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Mozambique

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I. Methodology and consultation process

1. The Ministry of Justice (MJ) is the government body responsible for coordinating the drafting of the country Universal Periodic Review Report (UPR) to be submitted for review at the Human Rights Council (HRC) of the United Nations in Geneva, Switzerland in 2011. In this context, the MJ is coordinating, at technical level, an Interministerial Working Group (WG) which integrates various government Ministries with a strong approach to human rights, namely: the Ministry of Foreign Affairs and Cooperation, the Ministry of Interior, the Ministry of Education, the Ministry of Women and Social Welfare, the Ministry of Health and the Ministry of Labour.

2. In order to avoid duplication and optimize existing resources, information for this report was obtained through the focal points, especially designated by their ministers to integrate the Working Group. Moreover, a survey was conducted, in all provinces, to collect the different perceptions of citizens regarding various matters of human rights.

3. The exercise of preparing this report, was a unique opportunity for all participants in the process as it allowed each one to make an assessment on the many initiatives undertaken by the Mozambican state since its foundation in 1975 – the year of proclamation of the national independence – on the implementation of its obligations in the promotion and protection of human rights.

4. The various civil society groups have also been consulted and contributed to this report at two levels: first, through response to the survey and later at the public national presentation of the preliminary proposal of the report.

5. The preliminary report resulted from the crossing of information from various government agencies specialized in specific areas of human rights and other independent sources, with the results obtained from public consultation surveys. The public presentation of the preliminary report was attended by members of the Constitutional Council, Supreme Court, Attorney General's Office, members of the central government, members of provincial governments, representatives of civil society organizations from all 10 provinces, media and other interested parties. This consultative exercise will be continued up to the period following the recommendations of the HRC.

II. Legal and institutional basis for the promotion and protection of human rights in Mozambique

A. Historical context

6. Mozambique, a former Portuguese colony, is a recent state in the community of nations; it saw its sovereignty legitimated as an independent country on June 25, 1975 as a result of the heroic and long lasting resistance of its people supported by several world freedom friendly nations.

7. The 1975 Constitution was based on the proclamation of independence that though less explicitly incorporated already a framework of principles for the respect of universal values of human dignity.

8. The Mozambican people is the product of cultural, religious and social mosaic in its population which merged during centuries of relations and trade with people and cultures from various parts of the world, and now takes a single and indivisible national identity as a modern nation which coexist and interact with the various systems of religious values, cultural and political rights of citizens within the framework of pluralism and tolerance.

9. In 1990 a new constitution was promulgated. It opened the country to a new political and economic order with the introduction of multiparty system and market economy, which represented the establishment of pluralistic democracy and a qualitative leap in matters of promotion and protection of human rights.

10. It has been in the course of the promulgation of the 1990 Constitution that the basis for the end of the 16 years of destabilization war that tore the country, opposing the legitimate government of Frelimo and the Renamo guerrillas were established. This conflict only ended with the signature of a Comprehensive Peace Agreement in 1992 in the Italian capital, Rome.

11. Since the establishment of pluralistic democracy, Mozambique has already held four General Presidential and Parliamentary elections. It should be stressed that the gains of the Constitution of 1990 were further extended by the constitutional revision of 2004 that in addition to the extension of the human rights framework also extended the structure of democratic action with the inclusion of provincial assemblies whose first electoral exercise were held simultaneously with the 4th General Elections in October 2009.

B. Constitutional framework

12. The Republic of Mozambique has a structure based on a constitutional text adopted on November 16, 2004 by Parliament and promulgated by the President of the Republic then in office, on the same date. The Constitution (CRM) became effective on the day immediately after the validation of the electoral results of 2004 General Elections in accordance with article 306 of the same constitution.

13. The current Constitution establishes that Mozambique is a democratic state based on the "*pluralism of expression, democratic rights, respect and guarantee of fundamental human rights and freedoms.*"

14. In addition, the preamble of the CRM mentions respect for human rights, when its fourth Subparagraph states that "*This Constitution reaffirms, develops and deepens the fundamental principles of the Mozambican state, enshrines the sovereign character of the democratic state, based on pluralism of opinion, party organization and the respects and guarantees the fundamental rights of the citizens.*"

15. The Mozambican constitution has an extensive catalogue of rights, duties, freedoms and fundamental guarantees contained in Title III, that are aligned to the principles of various international human rights treaties to which the country is a state party.

16. In accordance to the article 43 of the CRM the provisions concerning constitutional and legal freedoms are interpreted and integrated into the Mozambican legal order in harmony with the Universal Declaration of Human Rights and the African Charter on Human and Peoples Rights.

17. Furthermore, the CRM establishes the integration of international law in national law once the treaties have been ratified. Under this procedure the international law has the same legal standards under the Constitution as those that emerge from the Assembly of the Republic and the Government. This implies that all international human rights instruments to which Mozambique is party shall apply to all levels of the country after the publication in the country's official Gazette. It also implies that international standards in the field of human rights can and are invoked directly in the courts of the country.

C. Political and legal structure

18. Mozambique has a presidential system of governance. CRM Article 134 advocates the separation and interdependence of powers and in their proceedings should abide the Constitution and the laws. The exercise of political power is guaranteed by 5 organs of sovereignty, namely: the President, the Assembly of the Republic, the Government, the Courts, and the Constitutional Council.

19. Mozambique is a secular state based on the principle of separation between state and religious denominations. However, the different religious manifestations enjoy freedom in their practices and the State recognizes and values these principles, as well as promoting tolerance.

20. The Mozambican state is a member of the United Nations, African Union, Commonwealth, Southern Africa Development Community (SADC), Community of Portuguese Speaking Countries (CPLP) and Portuguese Speaking African Countries (PALOPs). All these organizations approved principles for the promotion and protection of human rights recognized by Mozambique.

21. The legal system in force in Mozambique is of a civil nature, a legacy of Portuguese law, influenced by the Roman-Germanic legal traditions. In addition to the Constitution, the Mozambican legal system is based primarily on the Civil Code, applied by courts in accordance with the procedures enshrined in the Code of Civil Procedure.

22. Mozambique is a state of legal pluralism. It means that the formal mechanisms of conflict resolution coexist with customary ones, provided that they do not contradict the values and principles enshrined in the CRM, in the area of promotion and protection of human rights.

