



Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-ninth session

SUMMARY RECORD OF THE 762nd MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 22 January 2002, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Mozambique (continued) (CRC/C/41/Add.11; CRC/C/Q/MOZ/1 (list of issues); written replies to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the delegation of Mozambique took places at the Committee table.
2. Mr. da CONCEIÇÃO ZANDAMELA (Mozambique) said that Mozambique was one of the poorest countries in the world and it was therefore difficult for it, given the shortage of adequate resources, to guarantee the full implementation of the rights set out in the 1979 Declaration of the Rights of the Mozambican Child and in the international instruments that it had ratified.
3. Shortly after independence, the Government had adopted a policy giving priority to health and education, particularly with regard to children, believing that to be the best way of securing the country's future. The civil war that had ravaged Mozambique in the 1980s had nullified all those efforts. The country, which currently had a population of approximately 18 million, was in the process of putting in place a poverty alleviation programme, in cooperation with various international organizations, which should be of benefit to children. The proportion of the budget devoted to children was, however, insufficient relative to their needs, particularly in respect of health and education.
4. With regard to leisure activities, although there were admittedly not enough recreational facilities and playing fields, particularly in urban areas, the Government could not give that issue higher priority because it had first and foremost to meet children's basic needs.
5. On the question of maltreatment, people living in the towns could quickly alert the police when they learned of a case of child abuse. However, in remote and sparsely populated areas, where the nearest neighbour might live several kilometres away, the issue was much more complex.
6. With regard to the prevention of discrimination against women and girls, the Government was doing its utmost to apply the relevant international instruments and to implement the Beijing Platform for Action.
7. In the field of education, the Government had taken measures to reduce the disparities between boys and girls in respect of school enrolment. The effects of that policy were beginning to be felt, including at secondary level, especially in the towns. In rural areas, the weight of tradition represented an obstacle to female education.
8. On the issue of birth registration, parents used to have to register the birth of their child within 30 days. The Government had found that period to be too short and had extended the time limit to 90 days.

9. At the end of the civil war, which had devastated the country, it had been necessary to disarm the population. The army and the police, working in cooperation with non-governmental organizations (NGOs) - notably the World Council of Churches - as well as with South African experts, were still finding arms caches. It was also necessary to locate and clear all landmines, and in order to do that effectively the Government would need more resources. Mine clearance activities in the territory were being carried out by private companies.

10. The application of the structural adjustment programme and the privatization of public companies had led to many job losses with dramatic consequences, as one individual sometimes provided for a dozen others. There were nevertheless some indications that the policy was beginning to bear fruit.

11. Ms. MACOME (Mozambique) said that the maternal mortality rate in Mozambique was one of the highest in the world because of the large number of early pregnancies and clandestine abortions, abortion being illegal in Mozambique. The Government could not provide any precise statistics disaggregated by age on adolescent pregnancies, but the phenomenon was certainly widespread. To remedy the situation, the Government had in 1999 launched a reproductive health and sex education programme aimed at adolescents. Clinics providing treatment and advice for them had been set up in some hospitals and schools, in particular with a view to the prevention of unwanted pregnancies.

12. The figures relating to the AIDS pandemic were alarming since between 12 and 15 per cent of the population were said to be affected and the situation might worsen, leading to a rise in the number of orphans. In an effort to address the problem, the Government had established the National AIDS Council with the participation of both national and foreign NGOs. A wide-ranging campaign had been launched to provide information about and raise awareness of the measures that could be taken to limit the risk of the spread of the virus. Steps had also been taken to limit the number of cases of mother-to-child transmission.

13. Mr. UTUI (Mozambique) said that AIDS could lead to a decline of 3 and 17 per cent, respectively, in pupil and teacher numbers by the year 2010. Teachers received training to enable them to raise their pupils' awareness, within the framework of the school curriculum, of the risks associated with HIV/AIDS.

