



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

Distr.: General  
30 July 2019

Original: English

## Committee on the Elimination of Discrimination against Women

### Concluding observations on the combined third to fifth periodic reports of Mozambique\*

1. The Committee considered the combined third to fifth periodic reports of Mozambique (CEDAW/C/MOZ/3-5) at its 1692nd and 1693rd meetings (see CEDAW/C/SR.1692 and CEDAW/C/SR.1693), held on 3 July 2019. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/MOZ/Q/3-5, and the responses of the State party are contained in CEDAW/C/MOZ/Q/3-5/Add.1.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its combined third to fifth periodic reports and its written replies to the list of issues and questions, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its distinguished delegation, which was headed by the Health Counsellor at the Permanent Mission of Mozambique to the United Nations Office and other international organizations in Geneva, Francelina Romao, and also included representatives of the National Directorate of Gender and the Gender Promotion Department, who participated in the constructive dialogue with the Committee via videoconference.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2007 of the State party's second report in undertaking legislative reforms, in particular the adoption or establishment of the following:

- (a) Penal (Amendment) Code, in 2014 by Act No. 35/2014, which decriminalizes abortion and increases the sentences for sexual abuse of children;
- (b) National Human Rights Commission, in 2012 under Act No. 33/2009;
- (c) Act on Domestic Violence against Women (No. 29/2009);

\* Adopted by the Committee at its seventy-third session (1–19 July 2019).



(d) Act on the Elimination of Discrimination against Persons Living with HIV/AIDS (No. 12/2009);

(e) Act on the Promotion and Protection of the Rights of the Child (No. 7/2008), which prohibits the non-admission of children to schools based on their gender;

(f) Act on Trafficking in Persons (No. 6/2008), which criminalizes trafficking in persons, in particular women and children, for purposes of sexual exploitation and forced labour;

(g) Labour Act (No. 23/2007), which guarantees the principle of equality and prohibits discrimination based on sex.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or appointment of the following:

(a) National action plan on women and peace and security, covering the period 2018–2022;

(b) Third and fourth national plans for the advancement of women, covering the periods 2010–2014 and 2018–2024;

(c) First and second national plans to combat violence against women, covering the periods 2008–2012 and 2018–2021;

(d) National strategy to prevent child marriage, covering the period 2015–2019;

(e) National strategic plans to combat HIV/AIDS, covering the periods 2010–2014 and 2015–2019, which expand HIV prevention programmes and services for pregnant women;

(f) National strategic plan for education and culture, covering the period 2012–2016, aimed at reducing gender disparities in access to education;

(g) Office of the Ombudsman, in 2012;

(h) National health and sexual and reproductive rights policy, in 2012, aimed at ensuring sexual and reproductive education for boys and girls and access to sexual and reproductive health services, including family planning;

(i) Gender equity strategy in the health sector, covering the period 2009–2013.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:

(a) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in 2013;

(b) Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, in 2012;

(c) Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in 2008.

## C. Sustainable Development Goals

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

## D. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Assembly of the Republic, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

## E. Principal areas of concern and recommendations

### Constitutional, legislative and policy framework

9. The Committee takes note of the progress achieved in legislative reform since the consideration of the previous periodic report, but notes with concern the challenges to the effective implementation of the legal framework in place to protect women's rights and the remaining discriminatory provisions in the legislative framework of the State party, including provisions on inheritance rights.

10. With reference to its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recalls its previous recommendations ([CEDAW/C/MOZ/CO/2](#), para. 13) and recommends that the State party:

(a) Strengthen its efforts to allocate adequate human, technical and financial resources for the implementation of legislation on women's rights and gender equality in accordance with the Convention;

(b) Amend or repeal all remaining sex-discriminatory provisions, including those on inheritance rights, and complete its revision of the Family Act (No. 10/2004), the Penal Code (No. 35/2014) and the Act on Trafficking in Persons (No. 6/2008).

### Definition of discrimination against women

11. The Committee is concerned that the definitions of equality and non-discrimination in articles 35 and 36 of the Constitution fail to encompass all forms of discrimination against women in line with article 1 of the Convention.