23. The 5 sovereign bodies exercising state power in Mozambique are all responsible for the promotion and protection of human rights within their respective spheres of competence. The President of the Republic is the Supreme Magistrate of the nation and in this role he ensures the constitutional order, requests opinions on the constitutional legality of a legal act submitted to him by other sovereign bodies (AR and Government) to the Constitutional Council for a decision, which may be enacting, return to harmonize or veto. CRM paragraph 2 of Article 150 states that the elected President declares the following oath: "I swear on my honour, to respect the Constitution, to faithfully carry out the Office of the President of the Republic of Mozambique, to dedicate all my energies to the defence, promotion of the consolidation of national unity, human rights, democracy and the welfare of the people of Mozambique and doing justice to all citizens." The Assembly of the Republic is the legislative body with the exclusive purpose of regulation and supervision acts of the executive on behalf of the people, and its operating structure incorporates the Commission for Legality, Justice and Human Rights that, among other has the tasks of ensuring the promotion and protection of human rights and deal with petitions that citizens can make when there is a violation of their fundamental rights. The Government is responsible for formulating and implementing policies in several areas of executive power that contribute to the welfare of citizens, as well as for the promotion and protection of human rights. The courts are responsible for the administration of justice under the rule of Law, ensure protection of the interests of citizens under the law, exemplarily penalize any violation of the law and arbitrate conflicts between private and public interests. The Constitutional Council has particular responsibility for monitoring the constitutionality of laws and acts done by other state authorities.

24. Capital punishment is explicitly prohibited under Article 40 paragraph 2 of the CRM. It has been abolished upon enactment of the 1990 Constitution and the revision of 2004 reiterates this great achievement.

25. The fundamental principles of administration of the criminal justice system are embodied in the constitution, which ensures compliance with the principles of legality and non-retroactivity of the law except in cases where the new terms will benefit the accused. No citizen can be tried more than one time for the same crime and the CRM guarantees the right of judicial review of sentences and compensation in case of injustice. Sentences or measures involving deprivation of freedom of perpetual character or unlimited or indefinite term are prohibited under constitution. Penalties are not transferable. No sentence results automatically in the loss of any fundamental right, notwithstanding the limitations inherent in the sense of conviction and the specific requirements of their criminal sentences. *Habeas corpus* is guaranteed by the constitution and the Penal Code also recognizes the principle of *nulla poena sine culpa* and in any case proportionate award may be rendered beyond the penalties provided for the crime.

26. The CRM provides for freedom of association and the right of citizens to associate themselves freely for the purposes they deem appropriate, provided that such association does not involve the disturbance of established order and welfare of other citizens.

D. Petitions

27. The right of petition in Mozambique is a constitutional provision enshrined in Article 79 and states that: "All citizens have the right to present petitions, complaints and claims before the competent authority to require the restoration of their violated rights or to defend the general interest". As can be seen, the requirement of restoring the rights of citizens is not limited only to petitions; it includes other forms such as complaints and grievances.

28. Under the enjoyment of this right, citizens have made petitions to the Parliament through its Committee on Petitions and we illustrate the case of the group of workers of the ex-German Democratic Republic and workers of the Mozambican Railways who presented petitions requiring the settlement of their rights. Furthermore, the citizens have the prerogative to require restoration of their rights through the courts, the Attorney General Office, the General Labour Inspectorate and administratively by the use of hierarchical recourse.

III. Promotion and protection of human rights in Mozambique

A. Ratification of international instruments

29. Mozambique has a long tradition on the ratification of basic human rights instruments and it constitutes a priority of its foreign policy. The country is also a full member of the majority of regional and international human rights legal instruments.

30. The process of ratification of international instruments is based on the combination of Article 17 paragraph 2, with Articles 18 and 43 of the Constitution. Article 18 clearly lay down that "There can be enforced in the Mozambican Legal Order treaties and international agreements validly ratified and published in the State official Gazette", giving in this way a wide possibility for the materialization of the universal principles of human rights. It is within this framework that the Mozambican state has made efforts to ratify most of international and regional human rights legal instruments, namely:

(a) International Covenant on Civil and Political Rights and its second Optional Protocol relating to the abolition of the death penalty (ratification Resolution N° 5/91, of 12 December);

(b) International Convention on the Elimination of All Forms of Racial Discrimination (ratification Resolution N° 4/83);

(c) Convention on the Elimination of All Forms of Discrimination against Women (ratification Resolution N° 4/93 of 2 June)

(d) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratification Resolution N° 8/91, of 20 December);

(e) Convention on the Rights of the Child (ratification Resolution N° 19/90 of 10 October) and its Optional Protocols relating, to the Sale of Children, Child Prostitution and Child Pornography and the Involvement of Children in Armed Conflict (Resolutions 43 and 43/2002 of 26 May).

31. Mozambique is a party to the major African regional and sub regional human rights instruments, including:

(a) African Charter on Human and Peoples' Rights (ratification Res. N° 9/88 25 August);

(b) African Charter on the Rights and Welfare of the Child (ratification Resolution N° 20/98).

B. Cooperation with international mechanisms for human rights

32. The basis for the cooperation between the Republic of Mozambique and the United Nations Human Rights system is the country's conformity to the Universal Declaration of Human Rights and other UN conventions. Mozambique has been receiving visits from special rapporteurs any time they ask for.

33. One of the remarkable aspects in cooperation with the UN system and specially the Office of the High Commissioner for Human Rights has been the good cooperation with the office especially at the regional representation level, from which Mozambique has been benefiting from technical assistance. In this context the country had a privilege of benefiting from training on Reporting to the Specialized Committees of the United Nations and African Union on Human Rights which was attended by about (26) participants amongst government and civil society representatives, which was run by the office with the financial support of the British High Commission in Maputo.

34. Within the African Union (AU), Mozambique undertakes a very good dialog with the African Commission on Human and Peoples Rights. Mozambique has been making efforts to comply its obligations under the System. We have been receiving country visits from the Commission members being the last a promotion visit by the Deputy Chair of the Commission in February 2010.

C. Institutional framework

35. The institutional framework for promoting and protecting human rights in Mozambique has two main actors that complement each other.

1. State structure

36. At the state structure we find three institutional levels with a mandate to promote and protect human rights as a manifestation of the division of powers that characterizes the constitutional order in Mozambique: (i) the executive with the Ministries, of Justice, Interior, Health, Education, Women and Social Welfare and Labour:(ii) the legislative

exercised by the Assembly of the Republic, whose organizational structure includes the Committee on Constitutional Affairs, Human Rights and Legality where citizens can make petitions (iii) and the Judiciary.