14. Various steps had been taken, in cooperation with organizations such as the United Nations Children's Fund (UNICEF), to increase the school enrolment rate for girls, particularly in rural areas. An education grant would therefore be paid to families to encourage parents to send their daughters to school, thus putting girls on an equal footing with boys. Mozambique's Education Sector Strategic Plan included some priority educational activities for adults, targeting women in particular. The State party was counting on women to support its efforts to ensure school attendance by girls. Several literacy programmes, incorporating specific objectives for each province, were being prepared or implemented throughout the country and the preliminary results were very encouraging.

15. Ms. PINTO (Mozambique) said that the views of children aged 7 or above and capable of discernment were taken into account by the courts, particularly in cases involving the divorce of their parents or adoption, in order to protect the best interests of the child concerned.

16. On the issue of mechanisms for reporting cases of violence and abuse, children, their parents or a teacher could, for example, obtain legal assistance - which was free of charge in most cases - from specialized NGOs. If legal proceedings were initiated, no legal fees had to be paid by individuals who could provide a certificate attesting to their lack of resources. In addition to arranging legal aid, the NGOs in question conducted public information activities. Their activities did not cover the whole country, however, but were limited to Maputo, Beira and some other provincial capitals.

17. The Government was strengthening measures to protect children and their image. In particular, it was prohibited to film any minor accused of an offence. The child protection agencies were aware of the problem and information campaigns on the rights of the child had been held, or would be conducted in the near future, throughout the country, including in the remotest areas.

18. The Penal Code currently in force, a vestige of the colonial era, had undergone a number of amendments. The minimum age of criminal responsibility was now set at 16 years. Children who had not yet reached that age and whose capacity of discernment had not been determined were not liable to criminal prosecution. Although not, strictly speaking, criminal proceedings, hearings were held before the juvenile courts, which could issue warnings to juvenile delinquents. Such juveniles could not be placed in detention.

19. Ms. CMUKE (Mozambique) said that, as part of the follow-up to the Fourth World Conference on Women (Beijing +5) and the Declaration by the Southern African Development Community (SADC), the Ministry of the Interior had set up a programme to protect women and children, particularly against domestic violence. In that context, police officers at all levels received training focused primarily on the rights of women and children. The programme, which would be extended throughout the country, provided for the creation of a specialized unit in every police station. Public information and awareness-raising activities would also be conducted to encourage women to join the police force and to prompt families, neighbours and any other concerned individual to report cases of abuse, in particular to the women's and child protection services.

20. Mr. de CASTRO (Mozambique) said that Mozambique realized that the measures taken to monitor the efforts being made for children were still insufficient. The numerous difficulties encountered in implementing the Convention were largely attributable to the very great cultural diversity of the country, where families, in accordance with tradition, married off their daughters very early. The new Family Law, due to be adopted by Parliament before the end of 2002, would be widely disseminated among the public and awareness-raising campaigns would be organized to discourage early marriages and to urge parents to send their daughters to school.

21. The Government was also taking steps to prevent discrimination against women and to facilitate women's participation in decision-making processes. Women made up almost 40 per cent of the total number of members of Parliament and they were particularly well represented in governmental bodies, the police and political organizations.

