

Report on the Implementation of African Charter on the Rights and Welfare of the Child



REPUBLIC OF MOZAMBIQUE

**IMPLEMENTATION OF THE AFRICAN CHARTER ON THE RIGHTS
AND WELFARE OF THE CHILD**

2000-2012

(Initial Report Combined With the First, Second and Third Periodic Reports)

Maputo, October 2013

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ACRONYMS

UNHCR	United Nations High Commissioner for Refugees
IMCI	Integrated Management of Childhood Illness
AMMCJ	Mozambican Association of Women in Legal Careers
ACRWC	African Charter on the Rights and Welfare of the Child
CBO	Community Based Organisation
CRC	Convention on the Rights of the Child
CCCP	Community Committee on Child Protection
CNCS	National Council for the Fight Against AIDS
OVC's	Orphans and Vulnerable Children
DCA	Development of Community's Ability
DfID	Department for International Development (UK)
SIDCPSA	Strategy of the Integral Development of Child at Pre-school Age
DPT	Diphtheria, Pertussis (whooping cough) and Tetanus
STDs	Sexually Transmitted Diseases
Duty bearers	
Empowerment	
EP1	Elementary school 1st grade
EP2	Elementary school 2nd grade
GE	Girls' Education
ESDEM	Social, Demographic and Economic Statistics of Mozambique
EAJM	Statute of the jurisdictional care of minors
GoM	Government of Mozambique
HCM	General Hospital of Maputo
HIPIC	Highly Indebted Poor Initiative Countries
DHS	Demographic and Health Survey
INAV	National Traffic Institute
INE	National Statistics Institute
ARI	Acute Respiratory Infection
MDG	Millennium Development Goals
MICOA	Ministry for the Coordination of Environmental Affairs
MINED	Ministry of Education
MINJUST	Ministry of Justice
MINT	Ministry of Home Affairs
MISAU	Ministry of Health
MJD	Ministry of Youth and Sports
MMAS	Ministry of Women and Social Affairs
MPD	Ministry of Planning and Development
CBO	Community-based Organisation
OCV	Orphans and Vulnerable Children
OE	State Budget
OIM	International Organization of Migration
ILO	International Labor Organization
WHO	World Health Organisation
NGO	Non Governmental Organisation
PAOVC	Plan of Action for Orphaned and Vulnerable Children
PARP	Plan of Action for Reducing Absolute Poverty
PAT	Accelerated Treatment Programme
PAV	Expanded Vaccination Programme

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PC	Cooperation Programme
PEE	Strategic Plan for Education
PEPFAR	President's Emergency Program for Aids Relief
PES	Economic and Social Plan
PNAC	National Plan of Action for Children
PMTCT	Prevention of Mother to Child Transmission
PTMF +	Prevention of Mother to Child Transmission Plus
PLHS	Persons Living with HIV and AIDS.
MR	Mid-Term Review
LLINs	Long Lasting Insecticidal Nets
SETSAN	Technical Secretariat for Food and Nutritional Safety
SAAJ	Adolescents and Youth's Health Service
GER	Gross Enrolment Rate
JC	Juvenile Court
NER	Net Enrolment Rate
U5MR	Under-Five Mortality Rate
MMR	Maternal Mortality Rate
MTCT	Mother-To-Child Transmission
TT	Tetanus Toxoid
AU	African Union
UN	United Nations
UNDAF	United Nations Development Assistance Frameworks
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
VCT	Voluntary Counselling and Testing
ZIP	School Cluster Zone

FOREWORD

The Government of Mozambique has ratified the African Charter on the Rights and Welfare of the Child in July 1998 reaffirming its commitment to progressively realize the rights of all Mozambican children, through a solid policy and legal framework. It should be noted that Mozambique has ratified also the UN Convention on the Rights of the Child (CRC) in 1994 and its optional protocols on the use of children as soldiers and the sale of children for prostitution and pornography and other instruments.

This Report is presented under the provision of Article 43 of the African Charter on the Rights and Welfare of the Child which establishes that member states of the African Union must submit periodic reports on its implementation within the first two (2) years after ratification and subsequently every three (3) years.

As set out in paragraph 3 article 47, the African Charter entered into force on November 29, 1999 when it fulfilled the 15 signatures needed.

This report covers the period from 2000 to 2012 and was prepared in accordance with the General Guidelines of the African Committee on the Rights of the Child, according to the form and content of periodicals reports to be submitted by Member States.

Indeed, the report includes statistical data on the country, as well as efforts done for the implementation of the African Charter, both by the Government of the Republic of Mozambique, (either by) civil society and Non-Governmental Organizations (NGOs) operational in the country. Among various primary sources mentioned throughout the text, there is a special reference to surveys undertaken by the INE, including the Demographic and Health Survey, which provides information on all the Mozambican population and not only the population served in public services.

The report was drafted by a multi-sectorial team led by the Ministry of Women and Social Action, by collecting information and conducting several consultations in all regions of the country, at the level of government representatives, UN, bilateral and multilateral donors, Non-Governmental Organizations, civil society and children, in order to obtain an updated reference on the reality of Mozambican children, under the African Charter.

I. INTRODUCTION

a) Geographic Location

1. The Republic of Mozambique is located in the southeastern African coast, occupying a total area of 799,380 km², subdivided into eleven provinces, namely: Niassa; Cabo Delgado; Nampula; Zambezia; Tete; Manica; Sofala; Inhambane; Gaza; Maputo Province and Maputo City. The capital of Mozambique is Maputo city.

2. The country is bordered to the **north** by Tanzania, to the **south** by South Africa (Natal province) and Swaziland, to the west with Malawi, Zambia, Zimbabwe and South Africa (Mpumalanga Province). To the East, it's washed by the Indian Ocean. At regional level, Mozambique joins the Community for the Southern African Development Community (SADC).

b) Demographic Composition

3. The Mozambican population is estimated at 23,700,715 of inhabitants, of which about 13,258,792 are aged between 0-19 years¹. Given these data, it can be concluded that about half of Mozambique's population are children².

4. The Mozambican population is predominantly rural and the population density is variable and the majority is in the city of Maputo with nearly 3,980 habitants per km² and the smallest in Niassa province with about 11 habitants per km². The average density of the country's population is about 30 habitants per km² (INE, Statistical Agenda 2012)

c) Culture and Religion

5. In general, the Mozambican culture is based on customs and habits, in beliefs, traditional practices and values of each area of the country and population group.

6. Culture is an instrument for the promotion of patriotic consciousness and national unity. The singing, dancing, poetry, sculpture, painting and other forms of cultural expression have always had a very important role in the mobilization of Mozambican citizens in the struggle for achievement and appreciation of cultural dignity .

7. The country has Portuguese as the official language and has a variety of national languages. The most spoken national languages are Emakhuwa, Xichangana, Elomwe, Cisena and Echuwabo.

¹ INE, Annual Projections of the Total, Urban and Rural Population 2007-2040, 2010

² Child is considered a person less than 18 years as established in the Law on the Promotion and Protection of the Rights of the Child, in the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child.

8. With regard to religion, a considerable part of the Mozambican population professes the Christian religion. The Islamic religion is also prevalent, especially in the north of the country and particularly in the coastal zone.
9. It should be noted that the Constitution of the Republic provides in Article 12, the principle of the state secularity which establishes the separation between the State and religious denominations. It establishes also that religious denominations are free to organize and carry out their duties of worship and must comply with state laws.

d) Politic, Economic and Social Status

10. In the second half of the twentieth century, Mozambique lived moments of war and social insecurity. The Comprehensive Peace Agreement signed between the Government and Renamo in 1992, ended the violence, which was followed by the peace process.
11. Since the signing of the Peace Agreement, Mozambique has become an example of the post-war reconstruction and economic recovery in Africa. The country held its 4th parliamentary and presidential democratic and peaceful elections in 2009, reaffirming its commitment to political stability and national reconciliation.
12. As a result, the country noted high rates of economic growth. In addition, the country has recorded significant progress in relation to key indicators of the human and social development, with a substantial reduction in maternal and child mortality rates and an increase in the enrollment rates.
13. In this environment, the Five-Year Government Programs produced positive results in socio-economic growth of the country. However, it has not yet achieved the desired levels of the population's life, particularly the children.
14. Despite the prevalence of peace and good economic performance, the prior expenditure on defense and security continue to weigh heavily the services of payment of external debt, although the country has been covered by various initiatives under the HIPIC initiative which limits the possibility of greater social investments, in order to ensure access to the basic services of health, education, electricity, housing, employment and drinking water to all children. We must highlight, however, the continued and indispensable role played by numerous domestic and foreign non-governmental organizations, religious institutions and other civil society, who has competed complementary task of implementation of key strategies to serve children, in partnership with government entities. This partnership between the Government and these entities will continue to be necessary to impose the short and long term.
15. Poverty reduction is one of the priority objectives in the Government's agenda, and their actions have always been reflected in an Action Plan, initially referred as Action Plan for the Reduction of Absolute Poverty (PARPA) and later on, due to the good results was called Action Plan for Reduction of Poverty (PARP), as an integrated and explicit policy instrument for the reduction of incidence of poverty in Mozambique.
16. The responsibility for ensuring the Mozambican children their fundamental rights has always been characterized by difficulties imposed by the effects of colonization, the

armed conflict, underdevelopment and poverty. The efforts made resulted in reducing the incidence of poverty from 69.4 % in 1997 to 54.7 % in 2009 (MPD, Poverty and Well - Being in Mozambique: Third National Assessment, 2010), which shows the efforts of the country, in improving the living conditions of the population.

17. Notwithstanding these efforts, the levels of chronic **malnutrition** remain high. Are also recorded nutritional deficiencies related to micronutrients such as iron and folic acid, iodine and vitamin A. The marketing activities of iodized salt were created and health units have started distributing ferrous salt and vitamin A.
18. The data on human development, indicate improvements in access to health services, education (both primary and secondary level), particularly in rural areas, as well as possession of durable goods by households and housing quality improved, which attest important in the long-term positive development trends, as well as success in achieving strategic government priorities, such as testing some indicators achieved, namely:
19. The rate of child mortality decreased from 201 (IDS, 1997) deaths per thousand live births in 1997 to 97 per thousand in 2011 , and the rate of children mortality decreased from 135 (IDS, 1997) deaths per thousand live births to 64 deaths per thousand between 1997 and 2011. Despite the progress noted, overall, the disparities between areas are still considerable, and people in urban areas have greater access to basic social services compared to the population living in rural areas, in parts justified by the low population density.
20. Nutrition indicators³ show that 43% of children less than 60 months suffer of moderate chronic malnutrition, 6% suffer of acute malnutrition and 2% of severe acute malnutrition (IDS, 2011).
21. The rate of access to drinking water increased from 20.3% in 2007 (MICS 2008) to 51 % in 2011 (DHS 2011). However, was noted also disparities in the use of potable water estimated in 83.5 % and 37.1%, between the urban and rural environments respectively, according to data from the IDS 2011. Despite rapid economic growth that the country has been experiencing, as well as progress on indicators of human and social development, the challenges to combated poverty and its causes persist.
22. The proportion of the population with access to school increased from 30.8 % in 2002-03 to 37.3 % in 2008-09.
23. Mozambique is prone to **natural disasters** such as droughts, cyclones and floods with negative impact in social and economic views. The floods have caused deaths and persons displaced Social and economic activities were seriously affected, while infrastructure like roads, bridges, hospitals and schools were damaged or destroyed. Paradoxically, the years 2003 and 2004 were characterized by a low rainfall in the central and southern provinces, affecting the lives of thousands of people. In recent years has gone recorded the occurrence of earthquakes of low magnitude.
24. A **maternal mortality** is also an element of concern due to the fact that in every 100,000 live births, 408 women die during the period of pregnancy or childbirth (IDS, 2011).

³ IDS 2011

These indicators of public health may improve with appropriate and coordinated interventions to reduce their impact.

25. The **prevalence of HIV/AIDS among persons aged 15 to 49 years** increased in recent years, from 10.4 % in 2002 to 11.4 % in 2012, 13.4 % among women. In total, in 2012, over 1.4 million people lived with HIV in Mozambique. And, the number of HIV-positive pregnant women in the country is quite high; it reached 102 thousand⁴ in 2012.
26. Similarly, there is an increase of orphans and vulnerable children. In 2009, among 1.8 million orphans, 510 had as a consequence, HIV and AIDS (UN, 2011). The average prevalence of HIV and AIDS at the time was 1.7% in children aged between 1 and 4 years of both sexes (INSIDA, 2009) and became 2% in 2012⁵. Mortality due to HIV and AIDS is about 11.2% in children aged 0-4 years old.
27. **Malaria** is a major public health problem in Mozambique, responsible for high rates of morbidity and mortality, disability and poverty. It is estimated that 40% of all cases of out-patients and 60% of cases of pediatric hospitals are a consequence of malaria, as well as 30% of deaths in hospitals (MISAU, 2006).
28. The Ministry of Health has adopted an integrated approach to malaria control, which includes a combination of interventions: intra-domiciliary spraying, use of long lasting insecticidal nets, effective treatment of clinical cases and intermittent preventive treatment of malaria in pregnancy. This last intervention will reach 80% of pregnant women in the country and thus protect not only them but also their children.
29. Mozambique has made progress in implementing the objectives of the Millennium Development Goals characterized by improvement of indicators in the areas of health, education, water and sanitation. However, prevail challenges related to improving access to quality basic social services, to the expansion of social protection programs as well as the removing of the obstacles to the full enjoyment of rights of children such as poverty, violence, helplessness, and the harmful social practices are, therefore, needed for the continuing of the efforts to ensure the survival, protection and development of children.

The report of the child

30. The Government of Mozambique ratified in 1998 the African Charter on the Rights and Welfare of the Child (ACRWC) and the UN Convention on the Rights of the Child (CRC), reaffirming its commitment to progressively realize the rights of all Mozambican children, through an enabling policy, legal and programmatic framework.
31. This report is submitted to the African Union Committee on the Rights of the Child under Article 43 of which it establishes that Member States of the African Charter on the Rights shall submit periodic reports on its implementation.
32. This report covers the period from 2000 to 2012 and was prepared in accordance with the revised General Guidelines of the Committee regarding the form and content of

⁴INE (2011). Epidemiological Monitoring of HIV and its Demographic Impact in Mozambique: Update, Round of 2009

⁵INE (2011). Epidemiological Monitoring of HIV and its Demographic Impact in Mozambique: Update, Round of 2009

periodic reports to be submitted by Member States. Therefore, it is a Combined Report integrating the Initial Report as well as the first, second and third periodic reports.

33. Indeed, the report includes statistical information about the country as well as the efforts made for the implementation of the African Charter, both by the Government of the Republic of Mozambique, by the civil society and the Non-Governmental Organizations (NGOs) operating in the country. Among the various primary sources of information, mentioned throughout the text, there is a special reference to the Census and Surveys conducted by INE, including the Demographic and Health Survey, which provides information on all the Mozambican population and not only the assisted population in public service.
34. The report also includes the actions undertaken in the implementation of the Recommendations made by the UN Committee on the Rights of the Child.
35. The report was drafted by a multi-sectorial team led by the Ministry of Women and Social Action, integrating the Ministries of Health, Education, Justice, Youth and Sports, Labour, Planning and Development, Environmental Coordination. The Ministry of Foreign Affairs and Cooperation and the National Institute of Statistics have been collecting information and conducted several consultations in all regions of the country, at the level of representatives of Government institutions, the United Nations, the non-governmental organizations, the civil society and the children, in order to obtain an updated reference on the reality of Mozambican children, under the African Charter on the Rights and Welfare of the Child.
36. The report was considered by the National Council on the Rights of the Child and subsequently approved by the 37th Session of the Council of Ministers on 22 October 2013.

II. GENERAL MEASURES OF THE IMPLEMENTATION (Article 1)

a) Constitutional Provisions on the Rights of the Child

37. The African Charter on the Rights and Welfare of the Child was ratified without reservations by the Council of Ministers, through Resolution N^o. 20/98 of 26 May, came into force after the entry into force of the African Union.
38. During the period covered by this report, the Constitution of the Republic of 1990 has been in force. On January 1, 2005, a new constitution which strengthens the prior provisions concerning rights of the child into the Convention entered into force.
39. The Mozambican Constitution brings up the principle of equality between ACRWC and legislation of the country in case of conflict in its Article 18:

*“Article 18
(international Law)*

1. *International treaties and agreements, validly adopted and ratified, apply within the Mozambican legal system after its official publication, while internationally binding on the State of Mozambique.*
2. *The rules of international law in domestic legal systems have the same value that assumes the infra-constitutional normative acts as emanated by the National Assembly and the Government, according to the respective form of reception."*

40. Over its statement, the Constitution establishes fundamental collective and individual rights of citizens. It is important to avail ourselves of the progress that the new Constitution unequivocally protects children's rights under the Convention, the following articles:

*"Article 47
(Rights of the Child)*

1. *Children have the right to protection and necessary care for their welfare.*
2. *Children can freely express their opinion on matters which concern them in accordance with their age and maturity.*
3. *All actions relating to children, whether taken by public authorities or private institutions, have in account mainly the best interests of the child. (...)"*

*"Article 120
(Maternity and paternity)*

1. *The maternity and paternity are dignified and protected.*
2. *The family is responsible for the harmonious growth of the child and to educate new generations in the moral, ethical and social values.*
3. *The family and the State ensure the child's education, forming the values of national unity, the love of country, equality between men and women, respect and social solidarity.*
4. *The fathers and mothers should provide assistance to children born within and outside marriage. (...)"*

*"Article 121
(Childhood)*

1. *All children have the right to protection of family, society and State, with a view to their integral development.*
 2. *The children, specially the orphans, the disabled and the abandoned, has the protection of the family, the society and the State against any kind of discrimination, mistreatment and against the abusive exercise of authority in the family and in other institutions.*
 3. *The child may not be discriminated, mainly, by the reason of their birth, or subject to mistreatment.*
4. *It is prohibited the child labour in the mandatory school age either at any other age."*

40. These provisions of the Constitution respond to continued efforts of the child protection and harmonization of rules of domestic law to international commitments made by the Government in promoting and protecting children's rights. The foregoing provisions demonstrate the determination of the country to comply with its obligations prescribed in the Convention, in ACRWC and other international instruments.

41. It is highlighted, also, in the referred period, was ratified important instruments to protect the child, namely: the Optional Protocols, to the UN Convention on the Rights of the Child, relating to the Sale of Children for Prostitution and Child Pornography and use of children in armed conflict, the ILO Conventions 138 and 182 concerning the Minimum Age for Admission to Employment and Elimination of the Worst Forms of Child Labour and Convention on the Rights of Persons with Disabilities.

b) Policy Measures

42. The basic philosophy of Social Action Policy, approved in April 1998, is the involvement of the whole society in evaluation and treatment of gender, protection, social inclusion and poverty.

43. The main objective of Social Action Policy is to promote the integration of social groups located outside the normal process of development, in order to contribute to equal opportunities among citizens, as well as social stability.

44. The Social Welfare Policy is based on the principles of institutionalization, promoting the participation of civil society, community participation, social justice, gender perspective, respect for cultural diversity of the country, national unity and sustainability of projects and programs.

45. In Mozambique, many challenges confront the Government, the civil society as well as the NGOs, to ensure and guarantee to all Mozambican children the rights to survival, development, protection and participation, in order to achieve the degree of satisfaction of the rights of children established in ACRWC, in CRC and in the legislation in force in the country.

46. Indeed, the government approved the National Strategy for Basic Social Security which aims to contribute to the systematization of the activities of this subsystem, while defining goals and objectives for 2010-2014.

47. Strategy defines as objectives, the need to ensure the extension of the coverage of basic social protection as a way to ensure the inclusion of the poorest and most vulnerable populations in the development process of the country; to improve standards of effectiveness and efficiency of the system and to strengthen processes of the coordination.

48. From 2006 to 2010 the country implemented the first National Plan of Action for Children (PNAC) which defined strategic actions implemented by all stakeholders in promoting the welfare of children, both in terms of governmental entities or Non-Governmental Organizations national and international, as well as the private sector and other civil society actors. The PNAC advocated the principle of partnership with civil society, the private sector and other living forces of society and the incorporation of the

same in the agendas, strategies and plans of the central, provincial and district government, as well as local governments.