12. The Committee recommends that the State party adopt a comprehensive definition of discrimination against women that is in line with article 1 of the Convention and target 5.1 of the Sustainable Development Goals, covering all prohibited grounds of discrimination, including direct and indirect

**discrimination in the public and private spheres and intersecting forms of discrimination.**

#### **Access to justice**

13. The Committee is concerned that the Legal Aid Institute, which provides training for the judiciary and legal support to individuals, has no offices in seven districts of the State party and does not provide services in local languages. It is also concerned about the lack of information on:

- (a) Access to legal aid for women without sufficient means;
- (b) Measures taken to improve women's legal literacy, especially in rural areas;
- (c) The number and outcome of investigations into cases of discrimination against women.

14. **In line with its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

- (a) **Ensure that legal aid is available and accessible to all women, in particular women living in poverty, women with disabilities and rural women, in all districts of the State party and in the main local languages, including through the provision of procedural and age-appropriate accommodations;**
- (b) **Raise awareness among women and girls, in particular rural women and girls, of their rights under the Convention and the remedies available to them to claim those rights, in cooperation with civil society organizations;**
- (c) **Provide training for law enforcement officials on women's rights and gender-sensitive investigation methods to prevent the revictimization of women and ensure that they have effective access to justice.**

#### **Women and peace and security**

15. The Committee welcomes the adoption of a national action plan on women and peace and security, covering the period 2018–2022. Nevertheless, it is concerned about the absence of information on whether the plan ensures the participation of women and civil society organizations at all stages of the post-conflict reconstruction process, in line with the women and peace and security agenda of the Security Council. The Committee is further concerned about ongoing violence in Cabo Delgado and the lack of information on measures taken by the State party to ensure that women who are affected by the conflict have access to justice, including redress and assistance.

16. **In line with its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party:**

- (a) **Provide adequate resources to implement the national action plan on women and peace and security for the period 2018–2022, establish monitoring and evaluation mechanisms and provide information on the results of the plan in its next periodic report;**
- (b) **Ensure that women and girls affected by the conflict in Cabo Delgado have access to effective remedies and that violations of their rights or those of their family members are effectively investigated and the perpetrators prosecuted and punished with appropriate sanctions;**

(c) **Ensure the full involvement of women at all stages of the post-conflict reconstruction process, including in decision-making, in line with resolution 1325 (2000), and take into consideration the full spectrum of the women and peace and security agenda of the Security Council, as reflected in its resolutions 1820 (2008), 1888 (2009), 1889 (2009), 2122 (2013) and 2242 (2015).**

#### **National machinery for the advancement of women**

17. The Committee appreciates the expansion of the coverage of the national machinery for the advancement of women, in particular the national and district councils for the advancement of women. It notes with concern, however:

(a) The fragmentation of the national machinery for the advancement of women, with the National Directorate of Gender having two departments, the national and district councils for the advancement of women, the Gender Coordination Group and gender focal points in line ministries;

(b) The insufficient level of human, technical and financial resources to implement gender equality legislation, policies and plans;

(c) The lack of information on the assessment of the third national plan of action for the advancement of women, covering the period 2010–2014;

(d) The lack of a coordinated approach to gender planning and budgeting, which is at the discretion of the respective ministries;

(e) The limited measurable impact of gender strategies, policies and plans and the activities of the national machinery of advancement of women.