37. Besides the above described structure the Constitution of the Republic also establishes the Public Ministry (Attorney General's Office) under Article 236 stating that it has competence "... control the legality, the detention timing, conduct the criminal proceedings, exercise the criminal proceedings and ensure the legal protection of minors and the absent"; establishes the figure of the Ombudsman (not yet named) but whose constitutional provision is a major breakthrough. Also due to international commitments and in the spirit of the materialization of the Paris Principles the Government in coordination with the civil society has designed the Law Establishing the National Commission on Human Rights and is on the way of implementing it.

2. Civil society organizations

38. The Mozambican civil society organizations play an important role in promoting and protecting human rights and in this context is part of the overall institutional framework. It is important to stress that the civil society organizations operate, under the Constitution and its formation is based on the framework of free association and assembly under Articles 51 and 52 of CRM combined with the Law of freedom of association, Law 8/91 of July 18.

39. Based on the assumption that the nature of a non-profit, nonpartisan and non-state actor differs from the strict sense of political organizations, this statement assumes a direct correlation to the promotion and protection of human rights in the broad sense. In this sense, the civil society movement is part of non-state institutional framework in the sphere of promotion and protection of human rights. Around 1,238 organizations are operating in this field according to the 2004 National institute of Statistics (NIS, 2004) census in which a small percentage develops high-impact activities, including the Mozambican Human Rights League (LDH), the MULEIDE (Women, Law and Development), CIP (Center for Public Integrity), the Women's Forum, among others. These organizations are mostly headed by women and act on areas of legal assistance, monitoring of detention conditions in police stations and prisons, producing independent and "shadow" reports on various human rights topics, condemning the violation of fundamental rights and abuse of power, lobbying and legal advocacy, and monitoring of public policies focusing on the human rights approach.

IV. Achievements, challenges and constraints in the promotion and protection of human rights

A. Situation of civil and political rights

1. Political process and elections

40. Mozambique is one of the few countries in the world emerging from a harrowing situation of a long and bloody armed conflict (16 years) who achieved notable successes in the process of maintenance of peace and stability after the conflict. Allied to the peacekeeping, it has made enormous progress in economic growth and in the fight against poverty.

41. Although there has been no alternation in terms of political party for the running of the country, the democratic process has been enhanced to the extent of that the Constitution together with other legal provisions guarantees to the citizens, the right to alternate the Govern in a peacefully manner. That right is exercised in practice at the end of five years

through fair and just periodic elections based on universal suffrage. There have already been held 4 successfully general elections – presidential and legislative – in 1994, 1999, 2004 and 2009 (the latter grouped with the first provincial elections). In this context it is worth to note that there was an orderly transfer of powers from one democratically elected president – still with possibilities of running for another term – to another, even though from the same party, which shows great democratic maturity and statesmanship. Also in this regard, the process of decentralization is occurring satisfactorily with the establishment of local municipalities and the creation of local advisory councils – an instrument that allows the citizens to participate freely in decision making. Relating to municipal decentralization, there have been held 3 successfully elections in 1998, 2003 and 2008 to elect mayors and members of local Assemblies.

42. While there are always complaints about the management of the electoral process, the institutions associated with it are increasingly strengthening themselves with a more active participation of the civil society in the National Electoral Commission (CNE) making it truly independent, and beyond any suspicion.

43. In the field of governance, members of many ethnic groups have been occupying key positions in both the legislative branch and the executive branch, and there is no exclusion of specific ethnic groups in the exercise of political governance, which proves the strong inclusion of citizens in the management of leadership processes and cohesion of national unity that exists in Mozambique.

2. Prisons

44. The prison system is one of the pillars of the administration of criminal justice in Mozambique. It was one of the sectors whose development framework for the new political climate was considered slow. However, the Mozambican state in recognition of these facts undertook a process of reforms initiated in the late 1990s supported by international partners, namely, UNDP, Ireland, Portugal, and the European Union, among others, that culminated with its unification in 2007.

45. Despite the fact that the legislation governing the sector is very old, dating from 1936 as a legacy of the colonial past, with the entry into force of the new constitution, organizational advances under a legal standpoint were marked with the approval of the Defense Policy of Legality and Justice (Council of Ministers Resolution No 16/2001 of 24 April). This Policy emphasizes the approach of correctional treatment (respecting the dignity of the human person) instead of the treatment based on punitive confinement in cells: approval of the Prison Policy and its Implementation Strategy (Approved by Council of Ministers Resolution No 65/2002 of August 27) that deepens the provisions of the above mentioned Defense Policy and defines more precisely the mission of prisons; and finally the unification of the prison system deriving from the creation of the National Prisons Services (SNAPRI) under the Ministry of Justice as result of the implementation of the Prison Policy.

46. Despite these gains, it is a fact that the conditions of prisons and Detention Centers continue to have some problems, even with some improvements in certain units. The major manifestation of those problems is the high rates of overcrowdings that come to be about 300%, ie, three times more than the designed capacity. For example, the largest prison in the country, the Maputo Central Prison, accommodates around 2.300 inmates to an installed capacity of 800. The problem of overcrowding also leads to the exposure of inmates to various infectious diseases such as diarrhoea, cholera, tuberculosis and HIV/ AIDS, in addition to other endemic diseases like malaria.

47. Due the weak economic situation in the country, many of the infrastructures in this area date from the colonial period and in many cases did not receive any rehabilitation,

impacting negatively and making poor the situation of accommodation of the prison population. However, despite all the difficulties, new prisons are being built especially at district level and rehabilitation is taking place to some provincial and regional prison centers.

48. As a rule the prisoners are entitled to, medical care, profess their religious worship provided that they do not disturb order and discipline, receive regular visits from relatives and friends, receive food twice or three times a day, information (received from newspapers, magazines, books), and, practice sports and recreational activities. They also receive scholar and professional instruction.

3. Police

49. The Mozambican police forces have the role, in accordance with paragraph 1 of Article 254 of the Constitution, of guaranteeing law and order, safeguarding the security of people and property, public peace, respect for the rule of Democratic Law and strict observance of the rights and freedoms of citizens. In observance of the principle of multiparty, paragraph 2 of that article states that the Police is nonpartisan.

50. The line institutions of the police forces including, the Protection Police (PP), the Criminal Investigation Police (PIC) and the Rapid Intervention Force (FIR) are politically the Ministry of Interior, and operationally under the responsibility of Police General Commander (paragraph 1 of Article 255 of the CRM).

51. In the context of the historical turning point that the country suffered, the police has gone through many reforms, with a view of modernizing it and set it to the new constitutional order. It was within this context that, constitutional provisions relating to police force, the Police of the Republic of Mozambique was created by Law No. 19/92 of December 31; the Academy of Police Sciences (ACIPOL) was also created by Decree No. 24/99 of 18 May, and has developed the Police of the Republic of Mozambique Strategic Plan 2003-2012 (PEPRM).