49. The PNAC outlined the objectives and targets based on the recommendations of the Special Session of the General Assembly of the United Nations and the African Forum on the Future of Children, including: nutrition, legal protection, maternal and child health, HIV/AIDS, water and sanitation, basic education and child development, social action (family environment, alternative care and social security), leisure, culture and sport.

50. On the other hand, considering the specific needs of orphans and vulnerable children, the Government prepared and implemented the Plan for Orphans and Vulnerable Children (PACOV), also of the multi-sectorial nature to ensure access to the basic conditions for its survival and development.

51. The evaluation on the implementation of PNAC and PACOV conducted in 2010 concluded that there was progress in promoting and protecting the rights of children characterized by increased birth registration, access to healthcare, education, protection, information and participation. The evaluation indicated that (there are still some prevailing challenges,) (challenges prevailing) among them the prevalence of violence against children, especially at the level of families, barriers and traditional practices that prevent registration of children at birth and (perpetuate) (perpetual) early marriage among others, and recommended the establishment of the second PNAC that integrate the goals of the PNAC and PACOV covering all children without any discrimination.

52. Accordingly, the Government drew up in 2012 the second National Plan of Action for Children for the period 2013 -2019 (PNAC II), also with the participation of civil society organizations, partners, children, international organizations, private sectors and other actors in the implementation of child rights.

53. The PNAC II is based on the principles and rights set out in the Constitution of the Republic of Mozambique, in the Law on the Promotion and Protection of the Rights of the Child (Law 7/2008 of 9 July) and other legislation (that are)in force in the country, as well as in the Convention on the Rights of the Child, in the African Charter on the Rights and Welfare of the Child, in the Convention on the Rights of Persons with Disabilities, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the statement "a conducive world Fit for Children", the Action Plan on "An Africa Fit for Children" and the Goals of the Millennium Development Goals including: *Non-discrimination, higher interest of the child, survival and development and participation*. Similarly, it considered the recommendations of the UN Committee on the Rights of the Child and the recommendations of the Children's Parliament and other forums.

54. Based on the principle "Children First ", the PNAC, an instrument of multi-sectorial nature, reiterates the Government's commitment towards the Rights and Welfare of the Child, including orphans and vulnerable children and establishes goals and areas of intervention actions to be taken by all stakeholders in the promotion and protection of child rights. With the PNAC, the Government is committed to achieving the following goals:

Goal 1: Increasing birth registration from 31% in 2008 to 60 % in 2015.

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Goal 2: Reducing child mortality (<5 years) from 97 per 1,000 live births to 67 per 1,000 live births in 2015.

Goal 3: Reducing chronic malnutrition in children less than 5 years of 44 % in 2008 to 30 % in 2015 and to 20 % in 2020.

Goal 4: Reducing HIV transmission from mother to child from 20 % in 2010 to 5 % in 2015.

Goal 5: Expanding access of children to pre-school education quality from the current 4% to 15% by 2019.

Goal 6: Increasing percentage of children and their families with access to safe water for a minimum of 70 % in 2015 to promote universal access.

Goal 7: Increasing percentage of children and their families with access to improved sanitation to at least 60 % in 2015 to promote universal access.

Goal 8: Increasing gross rate of the basic education conclusion of grade 7 to 54 % in total and 51 % for girls in 2016.

Goal 9: Expanding access to secondary vocational education. Gross enrollment rate ESG1 overall 50% and girls 47 % in 2016.

Goal 10: Reducing practice of forced marriage.

Goal 11: Increasing number of children reunified to their biological families and integrated into adoptive and foster families in 50% of homeless children by 2019.

Goal 12: Increasing cases of violence against children reported to the police and that are judged from 20% in 2011 to 40 % in 2019.

Goal 13: Increasing number of children benefiting from the programs of basic social protection from 280,000 in 2012 to 580,000 in 2014.

55. The PNAC II is a multi-sectorial plan whose implementation will be done by integrating the plans of Economic and Social Development of the Country (PARP and PES) and its respective funding instruments (OE and MTEF) at level of the institutions of the state and the plans of the organization's civil society plans which will help to minimize some potential risks of implementation.

General Policy Priorities Defined by Government

56. The Government of Mozambique has been engaged enough in the fulfillment of international commitments, through the adoption of policies, legislative and administrative measures for the effective enjoyment of rights and fundamental freedoms by citizens, particularly by children. The realization of these commitments is taken through the PQG that integrate actions to achieve the following results:

- The reduction of poverty levels, which will be pursued by the impact of actions on education, health, social assistance to vulnerable groups and rural development;
- The rapid and sustainable economic growth, focusing attention to the creation of favorable economic environment for private sector (action);

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- The economic development of the country, primarily oriented to rural areas and in order to reduce regional imbalances;
- The consolidation of peace and national unity, justice and democracy and patriotic awareness, as indispensable conditions for a harmonious development of the country.

57. In this context, the Government outlined its priorities as the following (as follows):

58. Respect for human rights, enshrined in the Universal Declaration of Human Rights, and assumed by the Government as one of the fundamental basic conditions for maintaining a climate of social and political harmony, essential conditions for successful realization of the purposes of development of the country.

59. In this context, the Government continued its efforts to consolidate the rule of law, implementing a system of fair and speedy justice. Throughout history, the youth has taken up a leading role in the political, economic, social and cultural spheres, through youth associations, as a privileged form of participation of young people in finding solutions to the problems that concern society.

60. The national unity, in the context of ethno-cultural diversity, traditions, religions, gender and plurality of ideas was always preserved, allowing each citizen to the development of their talent, creativity and cultural knowledge, as forms of promoting freedom of expression, of democracy in the country and of our culture, crucial for maintaining a political and economic climate favorable to the harmonious economic and social development.

61. In this context, the participation of citizens in the socio- economic and political life of the country is viewed as the ideal way in the process of finding the best solutions to the problems of the country and promoting freedoms of citizens'. In this process, the promotion of dialogue (takes up the great importance) takes on greater importance as the basic methodology of the Government in listening and looking for better ways to meet the needs of population.

62. The objective of reducing poverty levels, takes up the privileged orientation of basic services to the neediest population. Therefore, the main action of the government is focused on improving the living conditions of the majority of the population that is female. Thus, the woman is in the limelight, in order to ensure equal rights and opportunities, to raise their educational level and to strengthen their role as educators of future generations regarding the formation of the personality of the Mozambican people.

63. Based on the principle that knowledge is an indispensable means for raising the living condition of the people, the Government is committed to the continued expansion of education services and improving their quality. The formation of patriotic consciousness of citizens, especially young people, is a major focus of the government action.

64. The Right to Education is one of the Mozambican fundamental rights conquered with the National Independence. It is in this context that Mozambique has accepted the challenge of Education for All. With the advent of peace in 1992, were recovered and surpassed the achievements of the early years of Independence that is, taken up the rate of 100%

net enrollment in primary education in the first grade and reduced the illiteracy rate from 60.5 in 2011 to about 49.9%(INE, IOF 2008 /9).

65. The coverage of the Primary and Secondary network was expanded to all districts of the country. At superior education level, in 1975 there was only one university, located in the Capital; in 2006 there were around 14 Public Superior Educational Institutions and 13 private throughout the country and in 2012 there were 18 Public Superior Education Institutions and 26 private ones distributed throughout the country.
66. In this context, the Government intends to intensify the investment in education with priority given to basic education including literacy. Thus, the continuous expansion of primary education is complemented by literacy programs directed specifically to women and young people of both sexes.
67. The necessary training of skilled manpower for the national development also constitutes the government's investment economy, through the resumption of technical and vocational education, based on the socio-economic reality of the country and that takes into account the need to establish complementarity between rural and urban development and integration among the vital sectors of our economy.
68. The life of citizens is one of their fundamental rights. The Government is committed to promoting and preserving health and preventing disease, also contributing to enhancement of production and productivity in the smallholder sector, increasing the income and the living conditions of citizens and to reduce levels of absolute poverty.
69. The expansion of health, water supply and sanitation services is a priority of the country materialized through the provision of Primary Health Care, the intensification of preventive measures of communicable and endemic diseases, in particular cholera, malaria and HIV/AIDS, and of the environmental sanitation.
70. With regard to HIV/AIDS measures laying down the general principles were adopted to ensure that all employees and applicants for employment are not discriminated against in the workplace. In this context, it is necessary that adequate prevention of exclusion, stigmatization, discrimination and other initiatives to the social and emotional protection of the people living with HIV/AIDS through the provision of education, information, awareness and health care measures.
71. Economic development should be oriented to the goals of eradicating poverty, reducing inequalities between regions of the country and to strengthen the national business sector and it should benefit all Mozambicans.

c) Legislative Measures

72. The protection of children in Mozambique is based on the Constitution of the Republic has enshrined provisions which provide a solid basis for the formulation, within national legislation, of concrete measures to ensure the protection of children.

73. To ensure the protection of children, the country began a process of legal reform taking into account the CRC, ACRWC and other international treaties on child signed and ratified by Mozambique. This process is based on the protection of child rights, the socio-economic situation of the country, the need to ensure that the discriminatory aspects inherent in the legislation are addressed, as well as to establish the (principal) response to higher interest child.
74. Customary law is a fundamental aspect of the Mozambican legal system, being an important intrinsic to the lives of many Mozambican children. In this context, the legal reform process has taken into account practical considerations that favor the survival, protection and development of children as well as the traditions, customs and aspects of customary law that perpetuate discrimination and those that may be harmful to children.
75. The process towards legal reform on child protection in Mozambique was held under the leadership of the Government with a strong involvement of civil society, NGOs and other stakeholders as the children themselves. Furthermore, the statement of the Constitution of the Republic protects unequivocally Children.
76. Under the ordinary law of the country, several laws relating to child protection were revised or adopted. Indeed, in 2004, was approved by parliament, the Code of Civil Registration, which, among other things, extends the period of free birth registration from 30 days to 120 days after birth. Note that the extension of this period reflects the need identified in the Initial Report on the Implementation of the Convention on the Rights of the Child presented to the United Nations.
77. Also in 2004, was approved by parliament, the new **family law**, which strengthens increasingly the ensuring of rights of the child and gives another opportunity to further protect the rights of children and women, by revising the provisions governing issues related to inheritance and unmarried couples and traditional and religious weddings.
78. In 1999 the Law 6/ 99 of 2 February was adopted, which establishes the legal framework that regulates the access of minors to Public Fairgrounds Party and the Consumption of Alcohol, Tobacco and of the decree regulating this Law.
79. It is highlighted, also, the adoption, in 2008, of the Law on the Promotion and Protection of the Rights of the Child (Law N° 7/2008 of 09 July), of the Law on the Child Protection Organization of Minors (Law N° 8/ 2008 of July 15), of the Law on Preventing and Combating Trafficking in Persons especially Women and Children (Law N° 6/2008 of 09 July) and of the Law on Preventing and Combating Violence against Women bringing provisions to protect child.
80. At the social protection level, Law N° 4/2007 of 7 February on Social Protection and Regulation Subsystem, Basic Social Security, was adopted and approved by the Decree N° 85/2009 of 29 December, which defines the child living in poverty as a priority target group of government interventions.
81. These instruments deal with the various areas of children's rights including the right to equal protection, the right to name, nationality, freedom of speech, thought and assembly, the right to have a family, the right to special protection of their physical, mental and social development, the right to health, the right to education, the right to

special protection for the physically or mentally disabled persons, the right to protection from abuse, exploitation, trafficking and abandonment.

82. Priority areas in the drafting of laws relating to children were determined by several factors, including the actual situation with regard to social problems related to the Mozambican context, the views of the various sectors of society during the consultative process undertaken in scope of the study to identify the priorities in the reform of legislation on children, the results of queries made during the process of the drafting of laws through seminars held in all provinces, sectorial meetings, programs in media and of other shapes.
83. In the process of drafting and revising the legislation on child, it stands out also the exercise of participation of children, whose priorities were identified in the design and implementation of laws, approaches focused on child.
84. Also in the legal reform context, the country remains in a broader process of review of important legal instruments, such as the Constitution of the Republic, the Civil Code, the Penal Code, the Code of Criminal Procedure, and the Code of Civil Procedure.

Dissemination of the Rights of the Child

85. For the dissemination of the African Charter on the Rights and Welfare of the Child, was established in the country a dissemination strategy for the Rights of the Child, which aims to inform and encourage children, families, institutions and the public in general to respect and enforce of the principles and precepts of the African Charter on the Rights and Welfare of the Child. During the period consideration, the ACRWC and other instruments relating to child protection have been disseminated for public and private institutions, civil society organizations, non-governmental organizations, UN agencies and through lectures, plays, films, radio and television programs, brochures and leaflets dealing on the rights of the child.
86. Dissemination and training sessions on child rights were performed at national level, for the officials of the institutions and organizations working on issues. It is highlighted the organs of administration of justice (police, judges and prosecutors), education, health and social action as well as the traditional midwives (matrons), traditional healers, advisors of the initiation rites and religious leaders among others. Were produced and distributed 300,000 copies of brochures and pamphlets for adults and children, 100,000 posters to ensure knowledge of Child rights and legislation. Were also produced and distributed 12 films: 5 on child rights, 2 about birth records and 5 on the prevention of violence against children, including trafficking.
87. Were also carried out at national level, around 25,000 lectures at the level of communities, schools, institutions covering around 100,000 people and around 2,000 discussions at the level of media (radio and television, including communities' radio).
88. In the annual celebrations of Day 1 and 16 June, International Children's Day and Day of the African Child respectively, the dissemination of the Rights of the Child is the main evocation of the celebrations. For approximately 3 weeks (from the last week of May to 16 June) it is commemorated as the "Fortnight of the Child". The annual celebrations of the June 16 deals with theme chosen by the African Union. For example, in 2012 the celebrations were about the rights of children with disabilities: lectures, debates,

marches, cultural and sporting activities among others were held. What deserves special mention is the fact that, at the level of Mozambican television, interpretations of the child programs in sign language have been undertaken.

89. Several other activities have been undertaken under the referred strategy to disseminate the African Charter and the Convention on the Rights of the Child and broadly raise awareness of its principles and provisions during the period under review. At the level of the media, children's rights are constantly being disseminated, either for children or for adults, as can be seen in the chapter on children's rights to information.
90. At the education level, it is emphasized that the integration of the rights of the child enshrined in ACRWC and CRC, in pedagogical manuals, in preschool education and in the curricula of primary and secondary education as well as in the official books of the National Education System, on the content on children's rights established by ACRWC for example, the book of Grade 3 makes clear reference to the rights articles 6, 12, 16 and 18 of the African Charter. Similarly, the book of discipline of Moral and Civic Education of Grade 6 makes clear reference to the rights to non-discrimination, protection, name and nationality among others.
91. In order to implement the Rights of the Child, the precepts of the African Charter, the Convention on the Rights of the Child and other instruments pertaining to child protection were integrated into training curricula for judges, prosecutors, police, migration agents, technicians of the social action and of the early childhood education, teachers and others. Similarly, training of personnel of state institutions and civil society on the Rights of the Child was held, emphasizing the training of judges, prosecutors, health professionals, teachers, technicians of the social action, police, journalists, professionals of the infant centers, nursery, child care centers in a difficult situation and civil society organizations.
92. Also within the dissemination of the rights of the child, there is the action of the Community Child Protection Committees that conduct dissemination and refer cases of violation of children's rights to the competent authorities.

d) Existing mechanisms at Central, Provincial and Local level within Policies Coordination for Child and Monitoring

93. The Government of Mozambique has adopted policies articulated in pursuit of the priority objectives of the national agenda through the Five-Year Plan of the Government (PQG) and of the PARP, which are operationalized through the Economic and Social Plan (PES) and the State Budget (OE).
94. The PES and PARP are the first steps in the operationalization of the PGQ⁶. The PES presents the main macroeconomic objectives, trends in economic indicators, developments by sector and fiscal policy. The PES also provides a matrix of the most important indicators, fact that allows evaluating the performance of the Government Sectors. To achieve the objectives of PQG, the main areas of action have generally been Education, Health, Infrastructure, Agriculture, Rural Development, Good

⁶PARP is a mid-term programming instrument but PES is an annual one.

Governance, Legality and Justice, Macroeconomics, Financial Policies and International Trade. The other operational tool is the OE, i.e., the numerical expression of the PES.

Institutional Coordination

95. As contemplated in PARP, coordination among the various ministries and agencies of the State apparatus is made at various levels, political and technical: (i) in the workshops provided in legislation, in the activity programs and to solve unforeseen and urgent matters and (ii) in the preparation and implementation, in a broad sense, the Five-Year Plan of the Government of PARP, from the sectorial and provincial strategic plans, in the medium term fiscal framework, in the Economic and Social Plan, in the State Budget, and other instruments of governance.
96. The inter-sectorial coordination done through workshops ranging from the Council of Ministers, the various specialty boards such as the Economic Council, specific meetings involving members of the Ministers' Council, such as HIV/AIDS or SADC, to multiple meetings at technical level .
97. The inter-sectorial coordination were made with regard to the programs, plans, strategies, budget and other instruments in accordance with priorities set by the Government and the availability of resources. The cross-cutting issues⁷ are addressed in the various plans and global, sectorial and specific strategies.
98. The Working Groups of PARP are privileged forums for consultation between government, civil society and development partners. These groups should remain involved and active in the fight against absolute poverty.
99. The monitoring and evaluation are taken up by different sectorial organic units from the central, provincial, district and community levels. These are assisted by the Technical Secretariat of the Poverty Observatory. This, in turn, provides a forum for participatory nature, which includes the Government, Civil Society and Development Partners, with the vocation to follow up the performance of the actions undertaken by public and private bodies⁸.
100. To ensure coordination and articulation of the efforts undertaken by various government institutions and by the civil society organizations involved in the promotion and protection of child rights in the context of Law N° 7/2008, of 9 July, the Law for Promotion and Protection of the Rights of the Child and the National Plan of Action for Children, the National Council for the Rights of Children (CNAC), was created by Decree N° 8/2009 of 31 March, the Council of Ministers, with representation at the provinces level.

⁷These issues are considered cross-cutting since they cannot be considered in isolation, since the plan of action depends on a concerted and integrated action of many actors. Addressing these factors is crucial to the success of any strategy for growth and poverty reduction. In order to implement a plan of action to reduce poverty, it is important to address and treat the basic causes which prevent the country's development.

⁸ The Poverty Observatory is a consultative forum in order to deepen the interaction between the government and its national and international partners, in the Monitoring and Evaluation of the implementation of policies and plans adopted in favor of poverty reduction, with emphasis on the PARP.

101. The National Children's Council is chaired by the Minister of Women and Social Action; it has as vice president, the Minister of Education and integrates the Ministers of Justice, of Health and of Youth and Sports. The Board also includes 5 representatives from civil society organizations and 5 religious institutions.

102. The National Council for the Rights of the Child has responsibility for promoting respect and defense of the rights of the child enshrined in the Constitution of the Republic, in the other prevailing laws in the country, as well as in the International Conventions to which Mozambique is a party; promoting adoption of measures that to put an end to situations affecting or likely to affect the safety, health, education and development of children and the promotion of the principle of equality among children on the gender context to ensure the enjoyment of their rights.

103. However, it is for the Ministry of Women and Social Action to direct and coordinate actions in favor of children, women, the elderly and people with disabilities.

Mechanisms for Monitoring and Evaluation

104. The monitoring of the action taken in favor of the child lies within the Monitoring and Evaluation of Government Programs system. Thus, at central level, the activities of monitoring and evaluation of government programs are undertaken by different departments of the Ministry of Planning and Development in coordination with the National Statistics Institute (INE), particularly in conducting quantitative surveys, such as Household Survey on Living Conditions (IOF), the Demographic and Health Survey and the Questionnaire on Basic Indicators of Welfare (QUIBB).

105. The good performance of the operationalization of the Monitoring and Evaluation system depends, in addition, of a network of communication and cooperation with different actors, namely national and provincial sectorial directorates, including, the Provincial Directorates of Planning and Finance, as well as with other partners. The civil society, in general, has played an important role by promoting debate on public policies based on the results of monitoring and evaluation presented in the Poverty Observatories at central and provincial level.

