



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

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**Committee on the Elimination of Discrimination
against Women
Seventy-third session**

Summary record of the 1693rd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 3 July 2019, at 3 p.m.

Chair: Ms. Gbedemah

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined third to fifth periodic reports of Mozambique (continued)
(CEDAW/C/MOZ/3-5; CEDAW/C/MOZ/Q/3-5 and CEDAW/C/MOZ/Q/3-5/Add.1)

1. *At the invitation of the Chair, the delegation of Mozambique took places at the Committee table.*

2. **The Chair** said that, as at the previous meeting, and at the invitation of the Committee, some of the members of the delegation would be speaking via video link from Maputo.

Articles 7 to 9

3. **A representative of Mozambique** said that the Government's policy in respect of human rights defenders consisted of allocating resources to the National Human Rights Commission and monitoring the Commission's work. Further information on the specific resources allocated to it and its institutional structure would be provided at a later date.

Articles 10 to 14

4. **Ms. Song** said that she wished to express her deepest sympathy and condolences to the families of the many victims of the cyclones that had ravaged Mozambique in March and April 2019. She welcomed the Government's efforts to improve literacy rates and girls' school attendance, and she asked what percentage of the national budget was allocated to education. It would be interesting to know what mechanisms were in place to ensure that all girls in rural areas attended school, such as boarding facilities to prevent long journeys to school and ensure girls' safety. More information on any incentives to encourage parents to keep their children in school would be helpful. The Committee would greatly appreciate an update on the National Education System Reform Bill brought before the parliament in 2017.

5. She wished to hear whether the Government had assessed the effectiveness of its measures to address early marriage and pregnancy and whether it had considered what else could be done to counter such practices. Details of how the National Policy on Sexual and Reproductive Rights was implemented would be useful. Noting that a large proportion of the sexual abuse, harassment and violence in schools was reportedly committed by teachers, she asked what penalties were set out by law and how many such teachers had been prosecuted and punished. She wished to know whether, to prevent sexual abuse and ensure timely intervention when it did occur, all teachers had been given relevant training, and what support was made available to girl victims.

6. The Committee would appreciate updated information on the situation of women in higher education, in particular the percentage of university students who were female. She asked what measures the State party was taking to promote access to tertiary education and encourage girls to study subjects that were traditionally not chosen by women.

7. **Ms. Reddock** said that she welcomed the Government's extension of State employees' maternity leave entitlement from 60 to 90 days in 2017, but she wished to emphasize that the exclusion of the private sector from such provisions was discriminatory. The Committee would like to know when the entitlement to 90 days' maternity leave would be made universal. The fact that women were now legally entitled to nurse their babies during the working day was a positive development, but she wondered whether there were mechanisms in place to facilitate breastfeeding, such as workplace day-care facilities or permission for mothers to return to their homes to breastfeed.

8. **Ms. Al-Rammah** said that she hoped the Ministry of Health would continue its good work on advancing the provision of primary health-care services for women, newborns and children. It would be helpful if the Committee could hear about the State party's plans to reduce HIV/AIDS prevalence among women and girls, enhance prevention

and early detection programmes, and extend awareness of protection and reproductive health to young girls, especially in rural areas. Had the Government taken measures to prevent further increases in the country's very high cholera and tuberculosis rates, and were other relevant ministries, such as those responsible for agriculture and education, involved in such measures? She asked whether the National Strategy to Prevent and Combat Child Marriage 2016–2019 had helped to reduce maternal mortality. Details of any measures taken to prevent unsafe abortions and remove any social barriers hindering women's access to safe abortion services would be useful. Had the State party taken any measures, particularly in rural communities, to develop education programmes on reproductive health and raise awareness among adolescents about access to safe contraception measures? It was unclear how health personnel were held to account for the illegal sale of contraception services that were nominally available free of charge through the National System of Health.