52. Still in the field of modernization of Police, ACIPOL is focused on intensive training and professionalization of the police staff in the form of 3 and 4 years high level courses, and continuous training for high ranking officers. Since its inception until 2006 ACIPOL has graduated about 120 police officers. In its curricula, ACIPOL has modules on human rights.

53. Mozambique is a country that is part of the Southern African region and in that respect the police of the Republic of Mozambique is part of the regional police officers (SARPCO) which developed a code of conduct for its members with regard to performance and compliance with regional and international human rights standards.

54. In line of the implementation of the strategic objectives of its Strategic Plan, in 2001, the Ministry of Interior, which oversees the police, launched an initiative to build relationships with communities to involve them in the fight against crime and promotion of social peace. As a result of this effort, by 2005 there were already about 1,125 Community Policing Councils across the country.

4. Freedom of religion

55. Mozambique is a secular country in accordance with paragraphs 1 and 2 of Article 12 of the CRM. The same article of the CRM guarantees the Freedom of Religion in its paragraphs 3 and 4 in conjunction with Article 54.

56. However the CRM and the Law on Political Parties explicitly prohibits religious groups to organize political parties and political groups and to sponsor religious propaganda that could endanger national unity.

57. It is in this framework of religious tolerance and secularism of the state that more than 500 religious groups, officially registered, operate in perfect harmony.

5. Protection of refugees and stateless persons

58. The right to asylum foreseen in Article 20 of the CRM and regional and international instruments on the subject ratified by Mozambique constitute the legal basis for the recognition of the need for granting asylum and the refugee status to foreign nationals and stateless persons by the Mozambican state.

59. Given its strategic geographical position, Mozambique is a country of choice for the wave of refugees from the conflict zones of the Horn of Africa, Great Lakes Region and Zimbabwe. In this context, the Government has been cooperating with the High Commission of the United Nations for Refugees (UNHCR) and other humanitarian organizations in the assistance to refugees and persons seeking asylum. In the operational field, Mozambique houses about 8,737 refugees, from Burundi, Democratic Republic of Congo, Rwanda, Ethiopia and Somalia, in the Reception Centre for Refugees called Marretane center in Nampula Province and in Maputo.

60. Once they have been granted asylum and refugee status, the refugees are provided food supplies and medications, as well as guarantee of jobs for them and the right of education for their children.

6. Fighting corruption and promoting transparency

61. The fight against corruption is a priority for the Mozambican State in order to promote the welfare of citizens and in the fight against absolute poverty.

62. Despite the International Governance Indicators from World Bank and other organisms showing corruption as an endemic and serious problem, the Government has been developing initiatives to fight it: in this context, has been approved an Anti-Corruption Law; was created the Central Office for Combating Corruption (GCCC) which functions as an autonomous unit under the authority of the Attorney General's Office with its own budget.

63. In the context of transparency and the fight against corruption, the law requires that all members of the Government declare their assets and deposit a statement at the Constitutional Council.

7. Gender

64. Regarding the legal rights of women and their representation in the public life, the country has had a remarkable development. The principle of equality between men and women has been advocated by FRELIMO during the struggle for the national liberation against the Portuguese colonial rule. In 1971 was created the Female Detachment and in 1973 the Organization of Mozambican Women (OMM), both as part of FRELIMO. The first Constitution of 1975 advocated equality before the law and the revised Constitution in 1990 declared the "equality in all of political, economic, social and cultural spheres."

65. The percentage of female parliamentarians increased from 28% in the 1994 elections to 30% in 1999 and 42% in 2004 - one of the highest percentages in the world, which alone shows the great commitment of the Mozambican society in promoting gender equality. In 2004, three out of 25 Ministers and 5 of the 18 Vice-Ministers were women. The PARPA has taken the measure to enhance gender equality in the spheres of education and health, but did not extend this concern to the economic spheres. In 2004, there were 93 women in the National Assembly (legislature), from a total of 250 parliamentary seats, with a woman

as Vice-chairman of the Assembly. The office of Prime Minister (Executive Branch) was held by a woman.

66. Despite these remarkable advances, in 2004, the Gender Development Index (GDI) of the UNDP puts the position of women in Mozambique as 139th out of 144 countries. In practice the Index wants to show that there is still a difference between the constitutional rights enshrined under Article 36, the principle of gender equality and the practice which is manifested in poor access to the courts; traditional barriers in relation to property, disadvantages in the right of inheritance and access to productive resources. However, the recent approval of the Family Law (2003) and enacted in 2004 gives greater protection and rights for women and children, including those living with a partner, which is without doubt a great advance.

67. The phenomenon of discrimination against girls in access to education continues despite a tendency to improve compared to the past, insofar as school enrolments have increased and available data show a declining trend in the difference of the gap between boys and girls. Literacy has also improved among women, but there is still a big difference between men and women. The health indicators begin to come in line with international trends: women have higher life expectancy and men have death rates and higher mortality than women. But this trend can be reversed by the effects of the HIV/AIDS to the extent that women are more vulnerable to its effects and have higher mortality rates.

68. As a corollary of the strong sensitivity of Mozambican society regarding the issue of gender the Government established the Ministry of Women and Social Welfare.

B. Situation of economic, social and cultural rights

1. Issue of land

69. According to Article 100 of the Constitution the land in Mozambique belongs to the State and results from the long long-lasting legacy of the heroic struggle for emancipation of the people of Mozambique from the Portuguese colonial rule.

70. Access to land is regulated by law that resulted from an intense debate, involving political parties, peasant associations and NGOs in the mid 90s. However, there have been always clear objectives and interests of the peasants (the majority) and family farming, with a strong component of production for self-reliance, involving also other rights such as access to water, timber, to trees and other resources related to land and essential to social and cultural reproduction of communities and individuals. It was in this context that was adopted the Law No. 19/97 of 1 October, known as the "Land Law".

71. In the legal framework, the "Land Law" is an innovative and prudent instrument since it materializes the inclusion of rules of customary law (Negrão 2003: 253) protecting farmers who exploit the land, while giving ample effective guarantees and possibilities to all interested in its commercial exploitation. As a general principle (Article 3), land is state property and can not be sold, or otherwise, mortgaged and pledged. The right of use and enjoyment of the land (Article 12) is acquired by: (i) occupation by individuals and local communities, according to the norms and customary practices, (ii) occupation by individuals who in good faith, have been using the land for at least ten years, (iii) permit application requested by individuals or legal persons. In giving primacy to the interests of peasants, in paragraph 3 of Article 13 it is stated that the titling process and the right to use land includes the opinion of local authorities, preceded by consultation with the respective communities for the purpose of confirming that the area is free and has no occupants.

