



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Eighty-second session

9–27 September 2019

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the combined third and fourth periodic reports of Mozambique

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 May 2019. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

### Part I

1. Please explain the measures taken to implement and enforce national legislation on children's rights, including the Law on the Promotion and Protection of Children's Rights of 2008 and the Juvenile Justice Law of 2008. Please provide information on measures taken to enforce the Anti-Corruption Law of 2004.
2. Please indicate what human, technical and financial resources have been allocated to the National Action Plan for Children for 2013–2019, and how its implementation will be evaluated. Please explain how the National Council of Social Welfare ensures the coordination of all activities relating to the implementation of the Convention at the cross-sectoral, national, regional and local levels.
3. Please provide information on all efforts to track and measure the impact of budgetary allocations on children's rights, including in the context of the Five-Year Government Programme for 2015–2019. Please explain the mechanisms in place to ensure transparent and participatory budgeting through public dialogue, especially with children, and specify whether there are any specific budgetary lines to address regional disparities and to support children in disadvantaged or vulnerable situations.
4. Please indicate whether the National Human Rights Commission has the mandate and capacity to monitor children's rights under the Convention. Please provide information on measures taken to ensure that the activities of the business sector do not negatively affect children's rights or contravene environmental and other standards.
5. Please explain the legal measures taken to prohibit child marriage and informal unions without exception, and to discourage parents from permitting child marriages. Please provide information on measures taken, in collaboration with parents and traditional and religious leaders, to challenge social norms regarding the acceptability of child marriage. Please also explain how the National Strategy to Prevent and Combat Child Marriages for 2016–2019 will be evaluated.



6. Please provide information on concrete measures, including affirmative social measures, taken to eliminate all forms of discrimination against girls and children in disadvantaged or vulnerable situations, including orphaned children, children with disabilities, children with albinism and children in street situations. Please explain the measures taken to address barriers to birth registration and to ensure that unregistered children are not deprived of their rights, particularly their rights to health and education.
7. Please provide information on:
  - (a) The role of the community committees for the protection of children and school councils in preventing violence against children;
  - (b) The complaint mechanisms in place for children to report cases of violence and abuse;
  - (c) The plan to amend the Penal Code of 2014 to strengthen the protection of children from all forms of sexual abuse, including the rape of children between the ages of 12 and 16 and the exploitation of children for prostitution;
  - (d) The measures to eliminate initiation rites practices for girls.
8. Please provide information on the progress made by the State party to explicitly prohibit, by law, corporal punishment in all settings, including in the home, in schools and in day-care and alternative care settings, to raise public awareness on the harmful effects of corporal punishment and to repeal the provision of “justifiable discipline” in the Law on the Promotion and Protection of Children’s Rights.
9. Please describe any measures taken to register alternative care institutions, implement the existing procedures and regulations for foster care and adoption in the State party, and address the shortage of social workers. Please provide more information on the impact of the Plan for Orphaned and Vulnerable Children, and any measures taken to support children in street situations.
10. Please provide information on the evaluation of the multisectoral action plan for the reduction of chronic malnutrition, and on the resources allocated to addressing chronic malnutrition and improving access to sanitation in rural areas. Please also provide information on any programmes aimed at eliminating stigma and discrimination against children affected by or living with HIV/AIDS, and on any measures to support children in disadvantaged or vulnerable situations, including orphaned children and children who are heads of households.
11. Please provide information on measures to address the causes of the high number of children who are out of school, including efforts to enforce the prohibition of child labour and to support those children. Please clarify whether the Penal Code explicitly provides for sanctions against all adults, including parents and guardians, who encourage or force children to work. Please describe measures to prevent, eliminate and criminally sanction sexual abuse in schools, particularly when committed by teachers, and to address teacher absenteeism in schools.
12. Please provide more information on the programme aimed at preventing child delinquency mentioned in the State party’s report (CRC/C/MOZ/3-4, para. 411), including on any implementing partners, activities conducted and results achieved. Please inform the Committee about:
  - (a) The procedures in place for the review of criminal cases concerning children whose age cannot be determined;
  - (b) Measures to ensure that children are held in detention, including pretrial detention, only as a last resort;
  - (c) Measures to promote the use of non-custodial measures as an alternative to detention;
  - (d) The number of juvenile courts and specialized juvenile judges in the State party.

## Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

15. Please provide, if available, updated statistical data disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Cases of corporal punishment, especially in schools and in the home and alternative care settings;
- (b) Teenage pregnancies and abortions, including the number of deaths resulting from unsafe abortions;
- (c) Drug and alcohol abuse by children;
- (d) Investigations and prosecutions of cases of:
  - (i) Torture, ill-treatment and sexual violence of children by law enforcement officials;
  - (ii) Sexual violence and rape involving children;
  - (iii) Child labour, including the penalties imposed on perpetrators and the redress and compensation afforded to victims;
- (e) Children of incarcerated parents and children living in prisons with their mothers;
- (f) Children recruited by armed groups.

16. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

17. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention, including data on the average length of such detention;
- (d) Serving a sentence in detention, including data on the length of the sentence;
- (e) Held in adult detention facilities.

18. Please provide information on how the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals integrate a child rights-based approach, including with regard to child participation and data collection, and how they promote the realization of children's rights under the Convention and its Optional Protocols.

19. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

20. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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