106. At the district level, the management of the Monitoring and Evaluation system is the responsibility of the Local Government around the Institutions of Participation and Community Consultation, where it monitored and evaluated the quality, utility, sustainability and accessibility of goods and services produced within the implementation of the programs.

e) Budget in the Child Area

107. The fight against poverty requires targeting of scarce budgetary resources to activities that contribute to the sustainable and inclusive economic growth and a better distribution of resources in the economy. The preparation of the Medium Term Fiscal Framework, instrument of programming and managing of the financial resources, is to enable the vision of medium-term fiscal program, guiding the allocation of resources in accordance with the objectives set by the Government.

108. The integration of sectorial policies, through hierarchical objectives, in which poverty reduction is undoubtedly the central focus, allows realistically, the inclusion, with

provided resources, to the action of reducing poverty in the different annual Government instruments. The main economic and social objectives of the Government, particularly those identified in the Action Plan, will be materialized through its breakdown in the main annual economic management instruments such as PES and OE.

109. To achieve the development objectives of the country it is necessary that financial resources are allocated to the sectors deemed essential for children who represent the future workforce. Because the Government of Mozambique is committed to children's affairs, the financial resources allocated for these areas show an increasing trend between the period of 2000 to 2012. It is necessary to acknowledge the support of international cooperation partners who have contributed a lot to the state budget, funding about 50% of the needs of the country.

110. The state budget for education, social services, water and sanitation, selected sectors that have direct impact on the survival, protection and development of children, recorded growth although growth rates vary from sector to sector .

III. DEFINITION OF CHILD (Article 2)

111. At the level of ordinary legislation, the Law on the Promotion and Protection of the Rights of the Child defines a child as being the individual with up to 18 years of age⁹.

112. In the Republic of Mozambique, the age of majority is reached at age 21, when the law considers that the individual acquires full capacity to exercise his rights, being able to govern himself and use his own property, by virtue of Article 122 of the Civil Code in force. For the exercise of political rights, the Constitution of the Republic, Article 73, paragraph 2, assigns the electoral capacity of citizens over eighteen, who may well vote or be elected , except those legally deprived of this right.

113. The criminal liability is acquired at age 16, according to Article 42 of the Penal Code, which follows the prohibition of all individuals underage are subject to penal measures of deprivation of liberty and can only be applied to them measures protection and assistance or education.

114. The criminal protection measures are enshrined in several other pieces of legislation such as the Civil Code, which provides the civil protection of minors in Article 488, paragraph 2, establishing a legal presence of unaccountability for children under sixteen. Although the Penal Code stipulates in Article 107, the fact of a minor under twenty-one years and over sixteen have accountability on and, thus be protected from the application of penalties of imprisonment of twelve to sixteen years. This assumption results in the application of the prohibition of a life sentence for minors, even if over the age of sixteen. As for capital punishment, the current Constitution prohibits their application in Mozambique.

115. The legal consultation, as well as fitness to practice regulated legal acts and protected by civil right is prohibited to individuals who have not reached the age of majority, as stipulated in Article 123 of the Civil Code. This incapacity can, however, be compensated by the supervision and parental power, although in some cases the law requires to obtain prior authorization from the juvenile court.

⁹ Law N. 7/2008 of July 9

116. Regarding the ability to perform medical consultation, children do not require parental consent for clinical care benefit, as long as it does not involve surgery. In case of surgical intervention, a written consent is required from the parents or other person responsible for the child, for all individuals under 18. In this domain, it becomes important to recognize the right of the pregnant minor's ability to attend maternal and child health services.

117. The legal age of marriage in Mozambique is fixed at 18 years of age as provided in the Family Law (Law 10/2004 of 25 August). The Act defines three modalities of wedding namely civil marriage, religious marriage and traditional marriage, and "the traditional and religious weddings are recognized equal to the value and effectiveness of civil marriage when the requirements established by law have been observed for civil marriage". In other words, "religious and traditional marriage can only be entered by those who have the capacity required in civil marriage law."

118. The same law establishes as one of the impediments to "the age under eighteen". However, it defines that for "woman or man over sixteen years, exceptionally, can marry, when circumstances arise of overriding public interest and their family and consent of parents or legal guardians".

119. Under Article 2 of Law Nº 32/ 2009 of 25 November on the Military Service, the duty of military service and fulfillment of military obligations thereunder starts at eighteen, when the obligation to establish citizens to submit to conscription. This is also the minimum age for the special recruitment category that fits the voluntary military service. The incorporation itself takes place normally in the year in which the citizen reaches twenty years. Thus, it is clear that, under the law in force in Mozambique, the involvement of individual minors under eighteen in military acts is prohibited.

120. Under the Labor Law, Law Nº 23/2007, of August 1, the legal and labor capacity is acquired at the age of 15, opening the possibility for minors aged between twelve and fifteen years to work under special conditions. The conditions of admission of the minor for employment are detailed in the appropriate section on the employment of minors.

121. The prohibition of alcohol and tobacco and the access of persons under 18 years of age to public places of nightlife are clearly established in the law regulating the access of minors to Public Venues of Fun Party and the use of Alcohol and Tobacco (law 6/ 99 of 2 February). This law states that the aforementioned areas should take the necessary measures, to prevent children's access and use of alcohol and tobacco such as the presence of guards, at the door of establishments to control the entry of minors, the placement of signs in a visible place and the realization of daytime activities for the fun of minors.

122. The Law on the Prevention of Drug Abuse, Law Nº 3/ 97, articulates, in Article 40, the protection of children against the use of narcotic drugs, aggravates the punishment for offenders when such substances and preparations have been delivered or intended for minors.

123. In general, it is clear that Mozambican society sanctions the use of these substances by children.

124. As can be seen from the above, the concept of Child is in line with the ACRWC statement, however, there are still some traditional practices that are not in line with the legally statement.

IV. GENERAL PRINCIPLES (Articles 3, 4, 5, 7, 12 and 26)

125. The Constitution of the Republic of Mozambique consecrates the fundamental principles of citizens' rights, based on democratic and constitutional state. Indeed, the Constitution provides in its Article 35, peremptorily, the principle of universality in the following terms: "All citizens are equal before the law, enjoy the same rights and be subject to the same duties, regardless of color, race, sex, ethnic origin, place of birth, religion, level of education, social position, profession or political preference ⁽¹⁰⁾".

126. The interpretation of the constitutional provision and other provisions on children's rights are in harmony with the Universal Declaration of Human Rights, the African Charter on Human and Peoples Rights and other international instruments on human rights.

127. The right to life, honor, good name, reputation, protection of public image, privacy; the individual freedoms, of ethnic and religious groups, such as the freedom of speech, freedom of the press, right of assembly and demonstration, freedom of association, of conscience, of religion and worship, of residence and circulation, are the principles and guidelines that make effective application and implementation of the Convention and the legislation in force in the country.

128. The Constitution also establishes rights, individual freedoms and guarantees - for children, including, the right to security, of access to the courts, of contesting, to property, inheritance, employment, education, health, housing, culture, gymnastic and sports, etc.

129. In its Article 36, on Gender Equality Principles, the Constitution states that "men and women shall be equal before the law in all spheres of political, economic, social and cultural life."

a) Non-discrimination (Articles 3 and 26)

130. The Constitution, in addition to establishing specific articles relating to the child - articles 47, 120 and 121 - establishes the principle of universality and equality of citizens, regardless of color, race, sex, ethnic origin, place of birth, religion, education, social status, parents' marital status, profession, gender, etc., in political, economic, social and cultural life, unless provisions within the Constitution itself or in other current legal systems, as the age for marriage, of electing, of having access to certain arenas etc.

131. Regarding the principle of non-discrimination, the constitutional provisions protect and safeguard the rights of the child, reflecting into the domestic legal system, international provisions ratified by the Republic of Mozambique - Articles 35, 36 and 37 of the Constitution stated below in the text of this report.

¹⁰ The same principle as established in Constitution of 1975 and 1990 in articles 26 and 66, respectively.

132. In addition to the legal framework established, concrete actions are being undertaken with a view to children's access to education, health, and other civil registry, decreasing the difference between children from urban and rural areas or more poor and remote areas, especially in collaboration with civil society and national and international NGOs, to eliminate disparities and negative attitudes, which result in the ignorance, prejudice and social or religious practices that may promote the discrimination of the child.

133. It is in this context that the Government's strategy in the area of social action on the child seeks to safeguard the best interests of the child, in accordance with the principles and provisions of the Convention, and in order to make real the commitment of the various actors into an effort aimed at eradicating all social evils that harm the child, such as abandonment, sexual abuse, labor exploitation, delinquency, marginality, helplessness and physical and psychological violence.

134. The principle of equality and non-discrimination is clearly, however, reflected in several codes, which can be emphasized, evidently, in Law 6/92, on the National Education System (NES). This law stipulates that NES is guided by the principle that education is a "right and duty of all citizens". The same law calls for the guarantee of basic education to all citizens and ensures access for all Mozambicans vocational training, establishing support measures and educational supplements to contribute to equal opportunities for access and academic success.

135. One of the current and future priorities of the Government is the gradual elimination of the disadvantages faced by children living in rural areas regarding access to rights and services offered in urban areas (especially education, health, civil registration) through expansion of programs networks of social services to the less developed areas of the country.

136. There is no record of systematic or deliberate discrimination against children based on color, ethnic or social origin, or based on other criteria, including expressions of xenophobia or negative and discriminatory attitudes towards refugee children¹¹. However, the Mozambican State seeks to adopt an active approach, in collaboration with NGOs and civil society in general to prevent or eliminate disparities and negative attitudes resulting from ignorance, prejudice and traditional or religious practices that promote discrimination against children. These factors are manifested mainly in relation to girls (especially in rural areas), disabled children and children belonging to other vulnerable groups such as street children.

137. In general, during the process of reflection done in the context of the preparation of this report, in all provinces several participants noted with concern that the girl continues to be the victim of discrimination, both within the family and in society in general, with more incidence in rural areas. This discrimination takes different forms, the most common being a disadvantage in access to education, their exploitation in various jobs, and their exposure to early marriage. When they are female, the discrimination is heightened. The children with disabilities also are another group, sometimes discriminated, starting with the attitude in their families and in their communities.

¹¹ A lesson worthy of highlighting is how the Mozambican communities affected by war, sometimes on opposite sides during the conflict, were reunited in peace, tolerance and reconciliation environment, there has been no recorded conflicts or severe episodes of discrimination against either former military and their children, whether against children and families from exile returnee or IDP protection zones.

138. Regarding the girl (child) the Mozambican State endorsed the Beijing Declaration and is implementing several initiatives in order to follow up the Fourth World Conference on Women. Among these, there are the actions to ensure the education of girls, to eliminate disparities in access to education between boys and girls, implemented by the Ministry of Education with participation of civil society. As a result, the proportion of girls to boys increased to 47.5 %.

139. It should be emphasized that the eradication of these discriminatory social evils, are beyond the responsibilities of the Government, taking into consideration that continues to demand accountability of civil society and other national and international partners.

b) The best Interest of the Child (article 4)

140. In line with Article 4 of ACRCW, "the fundamental rights enshrined in the Constitution shall not exclude any other set of laws" (Article 42 of the Constitution). The principle of the best interests of the child is now enshrined explicitly in the Constitution (paragraph 3 of Article 47) that all actions relating to children, whether taken by public authorities or private institutions, should take into account the principle of best interests of the child.

141. Likewise, the best interests of the child is patented and underlined to the application of other various basic principles relating to children's rights, such as cases of non-discrimination, of survival and development, of respect for their views. These principles become relevant in determining what constitutes the best interests of the child, either individually, in a specific situation, or in the definition of the best interests of children as a group.

142. In terms of ordinary legislation, in accordance with Article 4 of ACRCW, the principle of the best interests of the child is established in paragraph 3 of Article 9 of the Law on the Promotion and Protection of the Rights of the Child, Article 1 of Law on the Organization Guardianship of Minors and of Article 284 of the Family Law (Law 10/2004). Hence, it is clear that the legislative, administrative and judicial measures taken by the State authorities take into account the principle with regard to the best interests of the child.

c) The right to life, survival and development (article 5)

143. The Constitution of the country guarantees the right of children to welfare (Article 47), as well as to the protection of the family, the state and society, aiming at its full development.

144. The Law on the Promotion and Protection of the Rights of the Child provides, in its articulated provisions relating to the right to life, survival and development. For example, the caption II defines the fundamental rights, among them the right to life, to the protection of life and health, including measures to protect pregnant women and breastfeeding to compete family, to State and to society ensuring the necessary conditions to effect.

145. The child must have basic access to food, education, health and leisure. Despite efforts made by the Government and civil society, the most of the country's population is in the poverty situation, subjecting them to improve these basic rights and socio-economic development services.

146. In this context, within the implementation of the Subsystem Regulation of social basic security approved by Decree 85/2009 of 29 December which provides access to

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programs of social assistance is to provide assistance to child in particular those in poor condition.

147. To prevent and reduce cases of road accidents involving children, measures have been taken, for example, the adoption of standards on the distances between schools and public roads, the rigorous training for drivers of vehicles and the restoration of a driving licence for the motor vehicles; the traffic police training, the collaboration between police/school/INAV in facilitating collective crossings of students at critical points of public roads and placement of speed bumps on public roads near schools to reduce the speed of vehicles.

148. Alongside these measures, aiming at the same purpose, have been introduced in the basic education curriculum, content relating to children's behavior on public roads and traffic signals that regulate the movement of vehicles and persons on public roads.

149. Several actions have been undertaken in the period of analysis that are embodied in lectures in schools to educate children how to cross the road, placing signage around schools, inclusion of traffic rules in educational programs and other activities. As a result of these activities, the number of accidents involving children has reduced significantly in recent years, as the table below illustrates.

Table 1: N children of 0-17 years old involved in traffic accidents

Age	2009		2010		2011		2012	
	Inpediastran condition	Inpassenger condition	Inpediastran condition	Inpassenger condition	Inpediastran condition	Inpassenger condition	Inpediastran condition	Inpassenger condition
0 to 04 years	95	38	54	23	109	91	87	18
05 to 07 years	122	44	100	13	142	103	139	79
08 to 10 years	136	36	93	16	139	119	151	103
11 to 13 years	112	29	94	10	125	113	118	51
14 to 15 years	88	49	53	17	120	104	84	56
16 to 17 years	117	81	89	37	138	154	227	93
TOTAL	670	277	483	116	773	997	806	400

Source: MINT, 2013

150. However, despite the reduction in the number of traffic accidents involving children, it is still a concern of the government and society in general, and so the actions of prevention of traffic accidents have been improved with the participation of civil society organizations. Taking into account the occurrence of train accidents by slaughtering, sensitization of children and adults have been held about the need to maintain a minimum distance of stay along the rail lines.

151. Regarding the results of the implementation of the Mine Action Programme: this is aimed at reducing the impact of the presence of anti-personnel mines on communities, to the contribution to the implementation of PARP and, to ensure strict observance of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines.

152. The objectives of the Government and other partners in the demining area, are centered in Mine Action Plan, where activities undertaken have as main objectives, the demining of areas of high and medium impact, the monitoring and supervision of the activity of mining; the civic education about the dangers of landmines, the assistance to victim and the mobilization of resources.

153. In terms of civic education on the dangers of landmines, the Program has been organizing the lectures and distributing marketing materials and creating awareness about the dangers of landmines on communities, benefiting teachers, school children and the community in general.

154. Regarding the assistance to the mine victims and survivors, the Government continued to make its efforts to support the improvement of the quality of their lives, as well as reduce their socio- economic vulnerability.

d) Respect for the Views of the Child (article 7)

155. The article 47 of the Constitution in force fills a gap in relation to what is enshrined in Article 12 of the Convention. Thus, the Constitution establishes that children can freely express their views on issues that concern them and these are taken into consideration with their age and maturity.

156. In its turn, under Family Law, judicial decisions concerning the supervision, regulation of parental custody, the juvenile justice and the placement of children in foster care, taking into account the views of the child. In particular in cases of adoption, it is obligatory to hold a hearing of the child greater than 7 years (art. 39), and the consenting of the adoptee is required when (child is) greater than 12 years (art. 396).

157. There are several forums in the country that provide environment for children to participate in matters that relate to their training and the exercise of citizenship, namely:

d.1. Children's Parliament: composed by the elected children by other children to represent them, that make reflections about their rights, interact and discuss with government officials, parliamentarians and civil society representatives on the issues that affect their lives. It highlights the participation, in the sessions of the Children's Parliament, of the Head of State and the President of the Assembly who interact with children. The issues presented by children have proper treatment by institutions of the State and the Civil Society, seeking answers to the concerns raised.

The Children's Parliament is an initiative of the Government of Mozambique and is the principal forum for national context where the issues affecting children are discussed by the children and are implemented through the Ministry of Women and Social Action in conjunction with the participation of other ministries, civil society organizations, UN agencies and non-governmental organizations working for the rights of the child.

The process for selecting members of the Children's Parliament is done through elections by the children themselves, and should not therefore be indicated by adults. Members of Parliament are subsequently elected among members of parliaments at the level of districts and provinces. Thus, among the selected members are represented children in primary and

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secondary schools, children from shelters to children in difficult circumstances and from various organizations and initiatives involving children.

The Children's Parliament was created in 2000 to promote the child's participation and access to information, allowing more children to actively participate in issues that concern them and emerged primarily to provide children a place where they, through their own voices, can be heard and where their concerns can be registered by the Government, civil society, community leaders and parents, actively participating in making decisions that affect them.

The Children's Parliament works at National, Provincial and District level, having experiences of working in some administrative positions. Have been participating in Children's Parliaments, the representatives of children from schools and from the centers and programs of children in difficult situations, aged between 10 and 16 years, elected by other children considering gender balance, geographic representation as well as the participation of disabled and vulnerable children.

The parliamentary sessions are extended to the entire national territory, covering 60 districts in 11 provinces of the country, with the participation of over 6,000 children.

In addition to participation in parliamentary sessions, the "children members of parliament" organize at the level of districts, sessions of dissemination of their rights in schools, involving students, teachers and other staff and communities with parents and guardians, community and religious leaders as well as communities in general.

The parliamentarians from each district set an annual work plan, which is implemented with the support of civil society organizations, such as the *Rede da Criança e da Organização Continuadores de Moçambique*. In this particular case, members of the Children's Parliament work together with a group of young reporters, thereby enhancing the coverage of the main issues that deserve their attention. It should be noted that the sessions of the National Children's Parliament are held every 2 years and in the intermediate years are held the provincial and district sessions.

The Parliament takes up the crucial importance of community development, since the advocacy made in campaigns, radio programs, among others, leads to institutions, organizations and communities pay more attention to what children say and want, which results, in most of the cases, in change of attitude and in concrete actions. Indeed, the recommendations of the Children's Parliament are implemented by different actors through sectorial plans and civil society organizations at various levels.

d.2. School Councils: The children participate in school life through the school councils consisting of representatives of students, parents, teachers and communities. The school councils discuss and propose solutions to problems affecting their schools. Alongside these councils, students participate in the life of their schools through their student leaders and regular meetings with their class directors.

d.3. Community Committees of the Child Protection: The children participate in community committees.

The Community Committees of the Child Protection are composed of adults elected in the community and by representatives of children, created as part of the answer to the problem of orphans and vulnerable children. The Community Committees, in addition to facilitating children's access to basic services, perform activities to disseminate the Rights of the Child in the communities.

d.4. Participation of children in the Media: The children participate in the production and presentation of various organs of public and private media programs. It is highlighted the realization of various programs, in Portuguese and national languages, from children to children at the media organs level. To ensure the effective participation of children in programs, 235 children were trained in the field of journalism in Mozambique Radio and Television and established "clubs of the child," spaces where children prepare the content of programs to disseminate.

158. In children's views, major constraints to the achievement of their rights have been some negative social practices, such as early marriages agreed between families, violence and other practices associated with them.

e) Provision of information for the child and promoting their participation (Art. 4, 7 and 12)

159. The right to information is shown duly enshrined in the constitutional text, as provided in paragraph 1 and 2 of Article 74, which provides that all citizens have the right to freedom of expression and to freedom of the press, as well as the right to information.

