schooling of their children in Secondary or Professional Education;
- Change of residence (nomadism);
- Distance between Primary school and Secondary schools;
- Poor dialogue between daughters and parents and guardians, especially regarding issues related to Sexual Reproductive Health (SRH);

- Poor pedagogical supervision by parents and guardians because they do not give importance to girls' schooling;
- Early pregnancy;
- Early child marriage (forced marriage), conditioned by parents and caregivers;
- Rites of initiation that are still carried out during normal school periods in some provinces (Niassa);
- Initiation rites taught with information for younger children despite being out of class;
- Girls study living with their husbands (in secondary school);
- Parents oblige girls to marry older men, or businessmen or mine workers in South Africa, the "madjonidjonis" people in exchange for the lobolo (southern Sofala province and southern region of the country);
- Overloading of girls in housework; Lack of information on the part of some students, parents and guardians to go to Social Action to receive scholarships;
- Exaggerated ambition on the part of the girl, being exposed to the practice of transactional and/or intergenerational sex in exchange of goods (clothes, food, jewelry, etc.).

#### **Measures to reduce Dropouts**

- Children entering school at the right age;
- Frequency and retention, ensuring their transition on an equal footing;
- Recovery of girls who have dropped out for various reasons to return to school through the gender focal points in schools;
- Increasing the number of female teachers in rural areas to serve as role models;
- Inclusion of a gender perspective in curricula, programs, plans, educational materials, teacher training and managers;
- Allocation of scholarships for secondary school girls from poor families;
- Quotas for female entry into IFPs.

#### **Pregnant Girls allowed to attend school:**

- The Revocation of Decree 39/2003 / GM, of December 5;
- Decree No. 435/2003 / GM, of 13 December, this instrument allows the frequency of pregnant girls to continue in the classroom until when they have a baby and return to school.

#### **Dropout Rates**

39. In the last three years the number of students dropping out has been decreasing. In 2016 it was 10.4 and it fell to 5.2 in 2018.

#### **Measures to prevent violence**

- Placement of complaint and suggestion boxes in schools for the purpose of reporting;
- Indication of gender focal points in schools;
- Student guidance on methods to prevent child violence;

- Teacher’s guide to identifying signs of sexual abuse in adolescent children.

### **Impact to Prevent**

- Reducing cases of harassment and violence;
- Students informed about the prevention of harassment, abuse and all types of violence;
- Early pregnancy reduction;
- Re-education of early child marriages;
- Teachers able to identify students victim of violence be it at home, on the street, at school and in the family.

- 13. Please update the Committee on the measures taken to ensure that those responsible for the sexual abuse or harassment of girls in the educational system are effectively punished in accordance with the Committee’s previous recommendations (CEDAW/C/MOZ/CO/2, para. 33), and provide statistical data on the number of perpetrators who have been prosecuted. Please also provide information on the impact of measures taken to prevent sexual abuse or harassment of girls in the educational system, including by discouraging the settlement of such cases through the marriage of the victim to the aggressor**

40. To solve the situations on sexual abuse and harassment there is recurrence to the General Statute of Officials and State Agents.

## **XIV. Employment**

- 14. Please provide information on the achievements of the 2009–2013 Gender Strategy for the Public Sector in accelerating substantive equality between women and men in employment. Please also elaborate on the measures taken to: (a) ensure equal opportunities of access to the labour market and professions for women and men; (b) monitor and enforce the implementation of the principle of equal pay for work of equal value, in particular in the private sector; and (c) strengthen the participation of women in public and professional fields through “the design of guiding instruments, the review of labour legislation and the regulation of the Public Sector” (para. 88), including information on the government body or agency responsible for implementation and the results achieved. In view of the fact that the Labour Law 23/2007 does not apply to women working in the informal sector (para. 95), please indicate what measures are in place to ensure the protection of women working in the informal sector, including their access to maternity protection and financial credit. Please also provide information on the number of women-owned businesses and enterprises resulting directly or indirectly from new legal provisions or the revised Commercial Code**
- 15. Please provide information on how many women benefited from the 2006–2014 Employment and Professional Training Strategy, how it has addressed gaps and challenges in the mining and extractive industries and the road sector, and whether it has nurtured the development of female role models in these fields. Please also indicate whether the current legislation, including the Labour Law 23/2007 and the General By-Laws for Public Servants and State Agents, explicitly prohibit sexual harassment in the workplace, what sanctions are in place for perpetrators and whether victims have access to means of redress. Please also provide information, including statistical data, on the availability**

and affordability of State childcare facilities to allow women and men to reconcile work and family life