9. She asked what targets had been set in the Ministry of Health's human resources strategic plan for 2016–2025 to increase the number of skilled health workers, in particular midwives, and how the new staff would be geographically distributed. It would be interesting to know what challenges the State party had faced in implementing the plan and how they had been mitigated. The Committee would also appreciate more information on how the plan addressed new training and education technologies relevant to health care. Could the delegation provide details of the measures in place to ensure that women and girls undergoing involuntary treatment at psychiatric hospitals had access to complaint mechanisms? What measures had been taken to ensure that girl victims of violence and sexual abuse in school had access to health services and received full rehabilitation support?

10. **A representative of Mozambique** said that the education and health sectors, rather than facing cuts due to the country's economic crisis, had seen increases in their annual budgets. The Government employed various mechanisms to ensure that girls attended school, including awareness-raising campaigns targeting parents, guardians and community leaders. Attendance incentives applicable to children from disadvantaged families were available and publicized. Such measures included exemption from enrolment fees and the provision of uniforms and school meals free of charge, based on a means test, as well as government subsidies. Furthermore, every effort was made to place children in schools near their homes, particularly in isolated rural areas.

11. A variety of different measures were in place to encourage girls to stay enrolled in school. For technical education programmes, such measures included exemption from fees, provision of accommodation and discouragement of attitudes that deterred girls from attending. Gender focal points worked to keep girls in school and encourage those who had dropped out to resume their studies. To make it possible for female teachers and school administrators to serve as role models, the Government was applying quotas to encourage girls to enrol in vocational teacher-training programmes. The gender perspective was being incorporated into curricula, programmes and plans across the education sector. Sexual harassment was taken very seriously at all levels of the education system. Students of both sexes were encouraged to report cases so that they could be investigated. Awareness-raising campaigns were organized to emphasize the importance of reporting teachers who committed such offences. Disciplinary and criminal proceedings were filed simultaneously against accused teachers, and the perpetrators could be banned from teaching or face imprisonment, depending on the outcome of the criminal case. In higher education, the Centre for the Coordination of Gender Issues at Eduardo Mondlane University, for example, monitored such cases and provided counselling.

12. The Government was striving to address the problems of early marriage and pregnancy. Campaigns were organized to make parents, guardians and community leaders aware of such issues. To prevent the possibility that traditional initiation rites for girls entering puberty might have a detrimental effect on their education, significant work had been done with local communities to ensure that such rites would take place during school holidays instead of during school time, when girls would be obliged to participate. Since the revocation of certain legal provisions in 2018, pregnant pupils were no longer

prohibited from attending daytime classes. As a result, the drop-out rate for girls had fallen from 10.4 per cent to 5.2 per cent.

13. **Ms. Pateguana Pinto Romão** (Mozambique) said that the Government was determined to tackle the problem of communicable diseases and that it thus organized HIV/AIDS prevention programmes targeting both adults and youth. Prevention efforts particularly focused on the thoroughfares linking Mozambican ports with neighbouring countries, as government research had determined that the disease was spread by heavy goods vehicle drivers within those corridors. Efforts to combat tuberculosis were hampered by the high degree of HIV/AIDS prevalence. Cholera prevention relied on the availability of clean drinking water, provision of which was difficult to ensure, particularly in rural areas, owing to a lack of funds available for the necessary infrastructure.

14. She said that children were confused by the conflicting information on sexual and reproductive health that they received from different quarters. In places where the authorities had sent in small groups that had drawn up joint plans with the various parties in local communities, the number of teenage pregnancies had fallen. Scaling the approach up to the entire country, however, would be difficult. Safe abortion services were provided mainly where there were trained health staff, usually in urban settings, but human resources were limited and the health network covered only 60 per cent of the population, and as a result many young girls did not have access to the information they needed about such services. Also, while the authorities were able to speak about prevention of pregnancy, they could not easily talk to people about abortion services. Persons selling contraceptives illegally also sold other items stolen from the public health sector. She had not seen any good initiatives to prevent the theft of medicines.