18. **The Committee recommends that the State party:**

(a) **Ensure that all components of the national machinery for the advancement of women work in a coordinated manner and strengthen their cooperation;**

(b) **Provide the Ministry of Gender, Children and Social Action and the national and district councils for the advancement of women with adequate human, technical and financial resources to enable them to carry out their mandates effectively;**

(c) **Expedite the implementation of the fourth national plan for the advancement of women, covering the period 2018–2024, and ensure that the impact of the plan is monitored and assessed;**

(d) **Continue to support the gender focal points in line ministries to ensure effective gender mainstreaming and gender budgeting and strengthen the capacity of the National Council for the Advancement of Women to monitor a coordinated approach to gender planning and budgeting within ministries;**

(e) **Incorporate a results-oriented approach into gender strategies, policies and plans, based on specific indicators and targets, to measure outcomes and the progress achieved towards implementation.**

#### **National human rights institutions**

19. The Committee notes with appreciation the establishment of the National Human Rights Commission and the appointment of the Ombudsman in 2012, but notes with concern:

(a) The insufficient resources allocated to the Commission to make it operational, its lack of independence and its lack of a clearly defined mandate relating to women's rights;

(b) The absence of information on the number of complaints received by the Commission;

(c) The limited follow-up by the State party on the recommendations of the Ombudsman in cases of discrimination against women.

**20. The Committee recommends that the State party:**

(a) **Ensure the independence of the National Human Rights Commission, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), clearly define its mandate to promote and protect women's rights and provide it with sufficient human, technical and financial resources;**

(b) **Give the Commission a mandate to receive complaints from women about violations of their rights and provide information on the number and outcome of such complaints in the next periodic report;**

(c) **Strengthen the recommendations of the Ombudsman on discrimination against women in the public service, including by ensuring effective follow-up on such recommendations.**

**Temporary special measures**

21. The Committee notes with concern the limited understanding by the State party of temporary special measures for the advancement of substantive equality between women and men in all areas in which women are disadvantaged or underrepresented.

22. **In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recalls its previous concluding observations (CEDAW/C/MOZ/CO/2, paras. 29 and 35) and recommends that the State party:**

(a) **Adopt and implement temporary special measures, including time-bound goals, quotas or preferential treatment, in order to achieve de facto or substantive equality between women and men in areas in which women are underrepresented or disadvantaged;**

(b) **Avail itself of international or regional technical assistance to ensure that relevant State officials have a clear understanding of the concept of temporary special measures within the meaning of article 4 (1) of the Convention and the Committee's general recommendation No. 25.**

**Stereotypes and harmful practices**

23. The Committee, recalling its previous concluding observations (ibid., para. 21), reiterates its concern about the persistence of discriminatory gender stereotypes and harmful practices, including polygamy, child marriage, female genital mutilation and accusations of witchcraft against women. It is particularly concerned about the widespread impunity for such harmful practices and the absence of convictions in cases of child marriage.

24. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and in line with target 5.3 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Adopt, without delay, a comprehensive strategy to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and**

men in the family and in society, as recommended in the Committee's previous concluding observations (*ibid.*);

(b) **Promote positive and non-stereotypical portrayals of women in the media and school materials;**

(c) **Continue to engage with communities, including community leaders and parents and relatives of girls, on the negative impact of child marriage on the enjoyment by girls of their rights;**

(d) **Criminalize all harmful practices, including accusations of witchcraft against women, and prosecute and adequately punish perpetrators of such acts.**

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

25. The Committee welcomes the measures taken by the State party to combat violence against women, such as the adoption of the Act on Domestic Violence against Women (No. 29/2009) and the amendment of the Penal Code, by which the provision exempting an aggressor from criminal liability in case of marriage to the victim of sexual abuse was repealed. It is concerned, however, about:

(a) The rampant gender-based violence against women and girls committed in the public and private spheres throughout the State party;

(b) The underreporting of cases of gender-based violence against women, in particular domestic violence;

(c) The social legitimization of domestic violence and the frequent resort to reconciliation within the extended family;

(d) The lack of harmonization of the Penal Code with the Act on Domestic Violence against Women (No. 29/2009), including the protection available to victims of domestic violence, the sanctions against perpetrators and the criminalization of marital rape;

(e) The absence of data on the number of investigations and prosecutions in cases of gender-based violence against women and on the sentences imposed to perpetrators.

26. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:**

(a) **Allocate adequate human, technical and financial resources and establish monitoring and assessment mechanisms for the implementation of the second national plan to combat violence against women, covering the period 2018–2021;**

(b) **Address, through awareness-raising campaigns on the criminal nature of all forms of gender-based violence and its grave impact on women's enjoyment of their rights, the stigma discouraging women and girls who are victims of such violence from reporting it;**

(c) **Ensure that women and girls who are victims of gender-based violence have access to effective remedies and immediate means of redress and protection, including shelter, and provide adequate support to existing services offered to victims by non-governmental organizations;**

(d) **Expedite the revision of the Penal Code to harmonize its provisions with the Act on Domestic Violence against Women (No. 29/2009) to ensure the effective protection of victims of domestic violence and adequate sanctions for perpetrators of such crimes, including marital rape;**

(e) **Systematically collect data on the number of complaints, investigations, prosecutions, convictions and the sentences imposed on perpetrators of gender-based violence against women.**

**Trafficking and exploitation of prostitution**

27. The Committee notes with concern that women and girls are trafficked for purposes of domestic servitude, forced labour and sexual exploitation. It is particularly concerned about:

(a) The insufficient capacity and lack of effective procedures for early identification and referral of victims of trafficking, including undocumented migrants;

(b) The absence of data on cases of trafficking in women and girls, including their organs, the number of investigations, prosecutions and convictions and the sentences imposed on traffickers;

(c) Reports of sexual violence against women and girls who are victims of trafficking by public officials;

(d) The fact that the definition of trafficking in the Act on Trafficking in Persons (No. 6/2008) is not in line with international standards and that victim and witness protection is weak under that legislation;

(e) The lack of State-run shelters for women and girls who are victims of trafficking and exploitation of prostitution and the inadequate State support for shelters run by private associations;

(f) The few prosecutions in cases of gender-based violence against women in prostitution.

28. **The Committee recommends that the State party:**

(a) **Continue to provide training for migration officers and border officials on combating trafficking in women and girls and early identification of victims of trafficking, and establish a mechanism to refer victims to appropriate services;**

(b) **Strengthen its efforts to investigate, prosecute and adequately punish perpetrators of trafficking in women and girls, including public officials involved in such acts, ensure that victims of trafficking and prostitution are exempted from criminal liability and provide data on the number of such cases and the prevalence of trafficking in organs in the next periodic report;**

(c) **Expedite the revision of the Act on Trafficking in Persons (No. 6/2008), ensure that the definition of trafficking is in line with international standards, strengthen the protection of victims and witnesses and adopt an action plan for the implementation of the revised law;**

(d) **Establish State-run shelters and provide adequate support to existing shelters run by non-governmental organizations;**

(e) **Provide counselling, legal services, rehabilitation and social integration programmes for women and girls who are victims of trafficking and those who are exploited in prostitution;**

(f) **Provide exit programmes for women and girls wishing to leave prostitution, in addition to training for the police to eliminate discrimination against women in prostitution.**

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

29. The Committee appreciates the increase in the representation of women in political life, including the number of women parliamentarians and ministers. Nevertheless, it is concerned that gender parity has not been achieved in such positions, nor in the judiciary nor the foreign service. The Committee is particularly concerned that women in rural areas face barriers such as transportation costs and childcare responsibilities that prevent them from participating in the district consultative councils, the existence of quotas for their representation notwithstanding. Furthermore, it regrets the lack of data on the number of women in the police and the armed forces.

**30. Recalling its general recommendation No. 23 (1997) on women in political and public life and target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Address the root causes that prevent women from participating in public and political life at the national and local levels and take measures to overcome such obstacles;**

(b) **Adopt further legislative, policy-related and institutional measures, including temporary special measures, such as a minimum quota, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25, to increase the meaningful participation of women and achieve gender parity;**

(c) **Provide data on the number of women in the police and the armed forces and take measures to encourage women to pursue those careers.**

### **Education**

31. The Committee acknowledges the efforts made by the State party to reduce both the school dropout rate among girls and child marriage. It notes with concern, however:

(a) The high school dropout rate among girls owing to child marriage and/or pregnancy;

(b) The disproportionately high level of illiteracy among women and girls;

(c) The lack of qualified teachers, including women, especially in rural areas;

(d) Reports of sexual abuse and harassment of girls in schools and impunity for the perpetrators;

(e) The lack of comprehensive age-appropriate education on sexual and reproductive health and rights in school curricula;

(f) The low enrolment rate among women and girls in traditionally male-dominated fields of education.