160. The Constitution of the country allows that the private, state or cooperative entities shall be the owners of the media. The public media sector includes the press, broadcasting, the official news agency, the national television, and other businesses and institutions created to serve the public interest in this area, namely the promotion of citizens' access to information across the country, reflecting the diversity of ideas and currents of opinion in a balanced way and developing the use of national languages.

161. As for the broadcasting and television areas, the law stipulates that the public sector should develop and implement a balanced programming, taking into account the diversity of interests and preference of their audience (which includes children), to promote the communication for development, to produce and disseminate national achievements, to promote culture and creativity, so that they occupy the airtime.

162. A Higher Media Council established by Law 18/91 is carrying out the guarantee of the independence of the media, the freedom of the press, the broadcasting and the response rights, as well as the zeal for the respect of compliance with the ethical principles which are common social ethics of journalists.

163. The same right is properly regulated by law N° 18/91 of August 10 – Law of the freedom of the Press, at the ordinary legislation level. It should be highlighted in this legal provision, the principle of the right to information, which means the freedom of each citizen to inform and be informed of relevant facts and opinions at national and international level, as well as rights of every citizen to disseminate the information, opinions and ideas through the press.

164. The above-mentioned law of the Press, without being specific in the regulation of the right to information by children, in its established press objectives privileges directly the interests of children, especially by the expected contribution of the sector in the following areas, among others (Article 4):

- promoting democracy and social justice;
- scientific, economic, social and cultural development;
- raising the level of social, educational and cultural awareness of citizens;
- educating citizens about their rights and duties;
- promoting the dialogue between government and citizens, and
- promoting the dialogue among cultures in the world.

165. As can be seen, the above objectives attribute to the media, especially those of the public sector, the responsibility to ensure that children have access to information and materials from various sources, especially those aimed in promoting their welfare and development.

166. These objectives also promote the child's right to freedom of expression and its maximum development. The media have been encouraged to promote positive material to benefit children and the general public, also acting to achieve the objectives outlined in other social sectors such as Education, Health and Social Welfare. Unfortunately, except for the radio (still not easily procurable in remote areas of the country), the children's access to the media is still difficult, given the prices charged by the major newspapers and reduced coverage area of television.

167. The examples below illustrate how the promotion and enforcement of child participation, reflecting his point of view as well as the dissemination of information and social and cultural material interest to the child have been observed by the principal organs of communication with the public sector.

168. The Mozambique Radio, the main broadcaster in the country, is the only one, currently, which covers the vastness of the country, either through its national broadcaster, or through the provincial stations (one in each province) and the transmission services in frequency modulation in some cities. This transmitter station, the programs from or to child have been broadcasted regularly and in some cases produced and presented by the children themselves, who are granted the right to freedom of expression and initiative. Programs addressed to children, opens the possibility to participate, either by mail or through telephone contact or even through the presence in the studio, when the programs are live.

169. In the dissemination of news concerning children, the Mozambique Radio always seeks to respect the postulate in its Editorial Statute, in particular the observation of ethical issues and children's rights, especially the right to privacy and protection from stigma and harmful influence of the values to the formation of his personality.

170. Founded in 1980 with the aim of preparing young people for entry into journalism, the School of Journalism included in the curriculum of education and training of professional journalism, modules dedicated for handling the matters relating to the child.

171. The Institute of Social Communication (ICS), in addition to its informative function, plays a very important role in public education and mobilization of communities, especially rural and peri-urban areas, on issues related to improving the living conditions of

population and in particular children. The dissemination channels used by ICS are community radio stations, a television program called "Canal Zero" and a designated children's newspaper "Voz da Criança".

172. The Institute established, in rural areas, the Centers Listen Radio Collective, through the availability of windup radio receivers, solar energy and electric current. These mixed (listening) receivers centers will be installed in and benefit some schools, health centers and associations of peasants from rural communities. In terms of television, as mentioned above, the ICS has a weekly program called "Canal Zero" which also addresses issues concerning children.

173. With regard to television, the Mozambique Television (TVM) is another very important media in disseminating of children's rights, as well as in promoting the daily or weekly children's programs. The TVM children's programs are essentially educational and recreational and are usually transmitted immediately after the opening of the daily broadcasts. A major activity performed by TVM has been promoting debates and television reports addressing burning issues of the lives of children in the country, inviting reflection of relevant authorities and civil society. Initially only the emissions from its headquarters in the city of Maputo, the TVM seeks to gradually expand the territorial coverage, having already opened offices in all provincial capitals.

174. Apart from TVM, other private television stations transmit in the country such as STV, Miramar, TIM and Gungu TV as well as RTP-Africa. Through special contracts, the viewing public can also have access to private international packages television programs transmitted via satellite.

175. The performance of the media organs, the dissemination of the principles and the provisions of the African Charter on the Rights and Welfare of the Child, within adults and children, is still insufficient because it requires the involvement and coordination with entities in charge; therefore, it has not been carried out systematically and spontaneously. The media have, however, played an important role in denouncing and exposing violations of child rights.

176. Notwithstanding, the existing legal measures to protect children in this context, namely by the regulating law of the press activities and regulatory provisions on sale of pornographic material (Law 6/99), continue to register negative messages conveyed especially by film, television, and miscellaneous printed material, whose content may exert deleterious effects on mental and moral development of children.

177. With regard to children's books, both the production and the dissemination and access remain insignificant, which does not contribute to the development of reading habits by children. On the one hand, the degree of creating books by native authors is much reduced, and on the other the access of the few books available is very difficult to children, especially outside the cities.

178. The children's libraries are also scarce, and most elementary schools do not have libraries or books in quantity for consultation and reading by students. However, it is worth mentioning the publication of small themed books for the child's education covering subjects related to their life, such as children's rights, mine risk education, health, environment protection, non-discrimination, etc.

179. With Globalization, children have had access to a wide range of information that, to some extent, can clash with some of the principles of our culture exacerbated by the difficulty of controlling the information accessed by children.

180. In addition to the legal provisions contained in the laws mentioned above, the need of producing more appropriate guidelines to protect the child from injurious information and material to his welfare and development materials prevails.

181. It is important to refer, the existence of an independent press and state, private and community media that undertake several actions to ensure children in accessing information.

182. Moreover, in a market and developing economy, the movement of state and private media in rural areas is limited due to the small number of printed copies, access to audio and visual receivers. The limitation of accessing the information is made worse by illiteracy and dispersion of communities or by the proper limitations of underdevelopment.

183. Respect for the rights of children to participate in programs that reflect their point of view as well as the dissemination of information and social and cultural material interest to the child have been observed by the major media organs of the public sector.

184. It should be noted that the efforts made to ensure the child accesses the information, resulted in conducting several programs in the Portuguese and national languages, from children to children at the media organs level, especially in dissemination of an annual average of 360 programs in Mozambique Radio and TVM and 126 in the community radios.

185. It also highlights the participation of children in programs conducted inside and outside the studios of these radios and televisions. To this end, 235 children were trained in the field of journalism in Mozambique Radio and Television and established *Clubes de crianças*, the spaces where children prepare the content of programs to disseminate. At the civil society level were also carried out capacity building activities for children in journalism, to enable their participation in the dissemination of information. For example, the *Rede de Crianças*, a network that brings together organizations working in the area of children, trained 22 children in journalism to produce a newsletter.

V. CIVIL RIGHTS AND LIBERTIES (Art. 6, 7, 8, 9, 10 and 16)

186. The Constitution provides for the principle of universality and equality in article 35. On this basis the articles 48 and 51, recognize the child's right to freedom of expression, freedom of the press, freedom of assembly and demonstration, as well as the right to information. Indeed, freedom of expression includes the faculty of children to expose their thoughts by all legal means, and the exercise of the right to information cannot be limited.

a) Name e nationality (Art. 6)

187. The right of the Mozambican child to a name and a nationality are properly enshrined in domestic legislation of the country, as referred in the original

Report. The new Family Law, in accordance with article 6 of CADBEC, specifies in article 205, the Right to be registered and to use a name, as follows:

Article 205

1. *Every child shall be registered immediately after birth.*
 2. *Every child has the right to a name and bear the surname of the parents.”*
188. In composing the name of the registrant the constitutional guidance shall be taken into consideration, recognizing women as equal to men, being unfair and illegal that only the father of the child has the right to give his surname.
189. The same law, as has been said, repeals the Book IV of the Civil Code, in the chapter relating to filiation and does not make any distinction between the concept of legitimate children and illegitimate children. Indeed, the article 204, on equal rights, states that “children have the same rights and are subject to the same duties, regardless of the origin of their birth”.
190. Concerning nationality, the Constitution establishes the principle of the nationality of origin and acquired nationality. For the nationality of origin the article 23 on the principle of inbreeding states that:

“Article 23

1. *The following shall be Mozambican nationals, provided they are born in Mozambique:*
 - a. *Children whose father or mother was born in Mozambique;*
 - b. *Children born of stateless parents or parents of unknown nationality or of unknown parents;*
 - c. *Persons who have established their domicile in the country on the date of independence and have not chosen expressly or implicitly another nationality;*
 2. *The children born of a Mozambican father or mother working for the Mozambican State outside the country shall be Mozambicans, even if born abroad;*
 3. *The children of a Mozambican father or mother are Mozambicans, even if born abroad, provided that they expressly declare their willingness to be Mozambicans, either on their own behalf, if over eighteen years of age, or by their legal representatives, in case of minors”.*
191. In turn, the principle of territoriality enshrined in article 24 establishes that:

”Article 24

1. *Persons born in Mozambique after the proclamation of Independence shall be Mozambican nationals;*
2. *The foregoing provision shall not apply to the children of foreign father and mother when either of them is present in Mozambique at the service of the State to which he or she belongs;*
3. *The persons referred to in the preceding paragraph, shall only acquire Mozambican nationality if they declare, on their own behalf, if over 18 years*

of age, or through their legal representatives if under that age, that they wish to be Mozambican nationals;

4. *The time limit for the declaration referred to in paragraph 3 above shall be one year, counted from the date of birth or the date on which the person concerned is 18 years of age, according to whether the declaration is made by the legal representative or by the person concerned himself, respectively.”*

192. Further, on the nationality of origin, the article 25 on the age of majority, lays down that *“Persons who fulfil the requirements for the acquisition of Mozambican nationality of origin but who did not acquire it because of an option exercised by their legal representative shall acquire Mozambican nationality if, being over 18 years of age and within one year of majority, they declare that they claim Mozambican nationality on their own behalf.”*

193. Concerning acquired nationality, this can only be possible by individuals of legal age, except in the cases of adoption, pursuant to article 29, which states that *“a person who is adopted fully by a Mozambican national acquires Mozambican nationality”* and, by filiation, in accordance with article 28, which states that *“under the naturalization, Mozambican nationality may be granted to children of citizens of acquired nationality, unmarried and under the age of 18 years old”*.

194. Birth registrations falls within the responsibility of the civil registration services. To ensure further access to registration and within the framework of the National Plan for the Birth Registrations, efforts were made to facilitate the services through the opening of new birth registration services, including in some maternity wards, and campaigns through the registration awareness of families and communities, as well as the use of mobile brigades. In this perspective, emphasis is still made in birth registration as part of the vaccination campaigns undertaken at national level.

195. As a result of the efforts made by the government with the cooperation of its partners, there was in recent years, an increasing number of Birth Registrations. From 2006 to 2012, 9,971,715 children were registered only in campaigns, as shown in the table below.

Table 2: No. of children registered in Campaigns

Year	No. of Registrations
2005	433,194
2006	1,450,496
2007	888,222
2008	2,503,241

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2009	1,021,888
2010	1,946,025
2011	583,467
2012	1.145.182
TOTAL	9,971,715

Source: Ministry of Justice, 2012

196. However, it should be noted that, despite the efforts to ensure the registration of children at birth through awareness-raising campaigns, registration and creation of new jobs, Civil Registration, still prevails the problem of late registration of children still persists.
197. According to the results of the Multiple Indicator Cluster Survey 2008, approximately 31 per cent of children under the age of 5 were registered, 39 per cent in the urban areas and 28% in rural areas. The proportion of registrations is higher in the southern provinces of the country vis-à-vis the provinces in the northern region. Despite the free birth registration of children up to the age of 4 months and the training of registrars and social mobilizers, the public awareness campaigns, the deployment of mobile brigades to the rural areas and the inclusion of leaders and local committees in the process, there are still many children not registered at birth or before the 120 days.
198. The main constraints behind the late registration of children include:
- Lack of knowledge about the facilities/benefits offered in particular the free of charge process for birth registrations and the fees applied for registrations after the deadline, that is, 120 days after the birth.
 - Cultural barriers, especially the time it takes to give a name to a new-born child and the lack of autonomy of mothers to register their children without the presence of the father.
199. In relation to the preservation of identity, Mozambican legislation recognizes all the constituent elements of the child identity, including the right to a name, nationality and family. With the right to a name, its preservation is also guaranteed and protected in the national legislation, and this is a way to respect the best interests of the child with regard to the constituent elements of their identity.

200. The legal protection framework has improved, therefore, with the adoption of a National Plan for the Birth Registrations and the new Registration Code already referred in this report.

b) Freedom of thought, conscience and religion (article 9)

201. The exercise of the right to freedom of thought, conscience and religion is guaranteed to citizens in General – including children – and is enshrined in the constitution, in accordance with article 12 (3) and (4), in conjunction with article 54 of the Constitution of the Republic, which establishes the freedom of citizens to practice or not to practice a religion.
202. A particular law on religious activity is still lacking, however, the Government, through the Ministry of Justice, established procedures for registration of religious bodies through a simple process. It should be noted that the Government is undertaking an exercise with a view to adopting a law on freedom of religion and belief.
203. The Ministry of Justice, through the National Directorate of Religious Affairs, is the institution responsible for ensuring coordination between the State and religious groups.
204. The religious matter is not part of the official education curriculum in Mozambique, but it is given freely in churches, mosques (Madrassa) or in private schools run by religious groups.

c) Freedom of association and peaceful assembly (article 8)

205. The freedom of association and peaceful assembly is enshrined expressly in articles 51 and 52 of the Constitution of the Republic, establishing, respectively, the right of all citizens to freedom of assembly under the law, and the freedom of association, allowing the social organizations and associations pursue their purposes, create institutions designed to achieve specific objectives, and owning assets to carry out their activities under the law.
206. The social organizations and associations shall have the right to pursue their purposes, create institutions aimed at achieving their specific objectives and own assets to carry out their activities, and in accordance with the law, armed associations of a military or paramilitary nature, as well as associations that promote violence, racism, xenophobia or pursue aims that are against the law, shall be prohibited.
207. It is on the basis of this freedom of association that civil society organizations are created and work. The Government of Mozambique and the civil society organizations have been working closely to promote human development. Hence the engagement of the civil society organizations in the preparation of reports on the level of implementation of human rights to the human rights mechanisms to which the country is committed. The civil society organizations are also consulted on several occasions to establish wide dialogue forums, which shall be open to all individuals or organizations.

208. At ordinary legislation level the right of free association is duly regulated by article 3 of Law 8/91, which provides for freedom of citizens older than 18 years of age, enjoying full civil rights and the right to form associations freely.
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209. Concerning citizens under the age of eighteen, the same law guarantees the freedom of association when setting up youth organizations, provided that their management structure is composed by members over the age of eighteen years. In the exercise of this right, and to reach the level of personal development, allowing them to be able to express their views, children and young people in various parts of the country have been organizing themselves into youth associations spontaneously, or even encouraged other entities and associations of adults, at school level, places of residence, religion, etc. thus allowing their active participation in social life.
210. As for the right of assembly, also expressly embodied in the Constitution, it is duly regulated by Law no. 991, article 3 of which stipulates the freedom of all citizens to exercise their right of assembly and demonstration in a peaceful and free manner. In the same article it is stipulated that the right of demonstrators shall not depend of any authorization under the law, and establishes a ban to coerce the citizens to take part in any meeting or demonstration.
211. Under this Law, it is clear that there are no restrictions on the freedom of children to carry out peaceful demonstrations, or to join them, provided that they are conducted in compliance with the law in force and in situations that do not violate their best interest. Based on the principle of non-discrimination. For example, in the framework of the annual celebrations of 1 and 16 June, International Children's Day and Day of the African Child respectively, children have been taking to the streets to call the attention of the society about their rights and concerns, deserving a special attention of institutions and associations working in the field of child.

d) Protection of privacy (article 10)

212. The Republic's Constitution stipulates in its article 51, and subsequent articles, that all Mozambican citizens have the right to their honour, good name and their reputation, as well as the right to defend their public image and to protect their privacy and that all constitutional precepts relating to fundamental rights are interpreted and integrated in harmony with the Universal Declaration of Human Rights, the African Charter on the Rights and Welfare of the Child and the African Charter on Human and Peoples' Rights.

e) The right to freedom from torture or cruel, inhuman or degrading treatment or punishment, including corporal punishment (article 16)

213. The Republic of Mozambique has ratified the United Nation Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, through the Resolution no. 8/94 of 20 December of the Assembly of the Republic.

214. As a way of introducing the precepts of this Convention in domestic legislation, the article 40 of the Constitution, on the right to life and physical integrity establishes the following:

“Article 40

- 1. Every citizen shall have right to life, physical and moral integrity and not be subjected to torture or cruel or inhumane treatments;*
- 2. In the Republic of Mozambique there is not death penalty.”*

215. The Constitution defines the family as being “the fundamental element and the base unit of society” (article 119). The abuses and violence outside the family environment are punishable in accordance with the provisions of the Penal Code, related to civil crimes against third parties.

216. Therefore, cases of ill-treatment and cruel treatment of children, by relatives or by third parties, when detected, deserve proper treatment by the police and judicial authorities, penalizing offenders.

217. However, in spite of the legislation in force to protect the child, incidents of violence have been recorded, carried out mainly in the families. On the other hand, children are exposed to acts of violence against other family members.

218. The National Survey of Sexual Behaviour and Reproductive Health of Adolescents and Youths (INJADINE, 2001) indicated that, children or teenagers, 30% of women and 37% of men had directly witnessed violence between their parents and that 15% of women and 20% men had suffered physical abuse by a family member in his or her youth.

219. In the year 2000, the Ministry of Interior started opening service centres to victims of domestic violence in police stations within the framework of the implementation of the national instruments and of the African Charter on the Rights and Welfare of the Child and other instruments to which Mozambique is party. Indeed, a pilot project was carried out with UNICEF support, creating four service centres to victims, two of them in Maputo, and the other two in Maputo province. In subsequent years, the services were extended to other provinces of the country, and in 2012, 260 sections were put in place. Of these, 22 are infrastructure built specifically to assist the victims of domestic violence, including, apart from reception rooms for children and adults, transit rooms for victims.

220. Since 2003 the Department of the Women and Children of the Ministry of the Interior, introduced the system of statistical survey of crimes perpetrated against minors nationally and provides data on the cases of violence reported. Thus, 18,684 children were registered in the offices and sections of the child care. The table 3 indicates the number of children assisted by type and by year.

Table 3: children assisted in sections and Care Centres for Women and Children

CHILDREN VICTIM OF SEXUAL ABUSE, KIDNAPPING, TRAFFICKING AND ILL-TREATMENT											
TYPE OF CRIME	PERIOD OF OCCURRENCE										
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	TOTAL
Ill-treatments¹²	406	124	404	766	931	109	172	478	589	508	4489
Children found¹³	23	686	830	457	1512	993	1332	1184	786	1081	8884
Sexual violence	106	101	350	484	537	296	447	908	815	458	4502
Kidnapping	17	Nd	143	209	188	44	42	54	45	28	770
Trafficking (signalization)	-	-	-	-	-	3	21	2	0	14	40
TOTALS	572	911	1727	1916	3168	1,445	2014	2,626	2,235	2,089	18,684

Source: MINT, 2013

221. The data in the table 4 show a slight increase in figures which means that more and more cases are referred to the police, that is, people tend to report more cases as a result of the efforts made by the Government in coordination with civil society organizations and partners in raising awareness of children, families and communities.

222. Moreover, within the existing partnership between the Government and the civil society, assistance services to victims of violence that provide social, medical, psychological and legal assistance to the victims and their families were put in place.