2. Right to education

72. The CRM states in Article 113 combined with Article 114 that all citizens have the right to education in the Republic of Mozambique.

73. Literacy and basic education are part to various legal instruments and policies of development of the country. Including:

- The Constitution of Republic of Mozambique, which defines education as a right of every citizen and as a way to, national unity, eradication of illiteracy, mastering science and technology as well as moral and civic education of citizens;
- The Government's Five Year Plan (2004–2009), advocated the revival of literacy by giving it a global and realistic dimension, and aimed at reducing the illiteracy in 10%;
- The Law No. 6/92, which harmonizes the National Education System (SNE) to the Constitution;
- The Action Plan for the Reduction of Absolute Poverty (PARPA II), 2004–2009, which in the spirit of PARPA I (2001–2005) defines literacy and adult education as one of the main objectives of the educational program.

74. The legal instruments and policies mentioned above reflect the clear will of the government and the society, as a whole, to give to the education space and an increasingly active role in poverty reduction and human development in the country, conforming, thereby, to international commitments assumed from the Jomtien and Dakar Declarations, among others.

75. Education is seen as a key instrument for a number of structural redirection of political and economic process. In this context it was created in 1999, the Movement for Education for All in Mozambique (MEPT), comprising over 70 members, including Non-Governmental Organizations, Religious Institutions and Trade Unions. The main objective of the MEPT is to provide a space for civil society to participate actively in the education process in the country. MEPT is also a founding member and moderator since 2001 of SANCEFA (Southern Africa Campaigns for Networks of Education for All), which promotes the objectives of education for all through partnerships among countries in the region.

76. Mozambique participated in the Millennium Conference, sponsored by the UN in September 2000 which endorsed the "Millennium Declaration" along with the Millennium Development Goals (MDGs), having produced the Action Plan on MDGs which emphasizes the provision of universal primary education.

77. With the end of the war the education system is having a continuous expansion, with an annual growth rate between 9% and 11% in the number of students (since 1999) and 5-8% in the number of schools at primary and secondary (since 2000). The rates of school enrolment reached 76% for all students and 73% for girls, overcoming the goals set forth for the eligible population in 2004, respectively, 72% for all students and 69% for girls.

78. However, the quality has been the major problem in access to education, particularly, because of the insufficient growth in the number of trained teachers to follow the expansion of the system, which contributes to high rates of repetition and drop outs. To alleviate this situation, the Ministry of Education developed a mechanism that lowers one year in duration of teacher training.

79. Recent statistics from the National Institute of Statistics informs that the average rate of illiteracy among the adult population stands at 53.6%, being higher in rural areas (65.7%) than urban (30.3%) and more marked among women (68 %) than men (36.7%).

3. Access to water and sanitation

80. In the Republic of Mozambique the water as a natural resource is owned by the State (Article 98 of the Constitution). Being a resource of public domain, its access is regulated by the National Water Policy adopted by Council of Ministers Resolution N°. 7/95, 8 of August, which sets out the general lines oriented to the extension of the network to supply water to people. The Policy is materialized by a series of instruments for the different areas, including the Strategic Plan for Rural Water and Sanitation, the National Strategy for Water Resources Management, National Strategy of Information System of Water and Sanitation, and the Strategic Plan for Urban Water and Sanitation.

81. In Mozambique, as in several countries in sub-Saharan Africa, access to water is less than 20 litres per person per day, average recommended. However, it is noted that progress has been made since 1975 to increase the coverage of access to water sources from 5% to 51% today.

82. According to Government projections, 70% of the Mozambican population will have clean water by 2015, against 57% currently have this essential right. Furthermore, by 2015 the Mozambican government also intends to extend basic sanitation to 60% of the population, surpassing the 45% of current beneficiaries.

83. In the context of meeting the target by 2015 on expanding access to clean water in rural areas, there have been built and rehabilitated over 2.212 scattered sources that benefit about 1,081,500 people. Additionally, there were established 42 small water supply systems benefitting 714,532 people and there are 19.913 scattered sources of which 16.993 are operational, serving 7,990,239 people, which correspond to a coverage rate of 54%. Regarding urban areas there were established 35.144 new household connections, constructed and rehabilitated 326 standpipes in outlying residential areas, serving 2,982,554 people which represents a coverage rate of 60% of urban population and an estimation of about 70% by the end of 2010.

84. Relating to basic sanitation, the goal by 2015 is 50% of coverage for rural areas. It was in this context that have been built about 25,638 improved latrines corresponding to a coverage rate of 40%.

85. In relation to the urban area for the same period (2015) the target is 80% of coverage. To reach this mark, there are already in place various ongoing rehabilitation of sanitation systems, particularly in systems of sewers and septic tanks, drainage systems for rainwater and in the peri-urban area were have been built about 26,429 improved latrines accompanied by parallel pro-hygiene and sanitation education campaigns. The coverage rate for sanitation in urban areas, to present, is 50.2%. It should be noted that municipalities have played a very important role in this area.

4. Access to health

86. The investment in Health sector is one of the highest priorities within the framework of social policies in the country, because health is a right of all citizens constitutionally established in terms of Article (116), and contributes to the affirmation of principle of social justice that governs the Mozambican state. The vector that guides this area is that all citizens, without exception, have access to the best health care whenever they need. It is, therefore, fundamental to guarantee to the people a timely and effective quality health service.

87. To achieve the Mozambican state policies under the right of access to health, the following tasks have been entrusted to the Ministry of Health, pursuant to Presidential Decree No .11/95:

- Provide health care to the population through public sector;

- Promote and support the private non-profit health care system;
- Supervise the Community system in providing health care, formulate pharmaceutical policy and direct its implementation in accordance with the guidelines outlined by the Government;
- Promote and guide the professional and technical training of health personnel; and
- Develop and promote research on suitable technologies for the health system in different study levels of care to ensure a better definition of health policy and program management.

88. The overview of the health sector in Mozambique shows that on the one hand, poverty is behind the biggest health problems in the country but , on the other, indicates that the socio-economic development of Mozambique is impeded by high costs involved in the prevention and combat of diseases like malaria, considered the first cause of mortality in the country, where 2009 alone, 4.310,086 cases were reported corresponding to 15.6% from 5,168,684 cases in 2008.