22. The CHAIRPERSON, speaking as a member of the Committee, asked what impact family disintegration had on the situation of children (particularly in rural areas) and said that he would like to learn more about street children and the measures being taken to provide alternative care to children deprived of a family environment. In particular, he would like to know about the procedures used to monitor children placed in foster homes or institutions.
23. In addition, he would like some information about the methods of financing, timetable for implementation and preliminary results (in terms of health centre construction, for example) of the health programme being implemented through the World Bank, and also about the aims of the HIV/AIDS prevention campaign, particularly in respect of the treatment of girls already infected with the virus.
24. He asked whether the law prohibited corporal punishment in schools and, if so, whether that prohibition was respected in practice. He would also like further information about the fate of child soldiers, some of whom, after their demobilization at the end of the civil war, had reportedly been re-enlisted into the army.
25. Ms. AL-THANI said that she would like to know what steps had been taken to prevent children from being infected by HIV-positive mothers. Noting that the health and health education programmes focused primarily on HIV/AIDS prevention, she would like to know what measures the State party also intended to adopt in order to prevent malnutrition, which was one of the main causes of retarded growth and mortality among children. On the issue of pregnancy-related maternal mortality, she asked whether any measures had been taken to encourage pregnant women to seek medical attention and to make it easier for them to receive such attention, as well as to provide traditional birth attendants with appropriate training. Lastly, she would like details of initiation rituals and harmful traditional practices involving girls, as well as of any measures to prohibit them.
26. Ms. OUEDRAOGO asked what methods were used to recover maintenance payments from parents living abroad (particularly those who had gone to work in South Africa). She would also appreciate information about measures to encourage breastfeeding and about implementation of the code for the marketing of breast milk substitutes.
27. She would like to know more about activities to provide assistance - particularly psychological - to children who had been orphaned by AIDS. Noting the larger number of early marriages resulting from the fact that men felt that they would be protected from HIV/AIDS infection by marrying increasingly younger girls, she asked whether that aspect of the problem was taken into account in the AIDS prevention strategy.
28. She also asked whether the children's parliament was continuing to meet and whether action had been taken to follow up the concerns raised by young people in that forum. She would like to know whether, in order to prevent the sexual exploitation of children, any awareness-raising programmes had been introduced, targeting in particular the lorry drivers who used the major roads in the central provinces. Lastly, she asked whether the poverty reduction programme provided for measures to combat the growing insecurity (thefts, armed attacks).

29. Mr. AL-SHEDDI, noting the high illiteracy rate and the quantity of foreign aid aimed at solving the problem, asked how much of the State party's budget was devoted to literacy education. He would like some details about the community schools that admitted children under 6 years of age; in particular he wished to know whether such schools were free of charge and, if not, whether any steps had been taken to help families pay the school registration and tuition fees. On a more general point, he asked whether schooling was compulsory, and until what age, and whether any steps had been taken to build new secondary schools, since the fact that there were currently not enough such institutions prevented a large number of children from pursuing their studies. If education was not free (notably at the pre-school and secondary school levels), was there a grant system to assist parents?

30. Mr. CITARELLA asked whether the illiteracy rate - which stood at 75 per cent for girls under 15 - was equally as high among boys. He would, in addition, like to know how many schools had been rebuilt since the war, whether schooling was free and until what age it was compulsory, and also what was the country's school dropout rate.

31. Ms. TIGERSTEDT-TÄHTELÄ said that Mozambique had, together with Namibia and Zimbabwe, been implementing a pilot project, launched in 1997 with the support of UNICEF, to promote human rights, peace and democracy education. She asked whether, after the final evaluation of the project in November 2001, any decision had been made to introduce a module on human rights into school curricula.

32. Ms. CHUTIKUL said that despite the adoption of a new labour law in 1998, child labour involving persons under the age of 15 had assumed alarming proportions in Mozambique. She was furthermore concerned about the situation of women and children who were forced into prostitution in South Africa. Who was responsible for implementing the National Action Plan for the Child? What had been the results to date?

33. Ms. KARP asked what budgetary constraints the purchase of school textbooks and supplies placed on families and whether the State provided any grants to the most disadvantaged families. She would also like to know whether the multisectoral strategy introduced to combat AIDS had yielded positive results and whether the Government intended to apply a similar strategy to other problems, such as child abuse.

34. The CHAIRPERSON, speaking in his capacity as an expert, noted that in the State party juvenile delinquents acting without discernment received a warning, and asked how juvenile delinquents were treated if they had acted deliberately. To what educational establishments were they sent? Why, according to the information provided, were minors imprisoned in the same wings as adults? Did such minors include ones under the age of 16, or young adults aged between 16 and 21?