**32. In line with the Convention and its general recommendation No. 36 (2017) on the right of girls and women to education, as well as target 4.1 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Intensify efforts to reduce the school dropout rate among girls and facilitate the re-entry into education of young mothers;**

(b) **Strengthen inclusive and accessible adult literacy programmes, especially for women in rural areas;**

(c) **Continue to mitigate the impact of the economic crisis on budget allocations for education, strengthen efforts to provide capacity-building programmes for teachers and regularly assess the quality of education, in cooperation with civil society organizations and relevant United Nations agencies;**

(d) **Establish effective procedures to investigate cases of sexual abuse and harassment of girls in schools, including special schools, prosecute perpetrators, especially teachers and school administrators, and provide victims with medical care, psychosocial counselling and rehabilitation;**

(e) **Introduce a mandatory age-appropriate education on sexual and reproductive health and rights in school curricula and allocate sufficient funding for implementation of the “Geração Biz” sexual and reproductive health programme;**

(f) **Encourage women and girls to choose non-traditional fields of education and careers, including science, technology, engineering and mathematics;**

(g) **Ratify the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education.**

#### **Employment**

33. The Committee welcomes the amendment of the Labour Act in 2019 to extend maternity leave from 60 to 90 days in the public and private sectors and to criminalize sexual harassment in the workplace. It remains concerned, however, at:

(a) The lack of enforcement of legislation on the principle of equal pay for work of equal value;

(b) The limited availability of affordable childcare facilities and breastfeeding arrangements, especially in the private sector;

(c) The fact that women in the informal sector continue to be excluded from social protection, including maternity leave and pension benefits;

(d) The employment of girls in domestic work under article 4 of the Decree on Domestic Labour (No. 40/2008), which allows minors aged between 12 and 15 years to be employed as domestic workers;

(e) Reports of a high incidence of sexual harassment against women in the workplace, the provisions of the revised Labour Act notwithstanding.

34. **The Committee draws attention to target 8.5 of the Sustainable Development Goals and recommends that the State party:**

(a) **Conduct regular labour inspections in all employment sectors, aimed at enforcing compliance with labour laws, reducing the gender wage gap and ensuring decent working conditions in the informal sector;**

(b) **Increase the number of affordable childcare facilities and introduce flexible working arrangements for women and men;**

(c) **Establish mechanisms to ensure equal benefits in terms of pensions and social protection for women and men and their coverage of the informal economy;**

(d) **Amend or repeal article 4 of the Decree on Domestic Labour (No. 40/2008) to prohibit labour, including domestic work, by children under the**

age of 15 years, in accordance with the Minimum Age Convention, 1973 (No. 138), of the International Labour Organization;

(e) **Ensure the effective implementation of the provisions of the revised Labour Act on the prohibition of sexual harassment in the workplace, establish mechanisms to investigate all complaints, adequately punish such acts and provide redress to victims.**

### **Health**

35. The Committee commends the State party on its adoption of a national plan for the development of health human resources, covering the period 2016–2025, and a health sector strategic plan, covering the period 2014–2019, to ensure maternal and infant health. Nevertheless, the Committee notes with concern:

(a) The high prevalence of HIV among women, the efforts made under the national strategic plan to combat HIV/AIDS notwithstanding;

(b) The persistently high rate of maternal mortality and limited access to safe and legal abortion in the State party, the shortage of trained health professionals, including midwives, in rural areas and the lack of confidentiality in relation to abortion;

(c) The low use of modern contraceptive methods, especially in rural areas, and the limited information on sexual and reproductive health and rights, including on women's sexual autonomy;

(d) The absence of information on women's access to complaint mechanisms in case of involuntary medical treatment in psychiatric hospitals;

(e) The high prevalence of communicable diseases, including cholera and tuberculosis, among women and girls.