223. In addition to children victims of domestic violence there are many cases of missing children. These children, as long as their relatives are not identified, they are sent to state childcare institutions and to civil society organizations.

224. Regarding preventive actions, lectures and training on violence against children have been provided to police stations commanders, on-call officers and other police officers, teachers, health professionals and social action among others in various spheres of society.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE (Art. 16,18,19,20,24,25 e 27)

225. Considering that the family environment is the most appropriate for the harmonious development of the child, the Government established policies and programmes aimed at strengthening the capacity of families and communities for putting in place their own child care services.

226. Thus, the Government implements through the National Institute of Social Action (INAS), programmes of assistance to vulnerable groups including the child, such as the Direct Social support and Basic Welfare Allowance for the benefit of the child.

227. The Direct Social Support Programme (PASD) consists of providing support of material resources, usually essential food products, educational materials, assistive devices and others to individuals temporarily unable to work and requiring immediate

¹² Include cases of physical injury.

¹³ Children who have been found refer to cumulatively the neglect and abandonment of minors.

support. Through PASD assistance with essential items is provided to children, homes, assistive devices, clothing for babies, tuition fees, school supplies, and other support.

228. The Basic Social Allowance Program (PSSB) consists of the monthly transfer of a monetary value to individuals unable to work, with a view to minimizing their basic food needs. This program serves mainly the elderly, the disabled, the chronically ill, as well as women with malnourished children or whose households consist mostly by children.
229. Overall, the PASD and the PSSB assisted annually approximately 260,000 households in vulnerable situation. At this particular juncture, attention should be drawn to the delivery of assistance to 6,761 households headed by children, in most cases due to orphanage.
230. In 2012 it was launched the Productive Social Action Programme that integrated people in vulnerable situation with ability to work. This programme benefited 9,683 households in urban and rural areas in the provinces of Manica, Sofala, Inhambane, Gaza and Maputo city.
231. As part of efforts to strengthen the capacities of families and communities, through Government Programmes referenced and through the actions of several organizations, more than 1,421,004 children were assisted at the level of communities in food products, school supplies, kits of miscellaneous supplies, poverty certificates, mosquito nets and clothing. The table 4 shows the number of children benefiting from the multifaceted support, by province.

Table 4: Multifaceted support to Orphaned and Vulnerable Children

Province	2006	2007	2008	2009	2010	2011	2012	Total
Niassa	6.588	-	1.690	-	1.056	2.095	5,370	16.799
C. Delgado	-	-	8.178	1.766	6.536	7.679	7,909	32.068
Nampula	209	3.832	14.144	27.154	42.504	24.224	34,735	146.802
Zambézia	9.409	-	48.561	71.259	47.903	70.225	67,826	315.183
Tete	10.856	8.387	6.598	10.367	16.985	9.965	10,114	73.272
Manica	17.198	17.125	42.482	41.432	35.828	63.975	16,098	234.139
Sofala	8.918	-	16.660	50.914	73.313	53.844	13,440	217.089
Inhambane	800	-	29.880	30.000	29.395	8.160	3,235	102.145
Gaza	583	-	19.281	33.022	79.395	26.696	49,340	208.317
Map. Prov	8.197	-	3.073	3.019	3.010	3.455	4,249	25.003
Map.City	160	2.275	3.081	11.680	15.353	10.121	8,198	50.868
Total	62.918	31.619	193.628	280.613	351.278	280.434	220,514	1.421.004

Source: MMAS

232. Orphaned and vulnerable children were integrated in vocational training courses and psychosocial support was given to children victims of sexual abuse and violence.
233. One of the strategies also applied was the empowerment of civil society organizations, Child Protection Community Committees and other local community groups, considered to be the first line of response to the needs of these children.

234. In order to ensure the provision of quality services for children, the Ministry of Women and Social Action developed child care minimum standards. Similarly, there was a capacity training of social action personnel, the civil society organisations and the religious institutions to meet the needs of children. For example, in 2012, 600 officials from several institutions were trained in the field of psychosocial assistance and home care.
235. The family and the community are considered to be the front-line response to the HIV/AIDS epidemic. It is the community and the families that have been receiving the Orphaned and Vulnerable Children (OVCs), especially within the culturally established extended family system. Therefore, their capacity-building is a strategy to finding local solutions to protect and care for orphans and other children made vulnerable and the strengthening of coordination between public institutions, civil society organizations and international organizations to respond to the needs of orphaned and vulnerable children and HIV/AIDS. In particular, it calls for support for communities and families in the identification and use of its strengths, with emphasis on building the capacity of community members.
236. In this context, there are at national level, Child Protection Community Committees (CCCPs), a community-based structure composed of adults elected in the community and by representatives of children, created as part of the response to the problem faced by orphans and vulnerable children. Community committees fall under the Social Action Policy and are designed to provide capacity building for communities, locally, find solutions to problems affecting children who find themselves in a vulnerable situation. It is part of the multisectoral response to the needs of protection and access to services by children in vulnerable situation.
237. The training provided to the members of the CCPCs include the issue of children's rights, prevention and response to violence and abuse against children in order to provide them with instruments for the mobilization of communities to change attitudes and practices, in securing the rights of the child, as well as reporting the identified cases of abuse.
238. There are in the country 1420 Child Protection Community Committees whose actions contribute to satisfying the needs of orphaned and vulnerable children within their families and communities as well as to their access to basic services such as birth registration, food, health, education, housing and protection.

a) Parental Guidance (article 20)

239. The Constitution establishes that the family is the basic unit of society and is responsible for the harmonious growth of children, for their education and transmission of moral and social values.
240. The Family Law recognizes the family and the affiliation, and confers on other members of the family, apart from the parents, the responsibility to protect children.
241. In fact, the set of legal provisions underlines the importance of the child's guidance in addition to the parental environment, i. e., the extended family and the wider circle of the

community, where the family is inserted, depending on the traditional structure of the family to which the child is involved.

b) Parents' Responsibilities (article 20, paragraph 1)

242. The Constitution of the Republic, in its Article 121 on Childhood, contains clear provisions on the responsibility of the family in the protection of children for their integral development as well as protection against any form of discrimination, ill-treatment and abuse of authority.
243. The Law on the Promotion and Protection of Children's Rights defines the duties of parents in Article 32, upon whom rests the responsibility to support, guide and educate their minor children, respect and enforce judicial decisions as well as the obligation to bear the costs regarding safety, health, nutrition and child development.
244. The Family Law holds the parents responsible for the obligation to represent their children and administer their goods, within the powers and duties imposed by parental responsibility, until they attain their majority or emancipation.
245. However, when children reach the age of majority or became emancipated and have not completed their instruction, the obligations imposed on parents will continue, in so far as "is reasonable and for the period of time required for the completion of this training" (article 286).
246. In turn, the Article 288 establishes that "parents cannot waive their parental power or any of the rights and duties, without prejudice to the provisions of this Law on the host family and on adoption".
247. Moreover, the Article 289 on the children born out of wedlock, despite having the limitation of the mutual consent of the spouses, establishes that "fathers or mothers shall support children born out of wedlock".

c) Separation of Parents (Art 19, paragraph 2 and 3 and Art 25)

248. With regard the principle of the child's best interests, Mozambican society takes seriously the maintenance and strengthening of marital unions, whether they are formal, religious, and traditional or simply a non-marital partnership. In this perspective, in dealing with cases of divorce or separation, it is a philosophy of the relevant courts, and even religious groups and structures of traditional authority, to seek solutions of reconciliation, and the recommendation of marriage counselling to the stakeholders, especially in cases where couples have minor children.
249. Despite the measures of prevention and reconciliation, the number of cases of separation and divorce continues to grow, mainly in urban centres due to marriage disputes of various kinds. The presence of children living on the streets and in 82 reception centers, especially in Maputo City, is mainly due to marriage disputes which results in separation of parents, thus putting the children in a situation of extreme vulnerability; it was previously pointed out the fact that a considerable percentage of street children are forced to leave their homes due to incompatibilities or ill-treatment generally infringed by stepparents whom the mother or father, respectively, had to unite after separation from the other parent of the child. It should be noted that during the

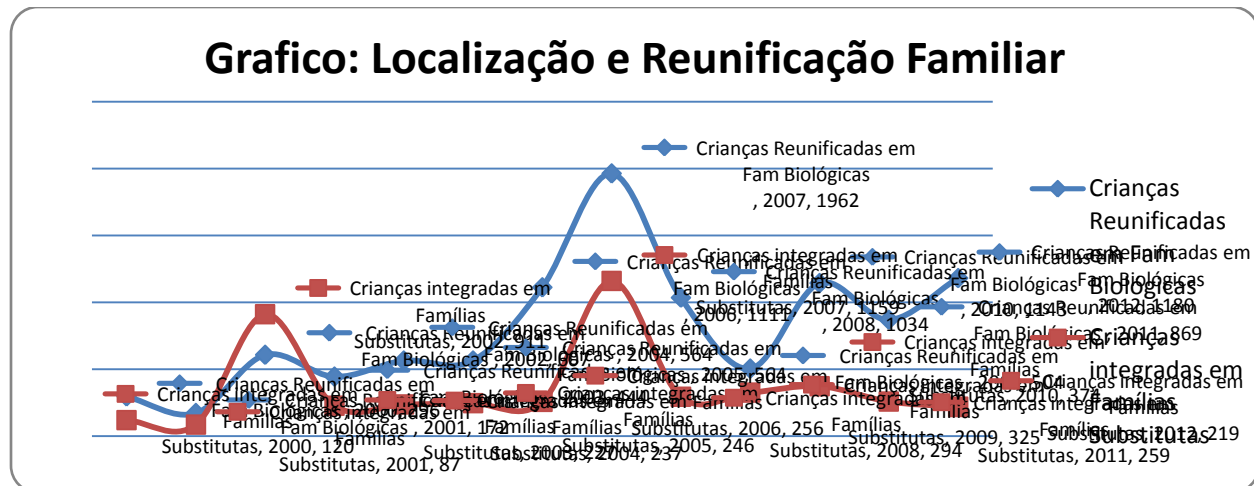
preparation of this report, no relevant institution expressed or presented evidence of charges against persons responsible for pushing a child out of the house.

250. In rural areas where the vast majority of the Mozambican population is living, families remain more solid and stable, despite the difficulties in surviving; this solidity is due to the impact of religious and traditional systems that sustain their lives and the social conduct of these families. However, reference should be made to the fact that the war is the major factor of forced separation of children from their parents and family.
251. The article 313 of the Family Law stipulates the exercise of parental authority in case of divorce, separation or annulment of marriage by agreement of parents, subject to approval by the court or enforcement thereof, that is withheld if the agreement does not correspond to the children's best interests, including the interest of being kept by the parent who has not a close relationship, as well as the administration of their property. In this context, the parent is responsible to closely monitor the education and living conditions of the child.
252. Where there is no agreement, the court decides the fate of the minor, the food and the way to provide it, entrusting him to the custody of one of the parents or when the best interests of the minor justifies it, to a third party or a public or private institution. In these cases, the exercise of parental responsibility is governed by Article 314 of the Family Law, which covers the powers and duties of parents required for the proper performance of their duties.

d) Family Reunification (Art, 25.2 (b) and 18.3)

253. In Mozambique, the fundamental reasons that lead children being deprived of their family environment are related to the separation of parents, orphanhood, ill-treatment within the parental or family environment, abandonment and expulsion.
254. The current Social Welfare Policy discourages the institutionalization of children without parental care, except as a measure of last resort. This policy establishes the primacy of placing unaccompanied children and separated from their family in familiar environments, that can ensure the development of their personality and emotional security, secure the emotional ties and their cultural identity, starting with extended families, members of same community, and finally foster families.
255. The Family Law introduced the concept of "host family", which is an alternative figure to compensate for the lack of parental care, providing to the minor orphan, child of unknown parentage, abandoned or destitute parents, and integration into a family that hosts and treats him as a child.
256. In the period between 2000-2012, a total of 13,134 children separated from their families were reunified, 8745 children integrated in biological families and 4,389 in host families. In addition, throughout this period, this program had fluctuations in reuniting, as a result of the floods and other natural phenomena that ravaged the country and led to forced separation of children and their families. The graph 1 shows the number of children reunified and integrated in host families.

Graph 1: Reunified and integrated children with foster families



Source: MMAS reports

e) Maintenance obligations (article 18, paragraph 3)

257. The responsibilities imposed on parents towards their children are consecrated directly in the Constitution through the rules in 4 of Art. 120 which states: *“Fathers and mothers shall support children born within and outside the wedlock.”*

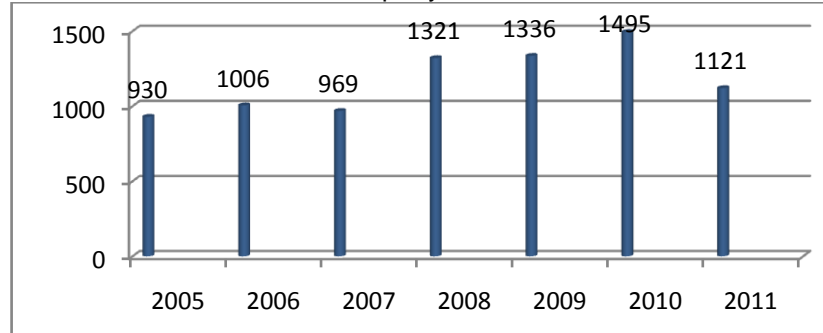
258. In Mozambique, under the framework of parental responsibility lies a list of rights of children in relation to their parents. The Law on the Promotion and Protection of Children’s Rights specifies in article 31 that parental power may be exercised on an equal basis by the father and mother in the legally established terms. The Family Law stipulates in art. 285 the general framework of parental responsibilities, when devoting equal competence in both parents for the custody and conducting of non - emancipated minor children in order to educate, advocate and feed. The same law defines in Art. 282 (2) and art. 284 (2) that the duty of parents to represent their children and manage their properties, are imposed by law in the context of parental power. On the other hand, the internal law prohibits parent’s renunciation of the exercise of parental responsibility and other rights that it confers particularly, without prejudice to the terms of the adoption and guardianship of minors.

259. When parents fail to fulfil their obligations in relation to minor children, the law allows the enforcement of fines, imprisonment (Article 3 and 4 of 8/2008 of 15 July on the jurisdictional organisation of minors) even though they may be removed parental responsibility.

260. The parental responsibilities listed above shall be extended, under the current minor legislation, guardians and adopters. Regarding tutors, mention should be made of the fact that being legally forbidden to tutor the practice of certain legal acts, for his practice Article 348 of the Family Law requires that he gets prior permission of the Juvenile Court. Also in relation to the responsibility of property management, it is established in Article 349 that the system of administration of property of the child shall be established when parents have just been excluded, inhibited or suspended of the management of all the goods or when the entity responsible to nominate the tutor trust to others, in whole or in part, the administration of the goods of the minor.

261. From 2008 to 2011 it was granted guardianship of 1,868 minors and food to 8,178 children. The graph below shows the number of maintenance claims judged by year.

Graph: 2 Number of maintenance claims per year



Source: Supreme Court: Judicial Statistics

f) Adoption (article 24)

262. The Family Law stipulates that the permission for an adoption must be issued by a competent court. The adoption is intended to provide a home and a stable family environment for a child who otherwise would not have it.

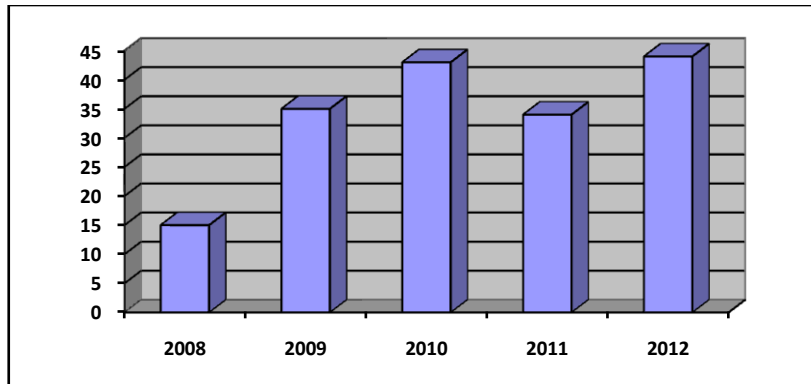
263. The effect of adoption is that the child takes the identity of the adopting family and that, under the legal point of view, all ties with the biological family are cut. All parental rights and responsibilities are now conferred to the adoptive parents and the child assumes the surname of the adoptive parents.

264. The article 391 of the Family Law provides that adoption can only be declared when there are concrete advantages for the adopted, without compromising the relationship and the interest of other children of the adopter and verify that the adopter and the family reveal integration capabilities and, save in exceptional cases, is preceded by a minimum period of adaptation of six months, in which the adoptee gradually passes into the care of the adopter and begins the process of their integration in the family. The same law establishes in Article 392 the intervention of Social Services in the adoption process, whose task is to pursue the investigation of the case and the monitoring of the process of integration between the adopted and the adopters.

265. The country adopted the Law on the jurisdictional organization of minors (Law No. 8/2008 of 15 July) that defines the procedures to be followed in the adoption process that is in line with the provisions of the Family Law and the Law on the Promotion and Protection of Children's Rights already mentioned in this report.

266. From 2008 to 2012, 745 cases were submitted to Court, at national level, 141 of which were accepted with the majority in Maputo City. It appears that there was an increase in cases of adoption being 15 in 2008 and 44 in 2012. The number of cases of adoption, by year, with sentence can be seen in the graph.

Graph 3: No. of adoption procedures accepted from 2008 to 2012



Source: Supreme Court 2013

267. For all children placed under the protection of others who are not the direct progenitors and by order of the courts, according to procedures alluded to in previous chapters, with the purpose of being supported, protected or treated, the Social Services do continuous and periodic monitoring of the minor in care, until no longer a child, and submit an annual report to the court that decreed the adoption, fostering or other form of treatment, in line with the best interests of the child.

g) Abuse and neglect including physical and psychological recovery and social reintegration (article 16 and 27)

268. The Constitution enshrines the rights of the child to full protection, and prevention of attitudes of neglect against children, whether at family level or in public space, is taken under the right to life, protection, survival, the right not to be subjected to abuse and ill-treatment and in the context of parental responsibilities.

269. The Law on the Promotion and Protection of Children's Rights states in its Article 64 the State responsibility to take legislative and administrative measures, including sanctions, in order to protect the child against any form of abuse, negligent treatment by parents, guardians, foster family, legal representatives or by third parties.

270. The protection of children from abuse and neglect deserves attention in criminal law in accordance with the provisions in various articles of the Penal Code, currently under revision. Thus, Article 343 establishes sentences of imprisonment, without prejudice to a long-term solitary confinement, to those who oblige by violence, or induce by fraud, a child under twenty-one years to leave the home of their parents or guardians, or of those who are in charge of him, or to leave the place where he or she is living by judicial order. If the minor is less than seventeen years, the penalty is increased to the maximum prison sentence.

271. The Article 345 stipulates that those who expose or abandon children under seven years in any place that is not public establishment, for the reception of the exposed, will be sentenced in imprisonment and a related fine. If the exposure is in a solitary place, will be sentenced to a long term imprisonment of 2 to 8 years.

272. Concerning parental responsibilities, this legal mechanism protects a special way minors against abandonment practiced by their own parents, and under paragraph 2 if the offense is committed by a legitimate father or mother or guardian or person in charge of custody or education of the child shall be increased to the maximum penalty of a fine. Respecting the child's right to life, this article further states that, if with the exposure or abandonment the life of the child was endangered or resulted in injury or death, the penalty will be 8 years of long-term imprisonment (paragraph 3).
273. Also related to parents, Article 347 stipulates that whoever being in charge of upbringing or educating a child of seven years, delivers the child to a public facility, or to another person without consent of the one who entrusted them with or of the competent authority, shall be sentenced to imprisonment that may range from one month to one year and a related fine. The article 348 states the sentence that range from a fine of one month to one year imprisonment to legitimate parents, who having means to support the children exposed them fraudulently in a public establishment intended for reception of the exposed.
274. Other citizens are not exempt from liability for the protection of the child against abandonment, pursuant to article 346 of the code that we quote, the law establishes a sentence to imprisonment ranging from one month to two years to whom, finding a newborn infant exposed anywhere, or finding a minor under seven years abandoned, does not present the minor to the nearest administrative authority.
275. Moreover, the protection against abandonment also deserves a treatment within the Social Action Strategy on Children, approved by the Council of Ministers in 1998, which defines the Government's policies on the matter. In this strategy, it is provided that, in assisting a child priority is given to their protection within the family and community. Further information on this matter can be seen in the previous chapters.