The meeting was suspended at 4.45 p.m. and resumed at 4.55 p.m.

35. Mr. UTUI (Mozambique) said that the statistics requested by the Committee on the issue of education would be provided later. Although schooling was compulsory between the ages of 6 and 12, it had to be admitted that not all Mozambican children went to school, largely because of the lack of schools. Furthermore, the financial difficulties facing the country meant

that the Government was unable to ensure full respect of the principle of free education. One aim of the national poverty alleviation strategy currently being applied was to guarantee free school textbooks and supplies to 70 per cent of children from poor families within five years. A massive adult literacy programme had been designed and had already been approved by the Council of Ministers. After independence, some very successful literacy campaigns had been launched and were therefore soon to be reintroduced. Numerous activities had also been conducted in that area by NGOs, particularly religious ones. A school reconstruction process had been launched after the armed conflict. The country, which had had 3,000 schools before the war, now had 7,000. Satisfactory progress was currently being made in raising the school enrolment rate.

36. Ms. MACOME (Mozambique) said that the funding for health programmes and restructuring of the country's health network came partly from foreign aid and in particular from the World Bank. Since 1995, 16 health centres had been restored and 64 new centres, a rural hospital and five clinics for adolescents had been opened. The campaign waged by the authorities against the spread of HIV/AIDS centred on two elements: medical care, provided through outpatient clinics, and the prevention of infection, including vertical infection between mother and child. Pregnant women infected with HIV who were attending pre-natal clinics received advice on how best to prevent the infection of the unborn child. Unfortunately, because the antiretroviral treatment was so expensive, infected women were not all able to benefit from it. Also in the context of AIDS prevention, a national action plan had been launched with the aim of giving new impetus to school health programmes and raising the awareness of children and their families. Breastfeeding was encouraged for babies up to the age of 4 months.

37. In order to prevent malnutrition, which was one of the main causes of infant mortality, the State encouraged breastfeeding. An estimated 90 per cent of children were breastfed until the end of their first year. Mozambique had prepared a draft law on the marketing of breast milk substitutes, which was currently being considered. To improve the health of infants and young children, a vitamin A supplement programme was due to be introduced soon, and was intended for all those visiting paediatric clinics. Micronutrients would also be supplied to young mothers.

38. In Mozambique, the distances to be covered to reach health centres and the virtual non-existence - or malfunctioning - of means of transportation meant that pregnant women and young mothers would often obtain advice too late. The mediocre quality of obstetrical care was also responsible for the country's high infant mortality rate. The Government was therefore implementing a strategy to equip primary and secondary health-care centres and train the staff working in them in order to reduce pregnancy- and delivery-related problems. The strategy was also aimed at traditional birth attendants, who learned to deliver babies under the optimum sanitary conditions in order to prevent maternal deaths.

39. The HIV/AIDS rate was rising significantly, particularly among 15-19 year-olds. The increase was attributable to the lack of education on the issue, resulting from the taboo surrounding the disease.

40. Although initiation rituals continued to take place in certain regions, they consisted largely of teaching girls how to be a good wife and there were no longer any practices such as female circumcision, that could be regarded as harmful to a girl's health.

41. Mr. MUSSANE (Mozambique) said that article 79 of the Labour Law prohibited the employment of minors under 15 years of age, except in cases of derogation determined jointly by the Ministries of Labour, Health and Education. Minors aged between 12 and 15 were entitled to special protection to ensure their physical, mental and social development. Employers were required to provide them with real vocational training and offer working conditions appropriate to their age. Minors aged between 15 and 18 were not allowed to work for more than 38 hours per week or 7 hours a day, and could not be paid less than two-thirds of the wage of an adult in the same occupation. Article 81 of the law stipulated that the employment of minors was subject to a medical examination to assess their physical strength and mental health. Despite such provisions, the fact that a large part of the population, particularly in rural areas, was living in extreme poverty meant that many children, sometimes from 7 years of age, had to work to bring in an extra wage that was essential for their family's survival. However, no minors seemed to be employed by companies in the formal sector.