15. **Ms. Chalal** said that she wished to know whether the State party had ratified the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

16. **A representative of Mozambique** said that, although the delegation believed the Government was open to ratifying the UNESCO Convention, it did not have information on any specific steps taken to move towards ratification. To address the problem of HIV/AIDS and the provision of antiretroviral treatment to pregnant women, the health sector had expanded services. Where there had been 1,320 health units in 2017, there were now 1,450, and coverage had increased to 74 per cent of the target. A new family planning strategy was being implemented for sexual and reproductive health, and a higher percentage of persons desiring family planning consultations were now covered. By law, employers had to allow nursing mothers to take one hour for breastfeeding. Some public institutions had day-care facilities or breastfeeding rooms. Maternity leave was three months long, including in the private sector.

17. **Ms. Reddock** said that, although the State party's report stated that the decade-old social security reform, which included laws on social protection and domestic labour regulation adopted in 2007 and 2008, had included provisions allowing for informal-sector workers to make social security contributions, the report also suggested that the benefits of the social security system had not reached the informal sector. She asked why that was the case, what the State party had done to ensure the provisions were implemented and what measures were in place to ensure that, in the meantime, women in the informal sector were protected and had access to maternity protection, pension benefits and social security. A decree allowed minors aged 12 to 14 to be employed as domestic workers for up to 9 hours a day and 54 hours a week, subject to parental consent. In that connection, she wished to know how many of those workers were girls, whether most worked full-time or part-time and how the legislation on compulsory schooling related to them. She also wished to know whether the legislation explicitly prohibited sexual harassment in the workplace and, if so, how perpetrators were punished and how victims received redress.

18. **A representative of Mozambique** said that the new labour law was applicable in both the public and the private sectors. The National Institute of Social Security had issued a decree that also enabled private-sector workers to make social security contributions and receive pensions. Under another decree, domestic workers were able to make social security contributions to cover retirement. The new legislation outlawed sexual harassment

in the workplace and created a mechanism for victims to report cases. The delegation could not provide data on the number of child workers or women in informal labour. A government regulation protected children's rights.

19. **Ms. Eghobamien-Mshelia** said that she had heard that high illiteracy and poverty levels prevailed among Mozambican women and that serious interventions were needed. Given that Mozambique had the third-highest disaster risk in the world, it was imperative to provide robust social security systems and safety nets. She therefore found the basic, compulsory and complementary social benefits provided under the law on social protection to be laudable. She asked what criteria determined who had access to such benefits, how they met the needs of different categories of vulnerable groups, how effective the corresponding services were at reversing feminized poverty trends and how the different social support services and schemes helped provide adequate safety nets that prevented women from falling into and remaining in abject poverty. How did such services measure up against the Sustainable Development Goals? Noting that the report stated that more than 59 per cent of beneficiaries of the Food Subsidy Programme were women, she said that she would also like information on the structure of social welfare schemes, on the State party's specific plans to address concerns that the conditions for participation in them were not suitable for self-employed informal-sector workers, and on the availability of exit programmes to help women transit fully out of poverty, move beyond reliance on conditional cash grants and establish viable, self-employed economic activities. She commended the Government for its reforms to open up social security programmes to participation by workers in the informal sector. However, noting that entitlements were based on personal contributions, and women were generally low earners, she wished to know whether there were provisions for the State party to augment contributions; whether rural communities benefited from such measures; whether there was a registry or structure to facilitate such a process; and whether gender-sensitive measures had been taken so that pension benefits took into account unpaid work performed by women.

20. According to some reports, the State party's implementation of the Convention was compromised by actions taken in the mining sector, where violence against women was rampant and there were often no redress mechanisms. Mining companies paid compensation to displaced women only through complex bureaucratic channels that reportedly often short-changed beneficiaries. She wished to know whether there were clear policy guidelines holding mining companies to account for rights violations; whether there were effective channels for reporting violations and obtaining redress; whether there was a corporate social responsibility law; how many displaced women benefited from actions to protect their interests; whether there were effective mechanisms for local communities and displaced women to obtain compensation; how female-headed households were compensated when their land was acquired for mining activities; and which agency was responsible for protecting women's resettlement rights. She also wished to know what kind of economic empowerment services and financial products were available, especially for poor and unemployed women, and whether the State party had considered financial-inclusion schemes, entrepreneurial loans and the provision of venture capital to promote businesses owned and led by women.