VII. BASIC HEALTH AND WELFARE (5, 13, 14, 20.2 (a-c) e 26)

a) Survival and development (article 5)

276. The African Charter and the Convention include several relevant rights to survival and development and establishes the recognition by States Parties of the right to life inherent to children, giving the States the obligation to "ensure maximum survival and development of children.
277. The Constitution provides in Article 40 the right of every citizen to life and to physical and moral integrity.
278. The Constitution also enshrines the right to participate in political, economic, social and cultural life, except where the context requires that the parent or other Act in the legal system created such as the age for marriage, to vote, to have access to certain precincts, heritage, etc. This non-discrimination is related to all the rights and duties of citizens residing in the areas of jurisdiction of the Mozambican state and unequivocally guarantee to all citizens - including children - the right to life, survival and development.

b) Children with Disability (article 13)

279. Article 37 of the Constitution of the Republic of Mozambique refers to the disabled and states that “citizens with disabilities shall enjoy all the rights enshrined in the Constitution and are subject to the same duties with the exception of the exercise or performance of those for whom, on account of disability, they are disabled. “Similarly, the Article 12 (2), states that “children, particularly orphans, the disabled and abandoned, shall have the protection of the family, society and the state against any form of discrimination, ill-treatment and against the abusive exercise of authority in the family and in other institutions”.
280. The country adopted in 1998 a Policy of Persons with Disabilities and its Implementation Strategy, aiming to remove barriers that prevent people with disabilities to enjoy their rights fully. In 2006 the Government approved the National Plan for Disability Area, plan a multisectoral nature, and in 2012 adopted the second Plan for the period 2012-2019 that includes actions to be implemented by state institutions, civil society and the private sector.
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281. Internationally, through Resolution no. 29/2010, of 31 December, Mozambique ratified the Convention on the Rights of Persons with Disabilities.
282. The Government also established in the area of mental health programs and activities to that mental disorders in children be prevented and treated, and to this end, in paediatric services, a sector for the mental development. Furthermore, the school health program recommends early diagnosis of diseases such as epilepsy and mental retardation, with a view to processing. However, these services and programs are still geographically limited and far from meeting the needs of the communities, whether urban or rural. There are prospects of improvement and extension of the school health programmes, as well as the extension of care for children with developmental delay.
283. To ensure access for children with special educational needs the government adopted inclusive education strategy through which these children are integrated into regular schools. This strategy resulted in the integration of 116,140 disabled children in primary education.
284. There are in the country, three special schools for people with mental disability and deaf people in the cities of Maputo and Beira, Sofala Province, 1 institute for the blind, also in Beira, and 3 regional centres of education for children with disabilities in the northern, central and southern regions of the country and more specifically in the provinces of Nampula, Manica and Gaza that assisted annually about 600 pupils. In this connection, there is a school for deaf children, belonging to the Disabled Association of Mozambique, in Maputo City.
285. To ensure adequate care to children with special needs in schools, the Ministry of Education conducted training of 3,455 teachers in strategies and teaching methods for children with special educational needs, sign language and Braille.
286. However, despite the efforts to ensure access of children with disabilities to inclusive education, there are still challenges in relation to training of teachers, availability of appropriate materials for specific children's learning.

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- 287. Also social action technicians, health workers and others were trained in order to meet the needs of children with disabilities in sign language and other subjects related to disability.
- 288. Similarly, there are in place recreation centres for visually impaired people but insufficient to meet the needs of communities.
- 289. In a joint effort with the Government, associations of people with disabilities in the country have worked to achieve the objectives in the area of disability, such as the establishment of 1 sports federation, 1 Para-Olympic Committee and 12 sports venues.
- 290. To ensure accessibility for people with disabilities, the Government approved the Decree 53/2008 of 30 December, which approves the Regulation of Construction and Maintenance of Technical Equipment for Accessibility, Circulation, and Use of the Systems of Public Services for People with Disabilities or for People with Reduced Mobility, Technical Specifications and Use of International Symbol.
- 291. Indeed, efforts have been made in creating conditions for access highlighting the construction of ramps and adapted toilets. As a result, the new civilian buildings already include in their projects access ramps and for some old buildings, ramps were adapted. For example, 2,000 schools already have ramps and 20 sports venues were adapted. However, challenges prevail as regards the adaptation of buildings as well as the supervision and monitoring of works and construction and rehabilitation.

c) Health and health services (article 14)

- 292. The Constitution states that all citizens are entitled to medical care and health.
- 293. The Law on the Promotion and Protection of Children's Rights provides in Articles 12 and 13 the children's rights to protection of life and health. The legislation contains provisions ensuring free medical and surgical treatment to all children under five years, including preventive health care, diagnostic testing, out-patient consultations and inpatient services, and treatment, either medical or surgical. Children over 5 years old pay a symbolic fee of 5 Meticaï for the external consultation and acquisition of drugs, and exempted from payment all other medical or surgical care and laboratory tests.

c.1. Maternal Mortality

- 294. From 2003 to 2011, mortality rates for children under five years of age decreased by 37 percentage points (from 153 to 97 per 1000 live births) {DHS 2003; DHS 2011}.
- 295. Considering that approximately 30% of deaths of children under 5 years (IDS 2011), occur in the neonatal period, strategies to increase coverage of institutional deliveries were defined. One of the strategies includes the institutionalization of the Perinatal and Maternal Mortality Review Committee (PMMRC). The state of the sanitary facilities and drinking water supply as well as the measures taken to combat malaria, are contributing in improving the survival of children.

296. With the reduction of poverty, mortality rate of children under five Years (TMM5) fell faster in rural areas than in urban areas.
297. Geographical and residential disparities remain high: the rural areas experience higher rates of TMM5, having fallen from 192 (DHS 2003) to 111 per thousand in 2011, with the national average of 97 per thousand (DHS 2011).
298. The trend in the **maternal mortality ratio** shows a substantial reduction of about 1,000 per 100,000 live births in the early 90's to 408 maternal deaths per 100,000 live births in 2011¹⁴. It is believed that the improvement of quality and access to health services, particularly in birth control and prenatal care may have contributed to reducing the RMM and the remarkably improved coverage of tetanus immunization have contributed to reducing maternal and child mortality. It should be noted that the proportion of women who received 2 or more doses of tetanus vaccination is growing, from 57 % in 2003 (DHS 2003) to 67 % in 2011 (DHS 2011). It was and has been made a great effort to equip health facilities with basic emergency obstetric care as well as training of staff in dealing with these emergencies. During this period ambulances were purchased to facilitate reference to women of peripheral maternity hospitals. {period under review in this publication is of 2002-2012}
299. The tetanus vaccination coverage (VAT) improved especially among rural women and women with no schooling. In the first case, the coverage of tetanus vaccination coverage (VAT) increased from 54% in 2003 (DHS 2003) to 63% in 2011 (DHS 2011) while the last case rose from about 49% (DHS 2003) to 61.5 (DHS 2011). Comparatively, the coverage for women with secondary education increased from 66% (DHS 2003) to 79.5% (DHS 2011). In 2011, 70% of pregnant women were vaccinated, 76.1% in urban area and 63% in rural area.
300. The antenatal care¹⁵ increased from 85% in 2003 and 90.6% in 2011. However most women do when the first consultation when already in 4 months and only 50.6% had 4 or more consultations.
301. The coverage of institutional deliveries increased from 47,6 in 2003 (DHS 2003) to 54.3% in 2011 (DHS 2011), and 90,7% in women with secondary education or more, 56,9% in women with primary level and 39,6% in women with no education in 2011 (DHS 2011).
302. After training at community level for prevention and treatment/management of the most common complications during pregnancy as well as in the new-born (Community IMCI), accompanied by the training of nurses and procurement of equipment and ambulances to health centres.

c.2. Endemic Diseases

¹⁴ The TMM was calculated above 1,000 in the early 90. The data for 2003 are from 2003 IDS (INE).

¹⁵ Prenatal care is the proportion of pregnant women who are assisted at least once during pregnancy by trained health personnel

303. Malaria remains the leading cause of mortality among Mozambican children, with 30%, followed by neonatal deaths (29%), HIV (10%), pneumonia and acute respiratory infections (10%), other infections (5%), malnutrition (4%) and meningitis (2%).
304. Malaria accounts for about 60% of paediatric admissions and its prevalence ranges from 40% to 80% in children of 2-9 years of age. About 20% of pregnant women are infected with the parasite and the first pregnancies the most affected with a prevalence rate of 31%.
305. Although the incidence of malaria can be reduced with the use of mosquito nets treated with long lasting insecticide, only 35% of children under 5 years slept under it, as well as 34,3% of pregnant women, although 57% of households possess mosquito net of all types in 2011. In the last 12 months prior to the DHS, the indoor residual spraying covered 18.5% of the households. In 2006 it was launched a malaria prophylaxis during pregnancy (intermittent preventive treatment - IPT) at national level, which has involved increasing number of pregnant women. In 2011 approximately 40% of pregnant women took antimalarial drugs during pregnancy but only 19.6% received two doses recommended in the context of the IPT.¹⁶ (DHS 2011)
306. The relatively high prevalence of diarrhoea among children is related to the use of non-drinking water and poor hygiene and sanitation practices.
307. Indeed, the efforts resulted in increasing the coverage of water supply in rural areas increased from 42.1% in 2006 to 59.6% in 2010 and, in urban areas increased from 38% in 2006 to 60% in 2009. The sanitation coverage in urban areas increased from 47.7% in 2006 to 50.2% in 2010 with community participation through the Water Committees in the villages.
308. The coverage of drinking water varies from 14% in Zambezia province to 66% in Maputo City. In regard to access to safe sanitation, only 45% of the population uses a sanitary waste disposal system, again with large geographical variations, from less than 30% in Zambezia, Nampula and Sofala to 90% and more in the province and city of Maputo. Neither the access to potable water nor the sanitation has improved over time¹⁷.

c.3. Malnutrition

309. In Mozambique about 43% of children under five years live in a situation of chronic food insecurity and the concern is that this situation has not improved significantly in recent years. The provinces of Cabo Delgado and Nampula have the highest rates in the country (> 50%) and rates for Zambezia, Niassa, Tete and Manica are intermediate (> 40%). The provinces with the lowest rates (<40%) are Sofala, Inhambane, Gaza, Maputo Province and Maputo City (DHS 2011).
310. Regarding the nutritional status of children under 5 years, data from the Demographic Health Survey (DHS - 2003 and 2011) indicate that there was a

¹⁶ IPT recommends at least 2 doses during pregnancy.

¹⁷ Access to drinking water was about 37% in 2001 (INE, QUIBB), and 36 % in 2003 (INE, IAF). Access to safe sanitation was estimated at 41% (INE, QUIBB), and 45% in 2003 (INE, IAF)

significant reduction in the prevalence of chronic malnutrition (height for age) from 48% to 43% in 2011).

311. However, the level of chronic malnutrition in children under five years remains very high. The percentage of children under five who are underweight for their age (severe and chronic malnutrition) also decreased significantly from 20% (DHS) in 2003 to 18% in 2008 (MICS) and 15% in 2011 (DHS).
312. Regarding the prevalence of acute malnutrition (low weight for height), there was a decrease of 5% in 2003 (DHS) to 4% in 2008 (MICS) and 6% in 2011 (DHS). Consideration must also be given to the fact that the levels of acute malnutrition may vary significantly during a year due to seasonal variations and food security. It is also important to mention the rate of low weight at birth (less than 2,500 grams) because a baby with low weight at birth is more likely to suffer from chronic malnutrition when reaches the age of five. For the case of Mozambique, the data from MICS 2008 show that 58% of new-borns were weighed at birth and 16% of them had a weight which is less than 2,500 grams.
313. The most common deficiencies in micro-nutrients in Mozambique are: vitamin A deficiency, iron deficiency anaemia and iodine deficiency. Iodine deficiency is endemic, affecting more than half the school-age population.
314. As in previous surveys in Mozambique, the MICS 2008 shows that nearly two thirds of new-borns were breastfed within the recommended period (63 %) (in the first hour after birth) and about 90 % (88 %) were breastfed in the first day of life . However, despite the number of children under six months who received exclusive breastfeeding in the last 24 hours have increased 30 % in 2003 to 37 % in 2008 and 43 % in 2011 (DHS), the proportion is still extremely low, since guidelines provide breastfeeding for all children until the 6 months of age. Regarding complementary feeding, the results of the MICS showed that 64% of children aged 6-8 months received at least two meals during the day and 37% of children 9-11 months of age received at least three meals during the day. This is the minimum frequency required daily, however, the recommendations of an ideal scenario for Mozambique, suggest that children from 6-9 months need at least three main meals plus two snacks during the day in addition to breastfeeding.
315. The main causes of chronic malnutrition in Mozambique are the inadequate intake of nutrients, high levels of infection and early pregnancy. Diets are monotonous, with deficiencies of micronutrients, affecting most of the population. Malaria and gastrointestinal parasites affect half of the population; with equal numbers of women who are assisted in prenatal consultations have sexually transmitted diseases, as well as half these women become pregnant as children.
316. The underlying causes of chronic malnutrition are food insecurity (especially on restricted access and use of nutritious foods), poverty and inadequate practices regarding the care of adolescent girls, mothers and children, as well as insufficient access to health, water and sanitation services. The basic causes of chronic malnutrition, in addition to poverty, include the low level of education and gender inequality (the latter responsible for marriages and early pregnancies).

317. Recently the government approved the Multisectoral Plan of Action for the Reduction of Chronic Malnutrition in Mozambique 2011-2015 (20). This Plan presents a package of activities / interventions with strategic priority and sectorial objectives that, over a period of 10 years, should reduce by 20% the rate of the current prevalence of chronic malnutrition. This plan aims at reducing chronic malnutrition in children under 5 years of 44% in 2008 to 30% in 2015 and 20% in 2020.
318. The International Code of Marketing of Breast-milk Substitutes was reproduced and *distributed*, and implemented the regular celebration of the International Breastfeeding Week with the aim of increasing the proportion of children breastfeeding.
319. The Basic Nutrition Package was approved and health workers at primary level have been trained. That package includes: breastfeeding, complementary feeding, supplementation with vitamin A and iron, regular consumption of iodized salt, nutritional surveillance, balanced diet and adequate family nutrition care to sick children and malnourished.
320. In addressing malnutrition the Ministry of Education implements the School Feeding Programme whereby children in vulnerable situations, especially in areas of food insecurity, benefit from school feeding programmes.
321. A multi-stakeholder group – SETSAN was created, but there are a series of problems that have not been overcome and that did not allow for improvement of the nutritional status of children.

c.4. Vaccination Coverage

322. The percentage of one-year old children fully immunized, showed remarkable improvements reaching 64%, being 59.3% in girls and 61% in boys.
323. There has been an outbreak of measles that led to the establishment of vaccination campaigns from 2005. In these annual campaigns, in addition to measles vaccination it is used the polio vaccination and the supplementation of vitamin A. In the first year (2005), 4,3 million children under 5 years were vaccinated and 3,3 million children between 6 months and 5 years were supplemented, with a total coverage of 97%. In the last campaign in 2011 the coverage was 80%. The expanded vaccination programme (EPI) showed in 2004 an increase of the hepatitis B vaccine in 2008 and Hib vaccine (which protects against meningitis caused by *Hemophilus*), and in 2013 the PCV10 vaccine that protects against pneumonia. With the introduction of these vaccines it is expected that Mozambique will achieve the MDG4.
324. Residential and geographic disparities remain large with full immunization ranging from 47.3% in Zambezia province to 87.9% in the province of Maputo (Maputo City has 76.7%) DHS 2011. Children of mothers with no schooling are vaccinated less compared with children of mothers with secondary education or more (58% versus 75%). Comparing the country, we have 63,3 (DHS 2003) and 64,1 (DHS 2011).

c.5. HIV and AIDS

325. Mozambique faces a growing problem of orphaned and vulnerable children due to the high incidence of HIV/AIDS, among other factors. The prevalence rate in adults was estimated in 2010 at 11.4% on the age group 15-49 years (MOH-RONDA 2009-2011).
326. The Government approved the National Strategic Plan for Prevention and Control of AIDS, an important tool in the response to HIV / AIDS. The National AIDS Council (CNCS), chaired by the Prime Minister, was established to ensure a multisectoral approach and greater partnership with civil society and other interest groups. Efforts were focused on creating a policy and institutional framework for the implementation of the National Strategic Plan. However, the ability of Mozambique to effectively respond to the epidemic is hampered by insufficient human, technical and material resources, as well as by gender inequality and various forms of violence against women, the group most affected, with a prevalence of 13 %.
327. Access to prevention, care and treatment is still limited, and the prevalence of stigma often difficult actions in response to the epidemic. There is a high HIV prevalence along the corridors of development, envisaging that the phenomenon will continue, unless both prevention and cross-border care activities are intensified involving different countries.
328. HIV and AIDS are the main threats to the development of Mozambique. The prevalence of HIV / AIDS between 15 and 49 years of age rose moderately over time, from 8.2% in 1998 to an estimated 11.5% in 2010. It is estimated that about 1.5 million Mozambicans have HIV or AIDS, of whom 58% are female.
329. According to the DHS 2011, we note that in general terms the knowledge of prevention methods is higher among men, with 79% of men aged 15 to 49 years that believe that it is possible to prevent the infection of AIDS by using a condom every time they have intercourse, and 90% say that the risk of infection can be reduced having only one sexual partner. Despite this percentage, only 51% of men have comprehensive knowledge about the disease, compared with 31% of women.
330. One in four men aged 15 to 49 confirm to have embarked on commercial sexual activity, but only one third used a condom.
331. Forty-three percent of women and 51% of men believe that it is justifiable for a woman to refuse to have sexual intercourse with her husband knowing that he has sexual relationship with other women.
332. Currently the program of prevention of vertical transmission covers a total of US 1063 against the existing 1,430. Among those living with HIV or AIDS, 6% are children under 15 years of age.
333. With the increasing number of health facilities offering antiretroviral treatment, the number of beneficiaries increased to 44,100, of which 6.1% are children. In this component there are still some constraints related to lack of knowledge by the public about the need to take the kids for tests and the difficulty of making decisions about treatment initiation.

c.6. Adolescent and Youth-Friendly Services (AYFS)

334. This service was created to capture teens and youth in the health sector. Initially this service was created to prevent sexually transmitted infections, including HIV and AIDS, evolving shortly to reproductive health in general. In recent years, the AYFS started dealing with the overall health of this age group, also looking at other situations that endanger the lives of the youth, such as drug, alcohol, etc. and the development of healthy habits. The first AYFS was established in 1999. Today there are 14,030 AYFS in the country, accounting for 25% of Health Facilities in the country with AYFS. The impact of response to the epidemic remains limited, mainly due to the limitations of national capacity to expand the facilities for counselling, testing and treatment.
335. This program is multisectoral, with the Ministries of Education (MoE), Youth and Sports (MJD) and Health (MOH), developing the same activities with this age group, within the framework of the Generation Bizz. All services distribute already annually more than 1 million condoms.
336. In the last Demographic and Health Survey (INE, 2011) results on the prevention of HIV/AIDS show that only 30% of women between 15-24 years and 52% of men in the same age group have comprehensive knowledge.
337. According to the DHS 2011, 24.5% of young girls (15-24 years) and adolescents had their first sexual intercourse before 15 years of age, against 16.8% of the boys. In this group, 3% of girls and 25% of boys had two or more partners / sex in the last 12 months, but only 38% of girls used a condom.

c.7. Environment

338. At this point, special attention goes to the preparation of plans for the urbanization of towns, villages and districts with the objective to locate properly the social infrastructure (schools, hospitals, service etc.), with a view to ensuring a healthy environment.
339. Also aiming to ensure a healthy environment, audits, monitoring and evaluation of environmental impacts were carried out in several projects carried out in the country; and it was also established the Cleaner Production Network, which aims to define the acceptable environmental standards and, based on them, encouraging industries to introduce clean technologies, ensuring the public health.
340. Similarly, special attention goes to the issue of ensuring the provision of basic conditions for a healthy environment, communities and in particular to children, with emphasis on the consumption of drinking water. The participation of MICOA focuses in the design of awareness-raising campaigns for communities ' drinking water consumption and in providing special attention to the cases with evidence of contaminated water.

d) Social security and services and child care institutions [article 20 (2) e article 26]

341. One of the problems in decades in Mozambique as an independent State is the poverty that reaches high percentages of the population, contributing to the increasing marginalisation, poverty and other forms of social exclusion.
342. In the field of Social Action, assistance, support and social inclusion of the neediest groups of the population, especially consisting of children, people with disabilities, the elderly, among others in a situation of vulnerability, are one of the main objectives in this field.
343. Thus, in the period under review, efforts were made to reduce poverty as well as to secure social protection.
344. In this context, a law 4/2007 was approved on 7 February, on Social protection and Social Protection strategy establishing a system of structured social protection which responds the needs of populations through Basic Social Security Programmes.

