



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

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**Committee on the Elimination of Discrimination
against Women**
Pre-session working group
Thirty-eighth session
14 May-1 June 2007

**List of issues and questions with regard to the consideration
of an initial and second periodic reports***

Mozambique

1. The pre-session working group examined the combined initial and second periodic reports of Mozambique (CEDAW/C/MOZ/1-2).

General

2. Please provide details about the process used to prepare the combined initial and second periodic reports, including the role of non-governmental organizations that work on women's human rights, and whether the report was adopted by the Government and presented to the Parliament.

Articles 1 and 2

3. The report indicates that the Constitution does not establish a legal definition of discrimination (page 17). Please indicate whether the Government intends to incorporate a definition of discrimination in the Constitution or appropriate legislation in line with article 1 of the Convention.

4. Is the Convention directly applicable under Mozambican law? If so, please give examples of cases where the Convention has been cited. If not, what steps are being taken to domesticate the Convention?

5. The report notes that despite the primacy of the Constitution which prohibits discrimination, laws and policies and some aspects of customary law which discriminate against women still remain in force. Please indicate what plans are in place to conduct a comprehensive review of all laws and policies as well as

* The page numbering in this list of issues and questions refers to the English version of the report.

customary practices to ensure their compatibility with the Convention and a timetable for their amendment.

6. According to the report, “there are neither effective institutions nor instruments to protect and/or defend the rights of women and to effectively implement CEDAW’s recommendations” (page 19). Please provide information on what is being done or contemplated, including a timetable, to put in place effective institutions and mechanisms to protect women’s human rights.

Article 3

7. Please provide additional information about the national machinery for the advancement of women and specify its structure, level of authority, functions and human and financial resources. Please also clarify the respective roles of the Operative Group for the Advancement of Women and the Ministry of Women and Coordination of Social Action described on page 20 of the report.

8. According to the report, there is no National Gender Policy but the five-year plan of the Government stresses the need to give political and economic opportunities to women. Please provide a description of the gender aspects of the Government’s five-year plan, including information on the goals, objectives and strategies for the advancement and empowerment of women, and indicate what steps are being taken or contemplated to adopt a comprehensive national gender equality policy or action plan.

Article 4

9. The report notes that temporary special measures that favour women need to be implemented to accelerate the achievement of equality between women and men. However, the report only points to the need for the removal of discriminatory laws and policies under this article and does not indicate what temporary special measures are in place, such as quotas or incentives to accelerate the achievement of equality in all areas. Please provide this information, taking into account the Committee’s general recommendation 25 on article 4, paragraph 1 of the Convention.

Article 5

10. The report notes a number of measures that could be taken to eliminate discriminatory stereotypes of the role of women and men. Please provide details of the measures already in place to eradicate stereotypes and discriminatory cultural practices between men and women, including traditional cultural practices that “prevent women from advancing in society” such as initiation rites, dowry, early marriages and polygamy (page 22) and provide information on the impact of such measures.

Article 6

11. Please provide information on exploitation of prostitution and trafficking, including its prevalence and the measures in place to combat it.

12. The report states that a sociological and multi-sectoral approach is needed to enable an intervention that may take the blame from the child involved in prostitution or the victim of sexual abuse (page 27). Please provide information on

what steps are in place to ensure such a comprehensive approach to exploitation of prostitution and trafficking and describe any programmes that have been developed for the physical and psychological recovery and social reintegration of girls and women who have been victims of sexual abuse and exploitation.

Violence against women

13. Please outline the efforts being taken to reintegrate and rehabilitate women who were victims of violence during the war described on page 24 of the report.

14. The report describes the high incidence and prevalence of violence against women, including domestic violence, and the indifferent attitude towards violence against women by members of law and order and society in general (pages 24-25). Please describe what steps have been taken to develop a comprehensive strategy to combat all forms of violence against women including the adoption of legislation and the introduction of capacity-building and awareness raising programmes for various professional groups (such as lawyers, health workers and the judiciary) and the general public.

15. Please provide information on the provisions of the proposed law to deal with domestic violence and indicate when it is expected to be passed by Parliament.

Articles 7 and 8

16. The report notes that barriers to the participation of women in political and public life include “family, low schooling, traditions and lack of consistent policies aimed at encouraging women to ascend and or occupy senior or leadership positions” (page 28). Please state what measures the Government intends to use to overcome these barriers, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation no. 25.