21. **Ms. Acosta Vargas** said that the Committee had noticed that the living standards of women in rural areas had deteriorated due to vulnerability to flooding and cyclones. The concern the Committee had expressed in 2007 regarding poverty levels among women in rural areas, especially in female-headed households, thus remained valid. Living standards were particularly low in areas prone to natural disasters, and since most women worked in the informal sector, they did not have access to social security, and basic services were insufficient and often inaccessible. She wished to know whether the Government had made it a priority to earmark resources to local anti-poverty measures to expand access to basic education, health care and the justice system for rural women, and especially for those affected by poverty, difficult housing conditions and poor access to water, health facilities and electricity. The Committee also wished to know whether the 2005 gender strategy for the agricultural sector had been updated, including in response to the recent cyclones and environmental damage.

22. She commended the State party for empowering women by facilitating their access to land use and ownership, and noted that such access was protected by the Constitution. She wished to know what measures had been taken to address the fact that women did not receive sufficient training, technical support and financing to raise crop yields. She also wished to know whether any specific measures were being taken to give landless women working in the informal sector in rural areas some form of access to social security, decent work conditions and a minimum wage and to provide them with services to ensure safe motherhood.

23. She commended the State party for the economic empowerment programme for rural women, which gave them access to revolving microcredits. It would be helpful to the Committee if the delegation could indicate whether a favourable environment had been created, with technical assistance and economic opportunities, for rural women to invest, using formal bank loans, in projects to rebuild and recover infrastructure damaged by natural disasters, food-security projects and agricultural projects. Lastly, she wished to know how the Government had addressed the security problems affecting women in the north of Mozambique, how it protected the rights of persons displaced by mining activities, which government bodies authorized population displacements and what avenues of redress were available to women whose rights were violated. She also asked whether the 2015–2019 National Plan for Elderly Persons included a gender-based approach and whether elderly women still suffered from constant abuse, isolation and lack of access to social services when they did not have identity documents.

24. **A representative of Mozambique**, referring to social assistance for women unable to pay social security contributions, said that the Ministry of Gender, Children and Social Action, through the National Institute of Social Security, ran programmes that supported vulnerable groups by paying employers' contributions or providing women with a monthly allowance. The programmes empowered women who faced a range of difficulties, including victims of violence, persons with medical conditions such as obstetric fistulas and women affected by natural disasters such as cyclones – by helping them set up small and medium-sized enterprises. The Government was supporting the women in their social and economic recovery. Existing institutions and the National Action Plan for the Advancement of Women provided empowerment and training programmes that worked with women in both urban and rural areas.

25. **A representative of Mozambique** said that a new gender policy adopted in 2018 provided for measures to mitigate the impact on women of resettlement associated with the activities of the mining industry. In accordance with policies on resettlement, local communities were given the opportunity to identify areas in which they were willing to be resettled. Mining companies were required by law to ensure that resettled communities had access to housing, employment, health care and education. Efforts were made to ensure that all stakeholders participated in measures to support resettled communities. Where possible, land was made available to resettled women so that they could continue working in agriculture. In some areas of the country, mining companies organized training and capacity-building activities for women forced to abandon farming and to seek alternative forms of work. Women living in remote areas who did not have access to bank loans were able to apply for loans through microcredit schemes.

26. **Ms. Eghobamien-Mshelia** said that it would be helpful to the Committee if the delegation provided examples of women who had benefited from the microcredit schemes and statistics on the number of beneficiaries. She asked what proportion of companies complied with their obligations to support resettled women and what services such companies provided, and where. The Committee would welcome information on specific measures taken to support persons affected by Cyclone Idai.

27. **Ms. Acosta Vargas** said that she wished to know which supervisory body was responsible for implementing the action plan for persons with disabilities and whether the midterm evaluation of the plan, conducted in 2016, had analysed the effectiveness of policies aimed at increasing the access of women with disabilities to health care, education, employment and the justice system. She wondered whether, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), the Government would consider introducing

alternative measures to detention for women prisoners, particularly for those with children under 3 years of age. It would be interesting to learn what measures might be taken to protect the human rights of lesbian, bisexual, transsexual and intersex women at places of detention and refugee camps.