36. **The Committee recommends that the State party, in line with the Committee's general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, the aim of which are to reduce the global maternal mortality ratio and ensure universal access to sexual and reproductive health-care services:**

(a) **Intensify the implementation of the national strategic plan to combat HIV/AIDS and ensure access to prevention and early detection programmes for women and girls at risk of HIV, including women and girls with disabilities and with albinism;**

(b) **Strengthen efforts to increase the number of health facilities and trained health personnel in rural areas, including through the implementation of the national plan for the development of health human resources, covering the period 2016–2025, and ensure that women have confidential access to safe abortion and post-abortion services;**

(c) **Ensure that women and girls have affordable access to modern forms of contraception, including in rural areas, and intensify efforts to raise awareness of contraceptive use and sexual and reproductive health and rights, targeting both women and men;**

(d) **Ensure that all medical procedures are carried out only with the free and informed consent of those concerned, in accordance with international standards, and improve access by women to complaint mechanisms in case of involuntary medical treatment in psychiatric hospitals and provide adequate support to them;**

- (e) **Raise awareness among women and girls of how to prevent communicable diseases and strengthen multisectoral cooperation to reduce their incidence, including by improving hygiene and sanitation, especially in rural areas.**

**Economic and social benefits**

37. The Committee notes with concern the disproportionate levels of poverty among women. It is particularly concerned that:

(a) Vulnerability to natural disasters persists, and the lack of a robust social security and protection system fails to prevent women from living in poverty;

(b) There is a lack of information on the availability of safety nets and economic empowerment programmes to lift women out of poverty.

38. **The Committee recommends that the State party:**

(a) **Allocate sufficient human, technical and financial resources to non-contributory social protection schemes to provide social security and protection benefits to women living in poverty, unemployed women and women engaging in unpaid work;**

(b) **Ensure the effective implementation of the national programme on women's economic empowerment in order to create an enabling environment for women, especially those who are unemployed or employed in the informal sector, to provide pathways to exit poverty, reduce dependency on social benefits and enable them to become economically independent;**

(c) **Provide adequate support for women's entrepreneurship by facilitating their access to financial services, including low-interest credit, seed capital and other economic opportunities.**

**Rural women**

39. The Committee welcomes the State party's efforts to facilitate access by women to land and microfinance services in rural areas. Nevertheless, it is concerned about the disproportionate levels of poverty among rural women, who comprise the majority of the female population in the State party. It also notes with concern the impact of natural disasters on the availability of services, including education, health, justice, housing, water, sanitation, electricity and other infrastructure. The Committee is further concerned about the limited access by rural women to land ownership, formal credit and loans and the resettlement and displacement of women in the northern part of the State party by mining companies.

40. **In line with the Convention, its general recommendation No. 34 (2016) on the rights of rural women and target 5.A of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Strengthen efforts towards the economic empowerment of all rural women, including by reinforcing the provision of financial credit and loans and ensuring that rural women have access to justice, education, health safe water, housing, electricity, other infrastructure and land ownership;**

(b) **Monitor the compliance of mining companies with the policy of corporate social responsibility for the extractive industry (resolution No. 12/2014), impose fines in cases of non-compliance and ensure that women and their families who are evicted from their lands are provided with adequate alternative housing and receive compensation.**

### **Disadvantaged groups of women**

41. The Committee acknowledges the efforts made by the State party to tackle intersecting forms of discrimination against disadvantaged groups of women, including through the adoption of a national plan for older persons, covering the period 2015–2019, and a national action plan on disability, covering the period 2012–2019. It remains concerned, however, about:

(a) Violence and abuse against older women and women and girls with disabilities and the lack of information on the impact of the national plan and the national action plan on the situation of older women and women and girls with disabilities, respectively;

(b) The persistent violence and harmful practices committed against women and girls with albinism;

(c) The reports of detention of women with young children and of sexual harassment and abuse against women in detention, including lesbian, bisexual and transgender women and intersex persons.