Article 9

17. While a foreign woman who marries a Mozambican man can acquire Mozambican citizenship, a foreign man who marries a Mozambican woman cannot acquire Mozambican citizenship. Please indicate what is being done or contemplated, including a timetable, to ensure that both men and women are able to pass on their nationality to their spouses without discrimination.

Article 10

18. The report highlights the specific problems faced by girls in gaining access to education, but notes that “few can go further if there is no will from the Government to effectively promote the education of girls” (page 33). Please indicate why this is the situation and what can be done at national level to ensure that political will to promote girls’ education is fostered.

19. The Committee on the Rights of the Child (CRC/C/15/Add.172, 7 February 2002) has noted that girls have less access to education than boys over the primary school level, that the literacy rate among girls is low; that less importance is placed on girls’ education and that some practices such as excessive domestic work, early marriage and early pregnancy contribute to limiting girls’ access to education (para. 56). Please indicate what is envisaged or being done to tackle the specific

problems faced by female students and to encourage their enrolment and retention in schools. Please also provide data on enrolment and retention rates at primary and secondary level.

20. Please provide data on the literacy rate among women and girls and details of any programmes to combat illiteracy.

Article 11

21. The report notes that most economically active women work in the informal sector, particularly in the rural areas (pages 41-42). Please describe the strategies in place to support women in the informal sector, including any programmes to inform low-income and poor women, particularly in rural areas, of opportunities to gain access to markets and technology and access to credit, social security and health services.

22. The report notes that Mozambique is confronted with social exclusion problems of working women in agriculture and informal sectors as well as disabled workers and those living with HIV/AIDS (page 38) as a result of the profit motive and maximization of investment returns. What steps are being taken to ensure that employers comply with all labour laws for the protection of workers' rights, especially the rights of women workers, the disabled and those living with HIV/AIDS?

23. Given that only approximately 4 per cent of women are salaried employees (page 42) please describe what opportunities are available for women to gain access to the formal labour market and what programmes, including temporary special measures, are in place to encourage and support them to do so.

Article 12

24. A significant number of women are being attended to by traditional medicine and the maternal and infant mortality rates in Mozambique are very high (pages 43-44). Please provide details of the Government's strategy to reduce the maternal and infant mortality rates, and what concrete steps have been taken to increase the availability, quality of and access to primary health-care services for women.

25. The report notes that women do not have control over their sexuality and reproductive rights (pages 44 and 51). Please provide information on what strategies are in place to ensure women's access to affordable reproductive and sexual health services and education programmes and their availability to particular groups including adolescents and rural women.

26. The report indicates that there is a significant increase in the HIV/AIDS infection rate among pregnant women (page 44). Please provide information on whether any existing programmes to combat HIV/AIDS integrate a gender perspective, including the availability of antiretroviral medication to prevent mother-to-child transmission of HIV. Please also indicate whether the Government has requested and received assistance from international donors in support of measures that address HIV/AIDS in women.

Article 13

27. There are a large number of women-headed households in Mozambique, the majority of which are extremely poor (page 51). Please describe what measures are in place to support and alleviate the plight of women in poverty, including what is being done to facilitate their access to land and credit.

28. The report notes the peculiar problems of women with disabilities which results in stigmatization and social exclusion. Please indicate what measures are in place to ensure women with disabilities access to education, employment and other social services?

Article 14

29. The report notes several problems faced by rural women, including absence of political representation and lack of access to health-care services (page 58). The report further notes that the five-year programme of the Government “includes the incorporation of gender problems at the level of the agricultural sector” (page 58). Please provide details of how the five-year programme incorporates a gender perspective in the agricultural sector, as well as whether it has a particular focus on enhancing rural women’s standard of living through increased access to education, health-care services, clean water and sanitation, economic opportunities, land ownership and participation in decision-making processes related to development planning.

Articles 15 and 16

30. The report notes several instances of discrimination against women in marriage and family relations under the law and in practice, including in contractual capacity, property ownership, recognition of the husband as head of the household, inheritance rights and the prevalence of polygamy (pages 63-65). Please provide detailed information on what strategy the Government has in place to eliminate such discrimination and ensure equal rights of women in marriage and family relations in law and in practice, including updated information on the status of the proposed law on the family, what obstacles may be encountered in getting it enacted and how the Government intends overcoming them.

Optional Protocol

31. Please indicate any progress made towards ratification/accession of the Optional Protocol to the Convention.