Children in Vulnerable Situation and Deprived of the Family Environment

345. In defending the principle of respect for the best interests of the child, the Law on the Promotion and Protection of Children's Rights defines the principle of non-institutionalization. The same principle is established in the Social Welfare Policy and in the Social Action strategy on the child, both approved by the Council of Ministers in 1998, which discourage the institutionalization, unless it truly proves necessary; Alternatively, the principle establishes as a first option the placing of non-accompanied children and separated from their families in a family environment that can guarantee their protection, training of their personality and emotional security, encouraging that emotional ties are maintained as well as the cultural identity of the child.
346. Overall, these tools focus on family and community reintegration, through preventive actions of abandonment, socio-economic support for families and communities, from programs and specific projects such as income generation, vocational training, community development and others.
347. In cases where children are separated from their families, efforts are made for the location and family reunification and, when this becomes impossible, priority is given to integration in foster families. The Internment in institutions is the last alternative. Information on family reunification can be seen in the chapter concerning the family environment and alternative care.
348. Over the years, the services in kindergartens and in childcare centres were varied and in 2000, 7,012 children were served at reception centres and 681 kindergartens and in 2012 with a growth in the number of children served in open centres created and reception centres from 7,012 to 24,171. It should be noted that of these children, 5,864 are served in closed centres. In these centres, children benefit from education, vocational training, food, health care, among others.
349. Concerning kindergartens, in the same period, there was also, a fluctuation of number of children served in institutions under state management. This is due to the effort that has been made by all actors of social action in order to give the child a family environment, through its (re) insertion in the foster family, as well as in the community.

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Table 5: Child care in difficult condition

Indicators	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
No of reception centres open	77	70	74	73	80	98	131	82	104	113	100	115	82
No. of children served	7.012	13.391	14.607	14.009	7.559	15.176	20.895	24.171	24.575	35.620	24.339	29.655	24.171
No. of kindergartens	14	18	22	21	25	36	25	23	26	37	38	23	23
No. of children served	681	565	1.193	932	742	2.189	1.280	1.300	1.554	2.920	2.537	1.230	2.403

Source: MMAS report

350. For all children placed in the care of someone other than the direct progenitors and by order of the courts, in accordance with the previous chapters, with the purpose of being supported, protected or treated, the Social Action Services monitor permanently and periodically the minor in care, until no longer a child, and present an annual report to the Court, which has decreed the adoption, host or another form of treatment, that correspond to the child's best interests.

VIII. EDUCATION, VOCATIONAL TRAINING AND GUIDANCE (ARTICLES 11 AND 12)

351. The current Constitution and legislation in the Republic of Mozambique establishes that education is a right and duty of every citizen and the State promotes the extension of education to continuing vocational training and equal access of all citizens.

352. The main objective in the promotion of the education system is to ensure that all citizens, particularly children, have access to education for the eradication of illiteracy. Within this framework, basic education is provided to all citizens through the gradual introduction of compulsory education and access to vocational training.

353. In Mozambique, the right to education is carried out through the National Education System, whose basic principles are laid down in law no. 6/92, of 6 May. This law enshrines three areas of education: pre-school education, curricular and extra-curricular education.

a) Pre-school education

354. Pre-school education shall target the full and harmonious development of the child, especially its intellectual, moral, social capacity and psychomotor skills

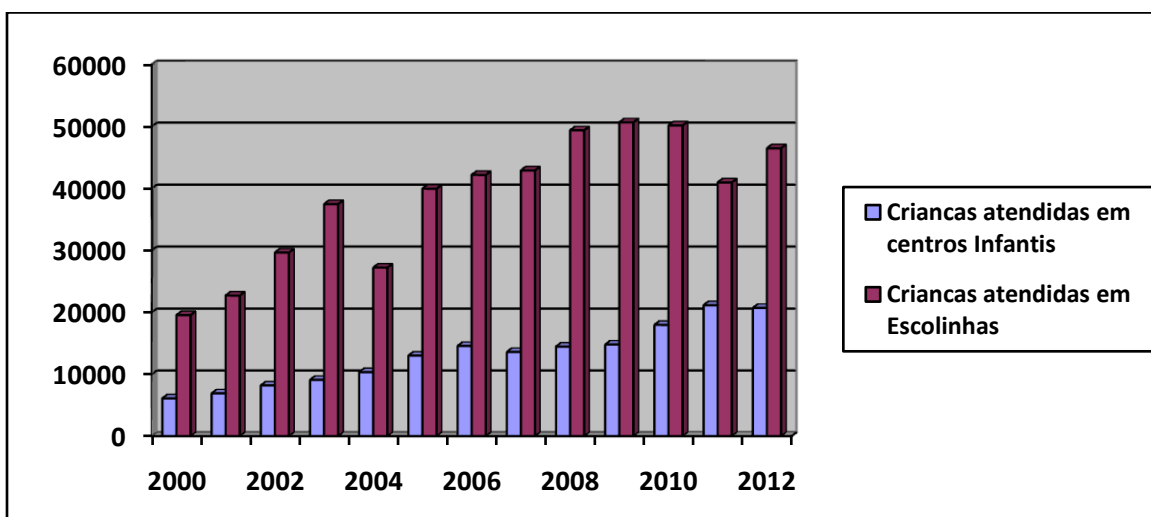
355. The pre-school education takes place in crèches and kindergartens for children under the age of 6 years. It has a complementary or supplementary family educational action, with which it cooperates closely. It is incumbent upon the Ministry of Woman and Social action in conjunction with the ministries of education and health, to define general standards of pre-school education, to support and monitor their compliance, define the criteria and standards for the opening, operation and closure of pre-school establishments.

356. With regard to the promotion and expansion of access to educational opportunities in pre-school children, in 2012 it stood out the preparation and adoption by the Council of Ministers, of the Strategy for the Integrated Development of Preschool Age Children (DICIPE) and the approval of the funding of the pilot project. In these terms, it was prepared the project implementation stage of child development for 2014, having prepared the draft of the implementation guide, including the package of basic services for service

providers. The package describes the minimum requirements to be included in all little schools “Escolinhas” involved in the project.

357. During the period under review, there was the creation of private child care centres, which resulted in the increase in the number of children attending pre-school education. The largest number of centres both State and private, is concentrated in the cities of Maputo and Beira. A total of 49 public and private children's centres in 2000, this number rose to 253 in 2012 and the number of children served has gone from 6,096 in the year 2000 to 17,685 in 2012. There are also in place 526 community schools for 46,445 children. The table below indicates the evolution of child care centres and pre-schools.

Graph 4: Pre-school education



Source: MMAS, 2013

358. Overall, the preschool program had results such as the best use of the time available by the parents, mainly the mothers, for the development of other activities, particularly in agriculture, the informal trading and other productive activities; greater socialization of children; the increase in school attendance rate in rural and peri-urban areas, as well as the better understanding of the subjects by children in primary education. However, the increase of coverage of the child care centres and community schools is a challenge as well as the training of childhood educators.

b) Curriculum Education

359. In order to ensure the expansion of access, in addition to the construction of new educational infrastructures, from 2000 to 2012 several initiatives were launched of which stands out, the training and allocation of new teachers and provision of school supplies, in particular the book and manual for teachers, improvement of the internal efficiency of the system to increase capacity for the admission of new students, exploring distance learning as an alternative to the expansion of opportunities for citizens' access to education, the promotion of adult and youth literacy as an activity that complements the formal education, contributing to the reduction of illiteracy and

poverty. Other measures and additional incentives were also put in place such as scholarships for the most disadvantaged students, the exemption from registration fees and tuition fees to students without economic capacity, especially in areas where the incidence of poverty is acute.

360. In state primary education (PE1+PE2) the school network observed a substantial expansion. The number of schools in PE1 grew from 6,705 in 2000 to 11,164 in 2012. In PE2 the number of schools increased from 577 in 2000 to 4,068 in 2012. As a result of the increase in the number of school, the ratio of students per school in PE1 reduced from about 487 students in 2000 to about 408 students in 2012.
361. With regard to the number of students for each teacher in PE1 (state), during the period under review there was an improvement, from an average of 93 in 2000 to 63 students per teacher in 2012. This relative improvement was due to a growing recruitment of new teachers to teach in PE1, which allowed the reduction of teachers without psych-pedagogic training, decreasing from a ratio of 38% in 2000 to 17% in 2012.
362. In the lower primary level (state + private + community), the net rate of schooling for females increased from 50.6% in 2000 to 91.8% in 2012. At the age of 6 years, the school attendance rate was 29.8 for girls (30.5% in total) in 2000, against 71% (72 in total in 2012). The parity index of graduates from PE1 increased from 61% in 2000 to 88% in 2011.
363. Between 2000 and 2012, in primary education (PE1st to 7th class), there was an increase of gross enrolment ratio (GER), from 75% to 115%. In the same period the net rate of schooling in the PE rose from 55.9% to 94%. The growth of the gross enrolment ratio was forced by the fact that the education system continue to have children who attend the PE with the age higher than the official. In absolute terms, the number of students in the PE rose from about 2.54 million in 2000 to 5.35 million in 2012.
364. The gross rate of Primary School completion (completion of 7th class) recorded a growth from 11.7% in 2000 to 43.2% in 2011.
365. Gender disparities in the PE have significantly decreased. The proportion of girls in the total number of students increased from 43.0% in 2000 to 47.5% in 2012, i.e., the gender parity in primary education was 90.5 in 2012, against 75.5 observed in 2000.
366. However, teenage pregnancies represent a challenge for the enforcement of the measures to prevent and protect the girls and ensure they remain in school.
367. The Mozambican Government has focused on creating policies and spaces at schools to serve children who need special care. In this group we must point out the existence of children with special educational needs and orphaned and vulnerable children. Some children with special educational needs are enrolled in normal schools and guided by teachers that for it they use the inclusive education methodologies and other children who need special care are sent to special schools.
368. As part of the expansion of the social protection component, through the program of Direct Support to Schools (ADE), a total of 45 selected districts across the country are covered, with a focus on orphaned and vulnerable children. In the context of care of

children with special educational needs, three Inclusive Education Resource Centres (CREIs) were built, equipped and established aimed at primary and secondary level, covering areas of training and professional qualification, diagnostic services and guidance, and production of materials, community outreach and mobilization, among others.

369. Assuming that the improvement of the quality of education will result in a continuous process of improvement and change, either of structures, or of the methods of teaching and learning of the students, the Government continued and continues to focus its interventions in the triangle formed by three elements indissolubly interconnected-the curriculum, the teacher and the learning facilities, in particular the student book and the teacher's guide.
370. As a way to improve the levels of school-age child care, especially to encourage girls to go to school, the Government of Mozambique adopted teacher training policies that prioritize women training to be teachers. This measure led to an increase in number of teachers in the PE1 from 9.044 in 2000 to 32.065 in 2012.
371. The exemption from the payment of enrolment in primary education is one of the major measures that the Mozambican Government has taken, to allow all children access to school. This measure is complemented with free distribution of textbooks to all primary school pupils.
372. The secondary education (state) during the day, especially the primary school, has been registering strong growth as a result of the enormous pressure exerted by the growth of primary education. The number of units that teach this level increased from 113 in 2000 to 446 in 2012 and the number of students increased from 110.7 thousand in 2000 to 508.8 million in 2012. This growth is one of the biggest challenges that Mozambique has to face, since it has not yet conditions and sufficient resources to meet the demand.
373. In order to explore the possibilities of distance learning to expand access to secondary education, after the pilot phase launched in 2004 involving 250 students of the primary education of 5 districts of Nampula province, the expansion of the programme to the entire country took place in 2008. In 2012, 13,549 pupils were enrolled, from 8 to 10th class, of whom 6,077 were women.
374. In the context of literacy and adult education, a far-reaching strategic measure taken by the Government in this area was the revival in 2000 of the institution responsible for the management and development of this activity at national level. With the establishment of this body, a specific strategy for literacy and adult education was developed and approved by the Government in 2001. This strategy created a legal platform for the framing of non-governmental organizations in the implementation of programmes of literacy at the national level.
375. New literacy programmes have been developed and relevant books were produced; the literacy calendar and schedules of classes began to be negotiated in a flexible manner with the stakeholders, thereby combining their productive needs with learning.

376. The literacy programs and adult education enable the acquisition of skills of reading, writing and calculation that are relevant in solving problems of daily life and in the development of life skills in various areas relevant to the individual, family and community which results in better service to the needs of the child.

c) Extracurricular education

Life skills

377. The Youth in Action Programme (PJA) was implemented, a multisectoral, community-based program, which involves the Provincial Directorates of Youth and Sports, Education and Culture and Health.
378. At the level of centres and projects of assistance to children in difficult situation several activities are carried out aimed at vocational and technical training for approximately 24,000 children. Among these activities include the carpentry, sewing, flower-growing, shoe store, basketry, among others.
379. Also, at the level of local committees, children benefit from training on agricultural techniques, carpentry, metal work among other activities

d) Leisure, recreational, cultural and artistic activities (art 31)

d.1. Healthy leisure activities

380. Healthy behaviour and cultural and sporting activities take place on a permanent basis at schools, at reception centres for children in difficult situations and in communities.
381. Concerning this activity, it is worth mentioning the activities undertaken by the Ministry MJD to promote sports activities including children's tournaments, known as **TheBEBEC Cup**, under the Programme "MoçambiqueemMovimento", involving children aged between 8 and 15 years across the country and the participation of adolescents in Youth Camps that usually take place in the month of August, for the International Youth Day, 12 August.
382. It is also worth mentioning the hosting of school games festivals at district, provincial and national level held throughout the year.
383. It should be noted that the children's sports tournaments are held usually during school holidays in provincial capitals whenever these meet the requirements for that. There are therefore provinces that are not eligible to develop this type of activity.
384. Similarly cultural festivals are held at all levels involving children and adults.

d.2. Environment

385. In this area worthy of special mention is the inclusion of environmental issues in formal education. At the end of the stage of basic education, there is a process of preparing environmental content for General secondary education.
386. With regard to non-formal education, the focus is on the promotion of environmental clubs in schools across the country through the integration of contents on the environment in school curricula, implementation of extra-curricular activities such as clean-up campaigns, creating green spaces, production of school newspapers and promotion of cultural activities (sports, literature, theatre, drawing).
387. In parallel with these measures, the MICOA produces educational materials for children about current issues that deserve particular attention for example: floods, erosion, fires and the environment in general.
388. Another highlight includes tree planting campaigns at the level of schools and communities under the slogan “um alunoumaplanta” - one student one plant.

d.3. Culture

389. Culture has been fully promoted through festivals at national, provincial and district level -and literary contests, in order to safeguard and value the vast and rich diversity of the national cultural mosaic. In this context, the national policy on culture and the law on promotion of the material and immaterial goods of Mozambican heritage with the standardization of writing of national languages were approved.
390. A programme for the introduction of local languages (Mozambicans) into the primary education curriculum is underway since 2003. Currently the bilingual teaching covers 440 schools across the country. The table 7 indicates the languages taught by province.

Table 6: Teaching of local languages in basic education level

Provinces	Language
Maputo City	Ronga
Maputo	Ronga
Gaza	Xichangana
Inhambane	Cicoti, Bitonga, Xitsua
Sofala	Cindau, Cisena
Manica	Cinndau, Tchiute
Tete	Cinyanja, Nhungue
Zambézia	Elomwe, Echuwabo
Nampula	Emakhuwa
Cabo Delgado	Emakwua, Kimuane, Ciimakonde
Niassa	Cinyanja, Emakhwua, Ciyau

Source: National Institute for Education Development (INDE)

391. Still in the context of the promotion of culture, National Culture Festivals are held on a regular basis involving children and adults of all provinces.

IX. SPECIAL PROTECTION MEASURES (Art. 15, 16, 17, 21, 22, 23, 25, 26, 27, 28, 30)

392. As previously indicated, article 121, paragraph 2 of the Constitution of the Republic of Mozambique refers to the protection of children, particularly orphan children, children with disabilities and abandoned children under the responsibility of their families, the society and the State, against any form of discrimination, maltreatment and the abusive use of authority within the family and in other institutions.
393. There are concerns in the country regarding the levels of violence against women and children, particularly domestic violence and child abuse. This problem is related to gender imbalance and power relations between men and women and between adults and children.
394. Although Mozambique has ratified the treaties and conventions on human rights, traditional practices that position women and girls in a very low status in comparison with men still prevail.

a) Refugee children (article 23 and 25)

395. Mozambique, as a country with various borders, is a State that hosts non-documented immigrants and refugee children from other parts of the Continent.
396. Protection of the rights of foreign children to a name and a nationality is clearly stated in the Constitution. On the other hand, the Republic of Mozambique has acceded to the 1951 Convention relating to the Status of Refugees, on the 22nd of October 1983. Similarly, the State ratified the OAU Convention of September 1969, relating to the Specific Aspects of Refugees in Africa, as well as the Additional Protocol to the Geneva Convention on the Status of Refugees, dated 31 January 1967.
397. In order to implement these International Treaties and the constitutional principles relating to refugees, in 1991 the Mozambican Parliament adopted Act 21/91 that establishes appropriate procedural mechanisms that govern the procedures for granting refugee status.
398. The Government has established the National Institute for the Assistance of Refugees (INAR), through Decree n° 51/2003, dated 24 December, as a public-law institution which is under the Ministry of Foreign Affairs and Cooperation. Through this institution the rights of refugees, including refugee children's access to education, basic healthcare, social security and the right to leisure and recreation, as well as protection against torture and degrading treatment, abuse, negligence and other harmful practices to their development are ensured.
399. By 2003, there were Refugee Centres in Maputo (Bobole and Massaca) and were later transferred to the Marratane Refugee Centre in Nampula Province.
400. There are urban refugees in the country who are self-sufficient and only receive legal assistance from INAR and the refugees living in the Centre receive material and legal assistance from INAR, UNHCR and some NGOs operating in the Centre.

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401. The Marratane Refugee Centre hosts about 8.855 refugees from various countries, notably: Rwanda, Uganda, Somalia, Sudan, Angola, Congo Brazzaville, Democratic Republic of Congo, Eritrea, Liberia and Ethiopia. Of these, 6.193 are children aged between **0 – 17 years old**, of whom **2.988** are female and **3.205** male. Table 7 indicates the number of refugee children in the country and their origin.