### **XIII. Health**

16. Please provide information on the percentage of the national budget allocated to reducing the maternal mortality rate and ensuring women's access to basic health-care services, including essential obstetric care and sexual and reproductive health services, in particular for women living in rural and remote areas. Please clarify the grounds for which abortion is now permitted in the State party (para. 9) and, in view of the large number of deaths resulting from unsafe abortion, please provide information on concrete measures taken to prevent unsafe abortion and remove any barriers to women's access to safe abortion services. Please also provide information, including updated statistical data, on teenage pregnancy rates, unsafe abortion, the prevalence of cervical and breast cancer and the mental health status of women and girls, and on the treatment available to them
17. Please indicate whether any measures have been taken to evaluate the impact of the National Multisectoral Plan on Gender and HIV, as well as the Law on Defence of Rights and Fight against Stigmatization and Discrimination of People living with HIV/AIDS, especially in addressing the disproportionate impact of HIV/AIDS on women and girls and the consequences of HIV/AIDS for the family and society. Please also provide information on the availability, accessibility and affordability of confidential family planning services, modern contraceptives and prevention and early-detection programmes for women and girls living with HIV/AIDS, particularly those in rural and remote areas

### **XIV. Economic and social benefits**

18. Please provide information on the eligibility criteria for social protection schemes regulated by the Law of Social Protection 4/2007, and whether they are accessible to all groups of women, including women engaged in the informal sector, women heads of households and women performing unpaid care work in the family. Please also indicate whether there are measures in place to ensure that the national social security programme is implemented in a gender-sensitive manner, and to facilitate women's equal access to financial services, credit and insurance schemes. Please also inform the Committee on the impact of the measures taken to increase women's access to micro-finance loans and financial schemes and provide training on small business management (para. 102), including information on the number of women-owned micro, small and medium enterprises currently in operation as a result of these measures. Please also clarify what kinds of financial schemes available to women under the Agriculture Development Fund and micro financing institutions such as GAPI and Banco Oportunidade (para. 123), how many women benefited from these services, and what has been the impact

## **XV. Gender and climate change**

19. **With reference to the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please provide updated information on the Gender, Environment and Climate Change Action Plan and Strategy of 2010, including how it takes into account the disproportionate negative effects of climate change on the rights of women, the specific human and financial resources allocated for its implementation, and whether women participated in its formulation and implementation. Please also indicate what steps have been taken to evaluate the impact of environmental degradation on rural women and ensure that the solutions and policies adopted take such evaluations into account, in line with the Committee's previous recommendation (CEDAW/C/MOZ/CO/2, para. 41)**

## **XVI. Rural women**

20. **Please inform the Committee on measures taken to increase and strengthen the participation of women in the planning and implementation of local development plans, in line with the Committee's previous recommendation (CEDAW/C/MOZ/CO/2, para. 41), including in the extractives industry. Please also provide information on any training and capacity building opportunities for rural women who wish to enter into decision-making positions, including at district and provincial levels, and in the extractive industries sector. Please also provide information on the legal framework governing the activities of extractive industries, and how the State party ensures that they do not undermine the rights of rural women to land ownership and their livelihoods. Please also specify what complaint mechanisms are available to women who have been negatively affected by extractive industries or have faced discrimination in their right to access, ownership and inheritance of land, and provide data on the complaints received, including the nature of violations, the sanctions applied and the remedies provided to the victims**

## **XVII. Older women and women with disabilities**

21. **With reference to the Committee's previous recommendations (CEDAW/C/MOZ/CO/2, para. 43), please provide information, including updated statistical data, on the situation of older women and women with disabilities, and the impact of the measures taken, including through the Elder's Policy and the National Action Plan for the Disabled Person, to alleviate poverty within these groups of women and to combat all forms of discrimination against them. Please also indicate whether any specific measures have been taken to challenge harmful traditional views regarding older women, particularly accusations of witchcraft, and to provide identity cards free of charge, in order to guarantee their full access to social services and social protection**

41. According to the 2017 census, Mozambique has about 1,275,660 elderly people, of whom 694,989 are women and 580,671 are men. Of these, 203,282 live in urban areas and 491,707 live in rural areas.

42. On the measures adopted to protect the elderly under the national social security system: 413,574 households in situations of poverty and vulnerability, with 376,839 households headed by the elderly are assisted by the social assistance programs.