89. In relation to tuberculosis, from 2008 to 2009, there was an increase in notified cases from 50% to 52 %. In 2008 the tuberculosis associated with HIV/AIDS is estimated to have been infected about 500 people a day with a prevalence rate of around 15% according to data from the National Institute of Statistics. One of the most important constraints in the health sector is the poor knowledge that the people have on diseases prevention and the principles of good nutrition. The high percentage of illiteracy is not conducive to dissemination of written information. The high rate of maternal mortality (358p/100 thousand) is partly a reflection of this constraint.

90. This scenario draws attention to the imperative of compliance with strategies and health policies, whose main objective is to streamline the resolution of major health problems in the country, designing and developing programs for preventing and combating diseases, and to ensure progressively, the increase of human, technical and financial resources, to the information, counselling, vocational training and access to additional means of diagnosis and treatment.

91. Some health indicators illustrate that the majority of growth took place in rural areas and in disadvantaged provinces, where there was much to recover as a result of the destruction caused by the 16 years of destabilization war. Between 1993–1996, the key elements were : (i) restoration of peace, with the resettlement of populations, (ii) rehabilitation of massive peripheral health units, mainly carried out by NGOs, and (iii) redistribution of health personnel mainly in urban areas so far safer (provincial capital) for the rural health units being rehabilitated. Between 1997 and 2000 the sector continued to expand at the same speed, due to substantial increases in domestic and external financing of the budgets of state and sector as well as the financing of projects for staff and rehabilitation of health units. And from 2001 to the current period, health activities continued to expand. Overall there has been a continuing improvement in health indicators set out in PARPA – even within the PAF – in particular regarding the external consultations taxes, children vaccination and infant mortality.

5. Work

92. The work is a constitutionally enshrined right and duty, under Article 84, for all citizens in a working age. It is regulated by a specific law, Labour Law, Law N° 263/2007 of August, for general cases, more specifically for the private sector, and the General Statute of State Employees, for the public servants. Mozambique is also a state part to several labour conventions of the International Labour Organisation (ILO).

93. The Constitutional and the ordinary law stipulates that all workers are free to join a union of their choice (Exercise of the Law of Association), without previous authorization or excessive requirements. It is important to note that the labour law that guarantees the right of association does not include public employees in general as well as members of the judiciary, the police forces, fire-fighters, prison guards and members of the armed forces. It is legally prohibited the discrimination against Trade unions.

94. According to the Organization of Mozambican Workers (OTM) a total of approximately 500,000 workers were in the formal sector, of which 98,000 belonged to a union, by 2006.

95. The labour law establishes the right of workers to organize and bargain collectively labour contracts and other employment benefits. In this context, the trade unions have been responsible for negotiating wage increases under a tripartite scheme, the Government, Employers and Trade Unions.

96. The right to strike is a constitutional guarantee, and workers have been in practice exercising it. However, members of police forces, the public sector employees, military personnel and workers in essential services like fire, sanitation personal, and health care have no right to strike for obvious reasons. This right is regulated by Law No. 6/91, 9 January, laying down the procedures to be complied with relating to the right to strike and also specifies that strikers must notify authorities with an advance of 48 hours.

6. Forced and child labour

97. The forced or compulsory labour, including children, is prohibited by law. There have been reports of cases and incidences of violation in the informal economy (trade and small household) and in rural areas (commercial agriculture), but when this happens the authorities take appropriate measures against the offenders. The factors that have contributed to these occurrences are chronic poverty of the family, the breakdown of family support mechanisms, unemployment of parents and adult relatives, the unexpected changes and instability in the economic environment, lack of educational opportunities, gender inequality, and the impact of HIV/AIDS.

98. Despite legislation prohibiting child labour, it still remains a concern in that it expresses the situation of poverty in the country. Formally, the minimum age for access to work without restrictions is 18 years of age. Nevertheless, the law makes some exceptions for children between 15 and 18 years of age to work, provided that the employers offer their education and professional training, and ensure that the working conditions are not physically and morally harmful for their development. Children between 12 and 15 years of age may work under special conditions needing a jointly authorization from the Ministry of Labour, Health and Education. The maximum weekly hours allowed to children under 18 years of age by law is 38 hours, the daily maximum load is 7 hours, and can not work in occupations that make them subject to diseases or that are hazardous or those that require from them stronger physical exertion. Children have to undergo a medical examination before beginning work. By law children must receive at least the minimum wage or a minimum of two thirds of the adult wage, whichever is higher.

7. Environment

99. In Mozambique the environment is a constitutionally guaranteed right under Article 9, which is set out in its first paragraph that "every citizen has the right to live in a balanced environment and the duty to defend it." The Ministry of Environment which is the central body geared to the promotion and protection of environmental policies and strategies, was created for the embodiment of this constitutional provision.

100. Mozambique has been having a good performance as regards to the development of "systems of responses" legal and regulatory standards and programs for the management of natural resources and the human environment. In this context, an assessment of the Canadian government concluded that Mozambique has "excellent legislation and environmental policies" but "lacks the capacity to implement this legislation" (CIDA 2004), which is a fact, despite the efforts that have been made to minimize this.

101. According to the 2005/2007 report on the National Forest Inventory, the proportion of land covered by forests is estimated at 51%. In the evaluation of substances that destroy the ozone layer, was found a gradual reduction of Chlorofluorocarbons (CF) 9.9 (2000) to 2.7 (2007), Methyl Bromide 8.4 (2000) to 0.4 (2007) and an increasing trend in consumption of hydro chlorofluorocarbons (HCFs) 0.5 (2000) to 2.05 in 2007 (Micoa).

102. The approval of Law and Policy on Planning and Territorial Management (LOT) in 2007 and its regulations in 2008, and the integration of the space component in 40 District Strategic Plans, which was expected to conclude in 2009, allows an optimistic perspective for the reduction of the proportion of the population living in degrading settlements, and substantially reduce the risks of environmental degradation (including the engagement of municipal authorities).

8. Right to adequate food

103. The Human Right to Food is a basic human right; it has been recognised since 1948 by the Universal Declaration of Human Rights (UDHR) and has been reiterated by various bodies and mechanisms expressed in numerous instruments signed by the international community. The enjoyment of this right implies necessarily the involvement and engagement of the global society, with the state in a primary position in the creation of the environment to make this a reality.

104. Mozambique is a party to the UDHR and in this perspective recognizes the right to food as a fundamental human right. Nevertheless, this right is not yet explicitly provided in Mozambican legislation, which is a great challenge.