42. **The Committee, reiterating its previous recommendation (CEDAW/C/MOZ/CO/2, para. 43), recommends that the State party:**

(a) **Assess the impact of the national plan for older persons, covering the period 2015–2019, and the national action plan on disability, covering the period 2012–2019, on how older women and women with disabilities enjoy their rights, and develop and implement subsequent plans;**

(b) **Adequately protect and support older women and women and girls with disabilities, ensure that they have access to justice and punish perpetrators of gender-based violence against them;**

(c) **Undertake awareness-raising campaigns to change negative attitudes towards and eliminate harmful practices and other forms of violence against women and girls with albinism;**

(d) **Improve the conditions in female detention facilities in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and intensify efforts to prevent gender-based violence against women in detention, including lesbian, bisexual and transgender women and intersex persons;**

(e) **Promote the use of alternatives to detention, including pretrial detention, especially for pregnant women, mothers with young children and women heads of household.**

### **Gender and climate change**

43. The Committee is concerned about the disproportionate negative effects of cyclones, such as Cyclone Idai in March 2019, and floods on women and girls owing to their increased exposure to gender-based violence and food insecurity. It is also concerned about the absence of information on the gender, environment and climate change action plan and strategy in 2010, including whether it incorporates a gender perspective and ensures the participation of women at all stages of its development and implementation.

44. **In line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:**

(a) **Ensure that a gender perspective is integrated into the development and implementation of policies and programmes on disaster risk reduction and climate change, conduct an assessment and address the impact of Cyclone Idai and Cyclone Kenneth on women and girls in the State party, consider the impact of foreign debt on the full enjoyment of women's rights and adopt a new action plan on gender, environment and climate change;**

(b) **Ensure that women are included in the planning and implementation of policies on disaster management and disaster risk reduction.**

#### **Marriage and family relations**

45. The Committee remains concerned that discriminatory customary laws and practices continue to regulate marriage and family relations in the State party, including child marriage, as well as access to property, even though civil law prevails over customary law in cases of conflict. It is also concerned about:

(a) The remaining discriminatory inheritance laws and the lack of protection of the rights of widows in the Family Act (No. 10/2014);

(b) The lack of information on whether instances of domestic violence against the mother are taken into account in court decisions on child custody;

(c) The inadequate access by women to birth registration in the absence of a sufficient number of registration offices in rural areas and the requirement to pay a registration fee after 120 days from the birth of the child, in addition to the negative impact on the child's access to education, health and land ownership.

46. **With reference to its general recommendation No. 21 (1994) on equality in marriage and family relations, the Committee recommends that the State party:**

(a) **Expedite the revision of the Family Act to ensure that the minimum age of marriage is set at 18 years without exception, and remove discriminatory provisions pertaining to inheritance that place women, including widows, at a disadvantage compared with men;**

(b) **Ensure that domestic violence against women is taken into account in child custody cases;**

(c) **Increase the number of registration offices in the State party, in particular in rural areas, to ensure timely birth registration and abolish the fees for late registration.**

#### **Data collection and analysis**

47. **The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status. It also recommends that the State party monitor, through measurable indicators, the impact of laws, policies and action plans and assess trends in the situation of women and progress towards the realization of substantive equality between women and men in all areas covered by the Convention.**

#### **Amendment to article 20 (1) of the Convention**

48. **The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

### **Beijing Declaration and Platform for Action**

49. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality between women and men.**

### **Dissemination**

50. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the Assembly of the Republic and the judiciary, to enable their full implementation.**

### **Technical assistance**

51. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

### **Ratification of other treaties**

52. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the International Covenant on Economic, Social and Cultural Rights, to which it is not yet a party.**

### **Follow-up to the concluding observations**

53. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 10 (b), 26 (a) and (c) and 46 (a) above.**

### **Preparation of the next report**

54. **The Committee requests the State party to submit its sixth periodic report, which is due in July 2023. The report should be submitted on time and cover the entire period up to the time of its submission.**

55. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).**

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.