Table 7: N^o of refugee children in Mozambique per country

Countries	Girls		Boys		Total
	0–4 years old	5–17 years old	0–4 years old	5–17 years old	
Angola	0	1	0	2	3
Burundi	261	535	273	610	1679
Congo Brazzaville	0	1	5	5	11
Dem. Rep. of Congo	592	1209	556	1343	3700
Rwanda	58	242	60	246	606
Uganda	0	1	2	4	7
Somalia	23	59	32	65	179
Sudan	0	1	0	0	1
Ethiopia	1	1	0	0	2
Liberia	0	2	0	1	3
Guinea	1	0	1	0	2
Total	936	2052	929	2276	6193

Source: National Institute for the Assistance of Refugees (INAR) (2013)

402. Of this number, in the Marratane Refugee Centre there are children who came without their families (unaccompanied children) and there are children living with foster families and they are hosted by families coming from the same region or country and they are assisted by INAR.
403. There are many children in school age in the Centre. In order to meet the needs of these children, the Government has established a Complete Primary School that provides lessons to children until Grade 7, under the National Education System through the Ministry of Education. Apart from children hosted by the Centre, there are also children from the neighbouring communities.
404. In this regard, a Children's Centre was established at the Marratane Centre in order to host children under preschool age (from 2 to 5 years of age). For this year, 177 Mozambican refugee children (97 boys and 80 girls) have been registered. The registration process is supported by the Social Action Services and the Scalabrinian Priests and the children are provided with food ration.
405. There are classrooms in the centre which are attached to the Marratane Complete Primary School which is under the supervision of the National Education System.
406. In order to ensure access to healthcare, a Health Centre was established in the Refugee Centre. The Health Centre provides services to the residents in the Refugee Centre and to the neighbouring populations. In the event of serious diseases the patients are referred to the Provincial Hospital. The Provincial Government has deployed a medical doctor residing in the Marratane Centre to assist the patients in various diseases. In addition, provision of ARV is in the process of being introduced as well as construction of a ward.
407. In order to ensure protection and public order for the refugees and the Mozambican population living in the neighbouring areas of the Centre, there is a Police Post and a

group of militia officers made up of the refugees themselves, usually known as Sungu-Sungus who work in coordination with the Police of the Republic of Mozambique.

408. In the framework of recreational and sporting activities, the children and the youth have been carrying out sporting tournaments and cultural activities during their free time and in festive days with the participation of children from the neighbouring communities. For example, football matches, presentation of dancing activities that are typical to the refugees' places of origin and fraternisation lunch are undertaken during commemoration dates.

b) Children in conflict with the Law (art. 17)

409. Mozambique has recently established in the Criminal Code that the minimum age of criminal responsibility is 16.

410. The Law on the Jurisdictional Organisation of Minors establishes the parameters for the assistance of minors in the area of criminal prevention, through enforcement of protection measures, assistance or education which constitute alternatives to the deprivation of freedom.

411. Institutions devoted to the assistance of suspected children, children accused or recognised as being guilty of criminal offences have not yet been established in the country. There is also lack of an appropriate system that allows provision of assistance and education measures as established under the law. As a result, the action of the judicial authorities in dealing with children involved in criminal activities continues to be exhortation and reprimand and, in some cases, the responsibility is attributed to the parents and the children are set free and handed to their families.

412. In order to develop a prevention and recovery programme for children who are in conflict with the law, the Government with the assistance of the UNICRI and UNICEF has started implementing a multi-sector programme involving the Ministry of Justice, the Ministry of Women and Social Action and the Ministry of Home Affairs, the Supreme Court and the General Attorney, in order to prevent children's delinquency and develop recovery programmes for children who are offenders, through community based programmes and establishment of institutions for the same purpose.

In this perspective, a Youth Recovery Centre has been established and is functioning in Boane District, Maputo Province with the purpose of providing assistance to children under criminal responsibility age.

413. In the same area, sensitisation of children, families and the communities is underway in order to prevent the phenomenon and identify children at risk by supporting them so that they do not break the law. In order to meet this objective, attendance counters have been established in the neighbourhoods of Hulene and Mafalala and a community and education centre has been established in the neighbourhood of Kamaxaquene in Maputo City. In these centres, children at risk are provided with counselling and a space for them to carry out recreational activities that are aimed at deviating them from harmful practices.

Administration of Juvenile Justice and Children Deprived of their Liberty, Including Any Forms of Detention, Imprisonment or Custody

414. As stated in previous paragraphs, the Mozambican legislation shows that efforts are being made so as to ensure that the country is in conformity with international standards and the CADBEC, through the ongoing legal reform.
415. Children aged 16 and 18 have their criminal responsibility reduced, that is, they can only be convicted to a maximum of 8 years of imprisonment. In conformity with what has been established under the Jurisdictional Organisation of Minors, children until the age of 16 can only be applied one of the following protection measures: exhortation, handing them over to their parents, to tutor or a person who is in charge of those children, put them with a reliable family member or in an education institution and in a medical-psychological institute.

c) Children from imprisoned mothers

416. Regarding the situation of mothers and girls in prison as well as measures that are applicable to children of imprisoned women, it should be stated that in Mozambique women are imprisoned in separate jails with men. Given the nature of their female gender, the regime of these jails is applied in accordance with the concrete status of the women, that is:

- If the woman is pregnant, she is submitted to a specific treatment which is provided to a pregnant woman,
- If the woman has a child, she is submitted to a regime which enables her to properly assist her child and comply with the obligations related to her imprisonment.

417. Regarding children from imprisoned mothers, the law establishes that the respective mothers should be placed in special prison cells where they can provide adequate care to their children. During the period in which the mothers are complying with their criminal obligations, these children are placed in nurseries or in childhood education institutions which may be attached to the prisons or near the prisons based on an agreement established with the entities in charge of these institutions.

418. Overall, the law allows children to remain with their mothers until the age of three.

419. Regarding laws, policies and practices preceding the judgment of pregnant women, women with new-born children and unique children from imprisoned women, the law allows pregnant women or women with new-born children to benefit from all care services and treatment which is provided to women out of prison, which is the unique right that they are entitled to apart from the rights that are established under the law resulting from their deprivation of freedom.

d) Children in a Situation of Exploitation and Abuse

d.1. Economic Exploitation including Child Labour (article 15)

420. The CRM explicitly enshrines this prohibition in Article 121, n.º 4 *which establishes the following: "Child labour is prohibited during compulsory school age and in any other age"*.
421. Mozambique is amongst the ILO Member States that have ratified all the eight fundamental ILO conventions (two Conventions on Forced Labour, two Conventions on Freedom of Association, two Conventions on Discrimination and two Conventions on Child Labour). On the 16th of June 2003, Mozambique ratified the ILO Convention concerning the Minimum Age for Admission to Employment and the ILO Convention n.º 182 on the Worst Forms of Child Labour.
422. Although the legislation prohibits child labour, this continues to be a concern given that it is related to poverty in the country. Formally, the minimum age for admission to employment without restrictions is 18. Nevertheless, the law has some exceptions so that children aged between 15 and 18 years of age can work under the condition that the employer provides the child with education and vocational training, and ensure that the working conditions are not harmful to the child's physical and moral development. Regarding children aged 12 to 15, they may work under special conditions which are jointly authorised by the Ministries of Labour, Health and Education. For children under the age of 18, the maximum number of weekly working hours is 38 hours as per law, the maximum number of daily working hours is 7 hours, and they cannot carry out jobs in which they are subject to diseases or which are dangerous or jobs in which they are demanded to make additional effort. Children have to be submitted to a medical examination before they start working. Under the law, children have to get paid at least a minimum salary or a minimum of two thirds of a salary earned by an adult, whichever is the highest.
423. Despite such prohibition, there are reports of violation in the informal sector (trade, artisanal mining and domestic work) and in the commercial agricultural sector in which the authorities take measures against the offenders. The factors that have been contributing to these situations are chronic poverty within the family setting, contravening family support mechanisms, unemployment of parents and adult family members, lack of education opportunities and the impact of HIV/AIDS.
424. In order to reverse this situation, dissemination activities of child protection tools against child labour and sensitisation activities directed to families and community members and enterprises have been carried out so that children's rights are known and respected. Parallel to this, vulnerable households are being included in social protection programmes with the purpose of reaching children who are at risk of entering the labour market and remove those who are already involved in it.
425. Also in this regard, inspection activities aimed at taking measures against this situation have been undertaken. For example, 5 companies linked to the agriculture sector, civil construction, trade and services in Cabo Delgado, Manica and Gaza Provinces had their activities suspended due to child labour.
426. In order to speed up the actions carried out in the framework of Prevention and Fighting against Child Labour, a process aimed at designing a National Plan of Action for the fight against Child Labour is underway.

427. The National Employment and Vocational Training Strategy was approved in March 2006. On the one hand, this tool aims to meet the objectives of reducing absolute poverty in the country bearing in mind the employment as its central point. On the other hand, it is aimed at implementing the principles and meeting the labour objectives established by the Government in the Labour Sector Policy.
428. The strategy integrates activities related to child labour with special focus to research, strengthening the implementation capacity and reinforcement of policies and legislation in this area, provision of capacity building to the various State and civil society stakeholders in issues related to child labour.
429. With the assistance of the ILO and in coordination with the Government of the Federative Republic of Brazil, Mozambique has joined the International Programme on the Elimination of Child Labour (IPEC), which is expected to last for one and a half year and it is expected to be the starting point for the establishment of a National Programme on the Prevention and Elimination of Child Labour in Mozambique.

d.2. Drug Abuse (Article 28)

430. The Republic of Mozambique has adhered to the need for the adoption of legislative, administrative, social and education measures aimed at protecting not only children but also the society in general, against illicit use of narcotic drugs and psychotropic substances defined in the relevant international treaties and prevent the use of children in the production and illicit trafficking of such substances.
431. Therefore, Law 3/97 of 13 March defines and establishes the legal framework applicable to the trafficking and consumption of narcotic drugs, psychotropic substances, precursors and preparation or other substances of similar effects. Decree 41/97 of 18 November approves the Organic Statute of the Central Office for the Prevention and Fight against Drugs.
432. For prevention and fight against children's consumption of alcohol and tobacco, Law 6/99 of 2 February has been approved and defines measures to be taken for the protection of children from accessing public places of night-time entertainment and consumption of alcohol and tobacco.
433. Also in this regard, the Government has designed and approved the Regulation on the Sale and Consumption of Alcohol which is aimed at reinforcing control measures against sale and harmful consumption of alcohol and protect the health of citizens, especially of children. The Regulation defines the obligation to comply with the night-time timetable for sale in public places, labelling of containers with messages that show the harmful effects of alcohol.
434. In order to prevent consumption of drugs, alcohol and tobacco, various activities were carried out in schools, communities and with the media. However, despite these activities, the fact is that there are cases of children who drink alcoholic drinks, use tobacco and drugs.
435. Treatment of affected children is provided at the level of the mental health sector in hospitals which also provide assistance in detoxification as well as psychological

assistance. After detoxification, these affected children are provided with assistance and follow up by the social action services.

436. Despite efforts made by the Government and the civil society in dealing with these issues related to drugs, from production, sale, trafficking and treatment of victims of consumption, incitement for the use of narcotic drugs and the level of incidence of consumption, there are still cases of cases of young people who take drugs as well as international drug trafficking networks that operate throughout the country.

437. Control of children's access to alcoholic drinks due to their availability in the informal market is also a challenge.

d.3. Sexual Exploitation and Sexual Abuse (Article 27)

438. Social intervention is aimed at protecting children, especially against abuse within the family or by a person who is charge of the child. The second way of dealing with sexual abuse and exploitation of children is through criminal law. "The Mozambican criminal law deals with various criminal offences under which the State intervenes through the courts.

439. However, there are gaps in the current legislation regarding abuse and exploitation of children, which do not cover certain sexual crimes against children. It is recognised that there are criminal sanctions related to sexual criminal offences, but there is a need for this legislation to be reviewed so as to ensure a proper protection of children against abuse and sexual exploitation. As stated throughout this report, the Country is in the process of reviewing the current legislation, and this is one of the areas to be considered in the framework of the Criminal Code review.

440. In Mozambique, just like in many other countries, there is violence within families, at school, in assistance institutions, in workplaces and at the community. According to the chapters referred to above, more than 18.000 cases of violence against children have been registered during the last 9 years. It should be pointed out that despite the increasing number of complaints of cases of violence against children submitted to police authorities, most cases are not reported to the relevant institutions and the cases are dealt with at family level.¹⁸ Statistics on attendance of Centres for the Rehabilitation of Children and Youth (CERPIJ) attached to the Maputo Central Hospital indicate that there are about 149 girls and 22 boys assisted between 2009 and 2010 who were rape victims.

441. In this area, it should be stated that sensitisation activities for children and their families were carried out in order to prevent sexual abuse and exploitation of children at community level and through the media.

442. On the other hand, legal and psychological support services that were referred to in the previous chapters of this report also assist children who were victims of sexual abuse and exploitation and their families.

¹⁸MMAS (2008).National Plan of Action for the Prevention and Combating Violence against Women (2008-2012).Republic of Mozambique

443. Additionally, systematic training of police officers, health, education and social action personnel is also undertaken in order to prevent sexual exploitation, abuse and violence against children and assistance of victims. The role played by the Community Based Child Protection Committees that intervene in cases of sexual exploitation and abuse of children should also be pointed out as it carries out prevention activities, refers cases to the relevant entities and ensures follow up of victims.
444. The country has adhered to the Regional Campaign against Child Abuse which was launched in 2004, and allows prevention of child abuse and trafficking in Southern Africa countries.

d.4. Sale, Trafficking and Kidnapping (Article 29)

445. In addition to the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, Mozambique has ratified the Optional Protocol to the United Nations Convention on the Rights of the Child relating to Sale of Children, Child Prostitution and child pornography, and is thus obliged to ensure that the rights and responsibilities which are contained in those rights are incorporated in the domestic law.
446. In this regard, the approval of the Law on the Prevention and Combating Human Trafficking, Especially Women and Children should be highlighted, as already mentioned in this report, and the Law on the Protection of Witnesses, whistle-blowers and Informants. It should be pointed out that the Law on the Promotion and Protection of Children's Rights referred to in previous chapters contains provisions relating to the prevention and combating trafficking, sale and kidnapping of children.
447. Capacity building has been provided to police officers, migration personnel, judges, attorneys, social action technicians and those from civil society organisations, community, traditional and religious leaders for the prevention and combating human trafficking, especially women and children, as well as assistance to the victims.
448. Similarly, dissemination of the Law on the Prevention and Combating Human Trafficking, Especially Women and Children as well as sensitisation of various stakeholders for the prevention of human trafficking have been carried out. Of these activities, programmes related to the media, including community radios, production and distribution of posters and leaflets as well as awareness sessions, debates and marching should be highlighted. For example, in the Administrative Post of Ressano Garcia, Moamba District, Maputo Province, a neighbouring district of South Africa, children who are members of the Children's Parliament undertook sensitisation activities for 2.949 children.
449. The Government of Maputo Province has signed a partnership agreement with the South African province of Mpumalanga. The agreement entails, among other issues, protection of vulnerable groups mainly children. In the framework of the agreement and, whenever necessary, technicians from both provinces work together for the prevention of illegal exit of children from the national territory as well as their repatriation and reintegration. In cases in which the South African side locates Mozambican children in a situation of vulnerability in their territory, they communicate the Mozambican side and inform them on the measures to be adopted, as well as the repatriation and reintegration process to be undertaken.

450. According to data from the National Institute of Communities Living Overseas, 23 children aged between 10 and 16 were repatriated. Of these, 10 are male and 13 are female children.
451. In Maguaza Centre, a reception centre built by Save The Children and currently under the management of the District Services of Health, Women and Social Action located in Moamba District, Maputo Province, 38 children - 24 male and 14 female, who are victims of trafficking have been assisted. In this centre, children receive assistance in terms of food, clothing, healthcare, education and psychosocial support. Additionally, 36 out of 38 children referred to above were reintegrated in their families. These children are accompanied by the Social Action Services and assistance is provided within their families based on their needs.
452. Still with regard to Ressano Garcia, there is a Centre that belongs to the Congregation of the Missionary Sisters – Scalabrinians which provided assistance to 563 returnees in various ways (food, clothing, shelter and transport), including children who are illegal migrants.
453. It should be stated that identified cases of trafficking were dealt with legally according to the Law on the Prevention and Combating Human Trafficking, Especially Women and Children.
454. The challenges in this area are related to the need to carry on capacity building for various stakeholders, sensitisation of families and communities as well as children for the prevention and combating human trafficking and assistance to the victims. Another challenge is related to the strengthening the capacity of institutions involved in combating this phenomenon, assistance and reintegration of victims.

e) Children Belonging to a Minority Group or to an Indigenous Group (article 21.1.b)

455. As stated above, the Constitution of the Republic of Mozambique enshrines the equality of rights among all citizens regardless of colour, race, ethnic origin, place of birth, religion, social position, which eliminated at the outset discrimination of children due to any reason.

Despite the major cultural and religious diversity in Mozambique, which is characterised by the existence of ethnic and linguistic groups, there are not any special forms of discrimination against any social group in the country. As mentioned in the respective chapters throughout this report, the rights of the citizens to cultural life, to profess their own religion and to use their own language are ensured. Special attention should be paid to the recent introduction of bilingual education in the country's national education system.

f) Children Living or Working in the Streets (Article 26)

456. Due to the vulnerability caused by orphanage, violence, negligence and family instability, children are forced to abandon their homes and live in the street. The phenomenon of street children is mainly urban and occurs in the major cities of the country. In Maputo City it is estimated that there are about 400 children and young people living in the streets.

457. According to the Association of Mozambican Boys, an association which provides healthcare to street children, the main health risks that street children face are malaria, cholera and STI.
458. The intervention in this area is based on the work which is coordinated amongst State institutions and the Civil Society, in the carrying out of sensitisation campaigns in the streets, dissemination of information through *spots* and debates through the media. Similarly, direct work with children and their families is carried out with the purpose of reintegrating them in their families. Given the complexity of the phenomenon, family reunification is usually undertaken through a long process and, while this is done, whenever necessary children are assisted in the reception centres referred to in the previous chapters of this report.
459. Major focus is given to the prevention of family separation through integration of vulnerable families in social protection schemes and provision of services that reinforce their links and introduction of training and provision of information on parental and family skills. The integration in the centre is regarded to be a last resort measure and it is done on a provisional manner and in the shortest time possible, while identification for reintegration in their biological or foster families is underway.
460. On the other hand, compulsory primary education, introduction of short term vocational training or technical professional education is allowing children to be more protected within the school environment and the youth are integrated in vocational and productive activities as well as education in order to create conditions for their reintegration in the community.

g) Other Forms of Exploitation

461. While designing this report, it was reported in various provincial capitals that there is a growing phenomenon of child exploitation in begging. Except in cases in which children accompany elderly and disabled family members for begging, it was confirmed that there is "hiring" of children from poor families to accompany their neighbours or other disabled people and elderly people who are strangers to their families, based on the promise that they will be paid a certain percentage of what they would gain by the end of the activity. In either case, the child does not benefit, at least in a direct manner, from the income that is gained and the child's occupation in this activity often prevents him/her from attending school. Another negative aspect which is related to this phenomenon is the permanent contact of the child with the underworld of street life, which exposes the child to the dangers resulting from this situation and may transform the child into a potential candidate to live in the street.
462. Similarly, attention was paid in this chapter to the exploitation of domestic work. Usually children, mainly female children, are taken from rural areas to the cities in order to take care of the younger children of their relatives in exchange of food, clothing and in very reduced cases in exchange of education.

X. DUTIES OF CHILDREN (Article 31)

463. The duties of children are enshrined in Article 8 of the Law on the Promotion and Protection of Children's Rights which, in conformity with what has been established under the African Charter, defines the following:

*"Art 8
(Duties of Children)*

Without prejudice to the provision of the other legislation, the child, according to his/her age and maturity, has the duty to:

- a) Respect his/her parents, family members, teachers, educators, the elderly, people with disabilities and, if necessary, assist them;*
 - b) Participate in the family and community life in the development of the country and in the preservation of the environment, by putting their physical and intellectual skills towards the service of the Nation;*
 - c) Contribute for the preservation and strengthening of the family, cultural values and national unity in the spirit of peace, tolerance, dialogue and solidarity".*
464. With the purpose of training children for the compliance of their duties in line with the activities undertaken towards dissemination of children's rights through awareness sessions, debates and media programmes, the duties of children are disseminated and the children are encouraged to carry out solidarity activities.
465. In this perspective the Children's Parliament, school councils, girls' clubs and Community Based Child Protection Committees which have already been mentioned in the chapter related to general principles, constitute spaces where children reflect about compliance of their duties. It is in this regard that they chose for the 4th Session of the Children's Parliament the topic *"I want to be a child while I am child: the respect to my duties and compliance of my duties will make Mozambique better"*, children revealed that they are aware of their duties.

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