105. The implicit recognition of the Human Right to Adequate Food in the Constitution, lies in ensuring the rights to life, health, consumer rights and right to social security (arts.40, 89, 92, and 95).

106. The indirect recognition of HRAF in ordinary legislation resulting from the adoption of the Consumer Protection Law (Law No. 22/2009), Social Protection Law (Law 4 / 2007) and the National Code on Marketing of Breast milk Substitutes (Diploma Ministerial No 129/2007).

107. The HRAF is recognized in various public policies on Food Security and Nutrition with emphasis to Food Security and Nutrition Strategy (ESAN II), which is guided by a perspective of this right, including: the definition of food security and nutrition as a human right, acceptance of the obligations of the State to Respect, Protect and Fulfill human rights; the recognition and operationalization of the principles of non-discrimination, human dignity, participation, rule of law, Empowerment, public participation in planning and implementation of Food Security and Nutrition, prediction of formulating a law on HRAF including mechanisms for enforceability and other topics related to that right.

108. The main strategic objective of ESAN II is to end with the paradox which dictates that despite the economic growth and increased production, the levels of malnutrition remain high. Indeed, recent studies (MICS 2009) indicate a slight improvement in the nutritional status of the population. Thus, from 2003 to 2009 chronic malnutrition fell from 48% to 44%, the low weight for age reduced from 22% to 18%, the low weight for height

decreased from 5% to 4%. The low weight at birth stands at 15% and 41% of children suffer from malnutrition¹.

109. In recent years, as effect of implementing the Plan of Action for Food Production, the production and food availability, as in the case of maize, cassava and beans has increased. Thus, the state is less dependent on external food aid.

110. Despite the legal vacancy, at the international level Mozambique has been cooperating with various agencies around the world with a view of achieving this right. It has been in that context that in 2004, the country participated at the Council of the United Nations Food and Agriculture Organization (FAO) where have been adopted the "Voluntary Guidelines on the Right to Food" containing a set of recommendations for countries to comply with the obligations inherent to the right to food.

9. Housing

111. Housing in Mozambique is a fundamental right and constitutionally enshrined under Article 91, which advocates in its paragraph 1 that "All citizens have the right to adequate housing, and the state has the duty, according to economic development, to create the appropriate institutional, regulatory and infrastructural conditions." Despite this constitutional recognition, there is still no national policy to guide the housing construction in the country.

112. The National Department of Housing and Urban Development at the Ministry of Public Works and Housing (MOPH / DNHU) outlined a strategy for housing (2001) and a housing policy in (2005), which led to a national conference, in mid 2006, organized by MOPH and UN-HABITAT, aimed at collecting contributions for the housing policy. Still, there has been no notable progress.

113. In 1995 the state established the Fund for the Promotion of Housing (FFH) aimed at promoting social housing for low income families, skilled technicians and young couples. The revenue structure of this fund is 50% of the incomes from the sale of nationalized dwellings - currently sold out because the process of divestiture was given as completed in 2005 - revenue derived from the depreciation of loans and the sale of houses by itself constructed. Funds from sales are deposited in commercial banks and earn interest.

114. In the first nine years of its existence, only, the FFH could provide 6,000 plots with access to basic services and support the building of about 1,000 homes and renovation or completion of other 1,000 houses under the first Contract Program.

115. According to INE data (1997), only 27.5% of urban population live in decent or modern conditions housing. In the last few decades Mozambique has had satisfactory economic development indicators. There has been substantial reduction of index of absolute poverty at national level: in 69% (1997) to 54% (2003). The people perception of "economic prosperity" was on the other hand, stimulating an unsustainable rural exodus to the cities has developed the proliferation of degraded areas in cities and has contributed to the situation of environmental degradation.

10. Child

116. Mozambique has a population of more than 20 million inhabitants, of which about 9 million are aged between 0–18 years. This means that about half of Mozambique's population are children. In this context, this means a concern with half the population which by nature is considered a vulnerable segment.

117. The promotion of the Rights of the Child has been a priority in the successive constitutions of the country since its inception. In the current Constitution, the rights of the child are provided in accordance with Article 47, in addition to existing supplementary

legislation that strengthens, such as the Juvenile Jurisdictional Statute, the Civil Code, the Criminal Code, Family Law, among others. In 1979, Mozambique had already adopted the Mozambican Declaration on the Rights of the Child, conceived as a basic instrument in guiding the society in relation to their interaction with the children, taking into account the protection of their rights.

118. Having in mind the legal protection of the child Mozambique adopted recently, the Law for the Promotion and Protection of the Rights of the Child (Law No. 7/2008 of July 9), Law on the Jurisdictional Organization of Minors (Law No. 8/2008 of July 15); and the Law for the Prevention and Combat of Trafficking in Persons, Especially Women and Children (Law No. 6/2008 of July 9).

119. To coordinate and integrate the efforts of various government institutions and civil society organizations involved in promoting and defending children's rights in the context of Law No. 7/2008 of 9 July, and the National Action Plan for Children was created the National Council for the Rights of the Child (CNAC) through Council of Ministers Decree No. 8/2009 of 31 March.

120. The National Council for Children is chaired by the Minister of Women and Social Welfare, and includes the Ministers of, Justice, Education, Health and Youth and Sports. The Council also includes representatives of civil society organizations and religious institutions.

121. In achieving the country's commitments towards the Rights of the Child, the Government has signed and ratified several international instruments, including the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. Additionally, there has been promoted the establishment of infant-juvenile associations.

122. Despite the war that ravaged the country, derived from its commitment to the cause of the Rights of the Child, Mozambique participated in 1990 at the World Summit for Children, where more than 159 countries pledged to strengthen efforts to ensure the survival, child protection and has signed the World Declaration on the Survival, Protection and Development of Children and its Plan of Action for the 1990s, adopted in this Summit.

123. The attitude of the country which is manifested in their commitment towards the child has had positive results, despite the side effects of war and natural disasters, consolidating on the high enrolment rates, high rates of coverage of vaccination programs, reducing child mortality, among others.

124. Ratings related to the current situation of children in Mozambique show that the country has made positive progress, with regards to developing a legal framework favourable to the implementation of child rights and the drafting of several documents of policies, which direct influence in promoting a favourable environment for the welfare of the child.

125. In this context, there have been remarkable gains in improving the hosting, assistance and integration of orphaned/abandoned and other children in difficult circumstances, and in solidarity with the communities.