42. The CHAIRPERSON, speaking as a member of the Committee, asked whether there was a national action plan to combat child labour. Had Mozambique initiated any special activities aimed at reducing the number of beggar children or any programmes designed to assist girls in domestic employment?

43. Mr. MUSSANE (Mozambique) said that a study had been conducted in 1999 to assess the situation of child labour and to determine its causes, extent and consequences. That had resulted in the introduction of a strategy to eliminate the worst forms of child labour, namely domestic work, prostitution and employment in commercial agriculture. The strategy comprised three elements: prevention, protection and reintegration. With regard to prevention, efforts were being made to address the causes (poverty, rural exodus) and to raise public awareness of the damaging effects of child labour. Protection was provided through the adoption of legislative measures aimed at improving working conditions for children. Steps were currently being taken to prepare an instrument to complement the law on domestic labour and a bill on the employment of children in commercial agriculture. The last element was aimed at reintegrating children into the school environment, and, if they had to work, ensuring that they were able to combine their occupational activity with their studies.

44. A study had revealed the very high rate of child prostitution in Beira, which was no doubt attributable to the significant amount of road transport in that city. Many activities had been introduced to raise awareness among those concerned of the various risks posed by the sexual exploitation of children.

45. In accordance with article 27 of the Convention, Mozambique had concluded an international agreement with South Africa to secure the recovery of child maintenance from a parent living in that country. In the event of death, the immediate beneficiaries (spouses and/or children) inherited the property of the deceased family member who had been living abroad.

46. Ms. PINTO (Mozambique) said that, in accordance with articles 3 and 12 of the Convention, particular importance was attached to the views and the best interests of the child. Therefore, children from the age of 7 were heard in all matters concerning them, without the presence of their parents, so that they were not placed under parental pressure, particularly when a decision had to be reached concerning custody in divorce cases.

47. The Government was currently planning to create some corrective establishments for young people, particularly street children who were likely to fall into delinquency. The establishments would focus on the psychosocial rehabilitation of young dropouts. With regard to adolescents over the age of 16 given prison sentences, she said that they were placed in wings of adult prisons reserved for minors under 21 years of age. However, it was very rare in practice for a minor to be detained. The Government institution responsible for inspecting and monitoring prisons conducted periodic prison visits. If it emerged that a minor was being detained illegally, he or she would be released immediately.

48. Mr. PESSANE (Mozambique) said that children under the age of 6 were catered for in community-based pre-school establishments, at which volunteers organized games to prepare children for the school environment. As that was a community initiative, parents paid a token contribution and there were no registration fees as such.

49. Ms. SALES LUCAS (Mozambique), replying to the question about orphan children who received no protection, said that a family location and identification programme had been created to facilitate family reunification. If it was impossible to reunite a child with his or her biological family, the child was placed with a foster family or, as a last resort, in an orphanage. In order to ensure that the child was well integrated in the foster family, social workers paid home visits and emphasized the need for the foster family not to treat the children in its care differently. The Government was currently planning to set up some programmes to provide financial support to foster families requiring it.

50. Lastly, the efforts made in recent years by social workers at district level to sensitize families and communities to HIV/AIDS-related issues were to be commended. Nevertheless, given the shortage of material, human and financial resources, it would clearly be impossible to provide such support without the backing of civil society, NGOs and religious associations.

51. The CHAIRPERSON, summarizing the concluding observations of the Committee on the Rights of the Child, said that the Government of Mozambique should, on the basis of the Committee's recommendations, choose the areas of activity to which it wished to accord priority.

52. Mr. de CASTRO (Mozambique) said that he appreciated the quality of the discussion that had taken place in connection with the consideration of his country's initial report, which had made it possible to review the main problems being encountered in the implementation of the Convention on the Rights of the Child.

The meeting rose at 6.05 p.m.