28. **Ms. Reddock** said that she would welcome information on mechanisms for determining whether the right to maternity or paternity leave was protected in the private sector, including for domestic employees, and whether the right to breastfeed children in the workplace was being observed in practice. The Committee wished to know how many teachers had faced legal action in connection with the sexual harassment of students and specifically what mechanisms had been put in place to encourage women students to report such harassment.

29. **Ms. Peláez Narvaez** said that she wished to know whether any record was kept of the number of women and girls with disabilities who were subjected to violence, including acts of incest, and the number of abortions carried out to terminate pregnancies caused by such acts. Did the victims of such acts have access to justice, and were the perpetrators punished? The Committee would appreciate information on the forms of support provided to women and girls with disabilities who were subjected to female genital mutilation. In that regard, the delegation might state whether records of complaints of female genital mutilation included information on the disabilities of victims. What measures were being taken to protect women and girls with albinism and their mothers from violence and abuse?

30. **Ms. Chalal** said that she wished to know whether, in order to reduce the number of women in pretrial detention, the Government would consider introducing alternatives to custody for women charged with non-violent offences and whether steps would be taken to expedite their cases.

31. **A representative of Mozambique** said that the Government had established agreements with mining companies that required those companies to assume a number of social responsibilities. Committees were established at the local level to resolve cases in which companies failed to meet their obligations. In order to protect women prisoners against violence and abuse, a prison had been set up exclusively for women. Women prisoners who had young children or who suffered from chronic illnesses could obtain access to education, vocational training, health services and social services under programmes established for those purposes. Such prisoners also had access to special diets and recreational activities.

32. Perpetrators of sexual harassment were punished in accordance with the law and victims of such harassment were encouraged to file complaints so that legal action could be taken. Persons with disabilities were also protected under the law. The report on the assessment of the national action plan for persons with disabilities showed that increasing numbers of women with disabilities were participating in social and economic life.

Articles 15 and 16

33. **Ms. Peláez Narvaez**, noting that customary practices continued to undermine women's rights, particularly the right of widows to retain ownership of marital property and the custody of their children if they remarried, said that she would welcome an explanation of how community courts ensured that national law prevailed over such practices. She asked what was being done to ensure that the births of all children were registered, including children born in rural areas with no registry offices, children with disabilities and the children of parents who could not afford the fees imposed for late registration. In particular, she wished to know what measures were being taken to ensure that unregistered children had access to health services and education. It was still not clear whether convictions secured against fathers for domestic violence were taken into account in court decisions relating to child custody and parental visits. In view of the fact that child marriages continued to take place, partly as a result of the persistence of customary practices, it would be interesting to learn what steps were being taken to completely eradicate such practices.

34. **A representative of Mozambique** said that efforts were being made to raise awareness of legislation that protected women in order to counter misinterpretation of the

law by community courts. Steps were being taken to increase women's access to land titles in order to reduce the risk that they would lose the right of ownership of their land when their husbands died. The justice sector was conducting campaigns to encourage women in rural areas to register the births of their children, and women who responded to such campaigns were not required to pay registration fees. The Ministry of Health had implemented a strategy to combat discrimination against women with albinism.

35. **Ms. Peláez Narvaez** said that it was still not clear what approach the community courts took to customary practices, particularly those relating to child marriage, and whether court decisions on child custody took account of convictions for domestic violence handed down against fathers. The Committee would welcome information on how women and girls with albinism were protected against rituals involving rape.

36. **Ms. Pateguana Pinto Romão** (Mozambique) said that the dialogue had been a learning process for the delegation. Hopefully, the next periodic report of Mozambique would contain more data so that developments in the protection of women's rights in that country could be better evaluated.

37. **The Chair** said that it had been an honour for the Committee to engage in the constructive dialogue with the State party, as Mozambique was closely associated with the groundbreaking Maputo Protocol. The Committee hoped that that Protocol would continue to inspire the Government in its efforts to promote and protect the rights of women.

The meeting rose at 5.15 p.m.