126. With the peace reigning in the country, several strategies and programs in the medium and long term aimed at ensuring economic growth and development have been designed, especially the National Action Plan for Children (PNAC) which identifies key priorities in survival, protection and development of children, based on fundamental policies and strategies of the Government, namely the Government's Five Year Plan, the PARPA and Agenda 2025 and its annual planning tools: Economic and Social Plan (PES), the State Budget (OE) and the Middle Term Fiscal Scenario (CFMP).

127. The PNAC, respecting the recommendations of the Special Session of UN General Assembly on Children (2002) and the African Forum on Children, namely, in legal protection, nutrition, maternal and child health, HIV/AIDS, set out several cross-cutting areas identified as basic to survival, protection and development of children in the Mozambican context, such as basic education and child development, social action, culture and sport.

128. The development of the PNAC has the helpful assistance of other state institutions, NGOs and other related entities working for the well-being of children, to ensure that all those plans converge in the context of the goals and objectives of the World Summit for Children, under the development objectives of the country, as well as the Millennium Development Goals (MDGs).

129. Despite efforts made by the country on behalf of the children since independence, the situation of this group in Mozambique continues to be characterized by weak observance of their rights, because of the extreme poverty that characterizes the country.

11. Access to justice

130. Access to justice in Mozambique is based on the constitutional principle of legality provided under the Article 4 of CRM, which stipulates that "the State recognizes the different regulatory and conflict resolution systems that coexist within the Mozambican society, to the extent that are not contrary to the values and principles of the Constitution." This means that in Mozambique the citizens are free to use either formal justice bodies (courts) or informal (traditional justice) provided that the latter does not violate the rule of law founded on legality. This principle is combined with the article 62 of CRM which provides free access to citizens to courts, legal aid and advocacy.

131. In practical terms, so as to realize the right of access to justice by citizens, the State created the Institute for Legal Aid (IPAJ) under the Ministry of Justice, whose function is to ensure the implementation of the law providing for defense, sponsorship and free legal assistance to economically disadvantaged citizens who may need it.

132. The assignment of separation of powers and independence of the judiciary and the creation of civil society organizations aimed at protecting the rights of citizens are the most prominent marks, which in the theoretical background, give effective access to justice for citizens.

133. The judiciary is a pillar of the three sovereign powers, alongside the legislative and executive, as part of the affirmation of a democratic state. The independence of these three powers is fundamental in the achievement of the objectives that justify its existence. At the same time, the Judiciary is one of the most important guarantees that citizens must see their fundamental rights and freedoms duly made, because, according to the Constitution, anyone can use it whenever he/she needs.

134. However, despite the reform process in the sector of the administration of Justice with the development of a legal and institutional framework for its rupture with the past and for strengthening its institutional capacity through the creation of the Technical Unit for Legal Reform (UTREL), with revisions of the Criminal Code and Criminal Procedure Code, approval of the new Family Law, the creation of the Center for Legal and Judicial Training, development of Justice Vision, the design of the Integrated Strategic Plan including its Operational Plan, the challenges to citizen satisfaction is even greater and requires a redoubling of efforts by the society at large.

12. HIV/AIDS

135. HIV/AIDS constitutes one of the major challenge in Mozambique, because beyond the immediate effect on the population, HIV/AIDS has indirect impacts on a reduced growth rate of GDP (less than 1% per annum until 2010 (Arndt 2003) and implies amounts of new spending in health care and replacement of staff lost. It is estimated that it will be necessary to train 25% more medical staff to keep up the numbers. A similar percentage probably applies to education and employment sector.

136. HIV/AIDS affected approximately 14.9% of the population between 15 and 49 years old in 2004 and are expected to reach 16.8% in 2010 (MISAU 2004). 59% of those affected are women. As a result it is expected that:

- Life expectancy, instead of rising from 43 years in 1999 to 50 in 2010, the prediction is that it will fall to 36 (World Bank 2004);
- The infant mortality rates are likely to be 25% higher than expected (World Bank 2003);
- In 2004 there were 228,000 orphans due to AIDS, and this will rise to over 500,000 in 2010 (World Bank 2004).

137. As one can see, the problem of HIV/AIDS is dramatic. It was in that context that the Government has developed numerous efforts in the sphere of prevention and control as evidenced by the creation of the National Council to Combat AIDS (CNCS); in the sphere of protection against discrimination there were approved several provisions that protect people infected by HIV/AIDS on employment and other public places. The role of NGOs has been instrumental in implementing the National Plan to Combat AIDS.

V. Technical assistance needs

138. The Republic of Mozambique has been making praiseworthy efforts to fulfill its international commitments relating to the main human rights instruments. However, its economic problems, is being a limiting factor to do much better. Therefore, Mozambique, requires technical assistance and capacity building in the following areas:

- Strengthen institutional and operational capacity for the administration of justice, especially by increasing the number of courts and tribunals, providing training for judges and court officials and improving living conditions for inmates of prisons and correctional education institutions;
- Translating the main national, regional and international human rights instruments into national languages and awareness raising;
- Support to the various Ministries concerned with the promotion and protection of Human Rights;
- Implementation of National Plan on Human Rights;
- Operation of the National Human Rights Commission;
- Intensifying public education on Human Rights;
- Upgrading of school curriculum on Human Rights.

VI. Major challenges

139. The implementation of the universal principles of human rights in the domestic, regional and global levels is an imperative for the Mozambican Government. In this context, the key priorities are summarized in this report and there is maintained the commitment to lead efforts for accession and ratification of some key instruments that the country has not acceded, and to submit regular reports to the bodies of United Nations Treaty.

140. Mozambique reaffirms its commitment to ensure a full realization of all human rights and principles enshrined in the light of its Constitutional Charter and other legal devices that do not contradict it.

141. Mozambique also renews its commitment and desire to improve the mechanisms for the electoral participation of citizens and political parties; spreading knowledge of human rights in general, which are the basis of its constitution, through the strengthening of state institutions and encouraging the participation of civil society (NGOs, media, etc), as a means of promoting and protecting human rights.

142. Finally, Mozambique will continue to make efforts in the fight against poverty to promote reforms in critical sectors whose performance is not satisfactory in the context of affirmation of the democratic rule of law, including the development of the constitutional-legal framework of the right to adequate food, the materialization of access to justice, prison reform in the area of employment, gender equality, protecting children's rights, the right to adequate housing, legal reform and HIV/AIDS. It also commits to strengthen the capacities of institutions aimed at promotion and protection of human rights (National Commission on Human Rights and Ombudsman).

Notes

¹ Mozambique. 2003. National Institute of Statistics (INE). Multiple Indicator Cluster Survey (MICS) 2009.