43. Specific measures to challenge traditional detrimental visions of older women, particularly accusations of witchcraft.
44. In order to materialize what was established in the Constitution of the Republic regarding the elderly: the law 3/2014 of February 5 was approved in 2014, Concerning the promotion and protection of the rights of the Elderly, whose objective is to ensure the defense of basic fundamental rights of the elderly person.
45. In order to contribute to the realization of the rights of the elderly, the Policy on the Elderly Person and Strategy of its implementation approved in 2002 is in force and the first National Plan for the Elderly Person for the period 2006–2011 was implemented. The evaluation of this Plan concluded that, despite the advances made in the protection of the elderly, there are still challenges to guarantee the well-being of this population stratum in the country, so that in 2015 the Government approved the National Plan for the Elderly 2015–2019 as a continuity of implementation of actions aimed at improving the well-being of the elderly population and emerges within the framework of the fulfilment of the objectives set out in the various national and international legal instruments for the protection of the elderly.
46. In relation to women with disabilities, similarly to people with disabilities in general, there are statistical data provided by the National Statistics Institute. According to the last Census conducted in 2017, the country has 727,620 people with disabilities of which 355,559 are women.
47. The country has adopted the International Convention on the Rights of Persons with Disabilities as well as other inclusive legislation that does not discriminate against women with disabilities.
48. In 2016, it carried out the midterm evaluation of the Action Plan for Disability, in which the results showed that women with disabilities are increasingly participating and taking a leading role on issues that concern them, such as membership, access to social work, education, employment and self-employment through income-generating activities.
49. Likewise, it approved, in April 2019, the report on the implementation of the International Convention on the rights of persons with disabilities. It is now in translation phase for [subsequent submission to the United Nations.

## **XVIII. Women in detention**

22. **Please provide information on: (a) the number of women in detention, including pretrial and administrative detention; (b) the number of detention facilities, as well as the availability of education, job skills training, health and social services for women in detention; (c) the availability of alternatives to detention, in particular for pregnant women and mothers with children; and (d) the measures in place to prevent sexual harassment or assault of women in detention by male guards**
50. Regarding this issue, it is worth mentioning that:
- **Detainees** = 03, Condemned = 94, Children: ranging from 1 year to 1 year and 9 months: 04 (2 girls and 2 boys, of these 1 3-year-old boy in Zimpeto Ministry Arco Iris, host center), pregnant: 00;
  - **Number of facilities:** The Ndavena Special Women’s Penitentiary is the only facility exclusively for women, whereby, in all penitentiaries specific sections or cells are established;

- **Availability of Education:** The Special Penitentiary Establishment for Women provides three subsystems of education: Literacy and Adult Education, Secondary Education (6th and 7th Grades) and General Secondary Education (8th, 9th and 10th Grades) whose current staff is 24 students globally. However in other penitentiaries prisoners also benefit from formal education;
- **Training in professional skills:** There is availability of various activities such as Informatics, Agriculture, Cutting and Sewing, Cooking and Day Care;
- **Health Services:** Medical care for general diseases, follow-up and treatment for chronic diseases, pregnant women and children, health counselling and testing and screening for acute diseases. Several inmates were trained in parity educators;
- **Social Services:** Monitoring and individual treatment of prisoners through assistance to pregnant women, mothers with infants, chronic patients (HIV/AIDS and hypertension), allocation of a special diet for this group; preparation (sensitization) of women prisoners for post-release reintegration in the family and community as well as local administrative structures; home visits of those who are already on parole; we provide care services through religious congregations and private and state institutions. We also have entertainment: culture (traditional dance, theater and choral singing) and sport (football 11 and volleyball);
- **Availability of alternatives to detention:** Special cells and treatments are available for pregnant women and mothers of infants (follow-up of all pregnant women, baby milk, day care for children);
- **Measures to prevent sexual harassment by (male) guards:** Sensitization sessions to stakeholders and implementation of safe reporting mechanisms to local competent authorities.

## **XIX. Marriage and family relations**

23. **Please provide information on the concrete measures taken to implement the Committee's previous recommendations (CEDAW/C/MOZ/CO/2, para. 45) to: (a) monitor the implementation of the Family Law 10/2004 to guarantee equal rights for women in marriage and family relations; (b) ensure that formal legal provisions prevail over customary law; and (c) provide legal protection for women in de facto unions and children resulting from such unions. Please also provide more information on the study on the application of the Family Law and related advocacy initiatives (para. 59), and how it has informed the development of related policies and programmes. Please also indicate whether and how gender-based violence against women in the domestic sphere is taken into account in rulings on child custody and visitation rights**

51. The law of Community Courts was created, with the purpose of solving the conflicts in the communities. Community leaders through this law have the mission of ensuring that no customary law outlaws official law. Article 30 (2) was withdrawn and the marriageable age was set at 18 without exception. The union of fact was put to the regulation with right to succession. In addition to having equity effects, it also has inheritance rights. The inheritance rights for married couples to be in the class of successors. The spouse competes on equal footing with the descending and ascending heirs.