

UNIVERSAL PERIODIC REVIEW OF THE UN HUMAN RIGHTS COUNCIL

- MOZAMBIQUE -

INFORMATIONS SUBMITTED BY MOZAMBIKAN CIVIL SOCIETY ORGANIZATIONS

PRESENTATION

This document was elaborated by 25 Mozambican human rights organizations based in different provinces of the country, namely:

Liga Moçambicana dos Direitos dos Direitos Humanos (LDH – *Mozambican Human Rights League*), Associação de Defesa do Consumidor (DECON - *Association for Consumer Protection*), Associação Mulher Género e Desenvolvimento (MUGEDE - *Gender and Women Development Association*), Comissão Arquidiocesana Justiça e Paz – Maputo e Chimoio (*Archdiocesan Commission for Justice and Peace - Maputo and Chimoio*), Associação Moçambicana para Promoção da Cidadania (AMOPROC - *Mozambican Association for the Promotion of Citizenship*), Associação de Defesa dos Direitos da Criança (ADDC - *Association of Defense of the Child Rights*), Trocaire, Rede Criança (*Child Net*), Associação dos Médicos Tradicionais (AMETRAMO - *Traditional Doctors Association*), KULIMA – Organismo para o Desenvolvimento Sócio-Económico Integrado (*Integrated Socioeconomic Development Organism*), Justa Paz (*Fair Peace*), Justiça Ambiental (JA - *Environmental Justice*), Fórum da Terceira Idade (FTI - *Elderly Forum*), Associação das Mulheres de Carreira Jurídica (AMMCJ - *Association of Women in Legal Careers*), Movimento Cívico de Solidariedade e Apoio ao Desenvolvimento da Zambézia (MOCIZA - *Civic Movement for Solidarity and Support for the Development of Zambezia*), Associação para o Desenvolvimento Agro-Pecuário do Sector Familiar (ADAPSF - *Association for the Development of Agricultural and Cattle raising Familiar Sector*), Associação Agro-pecuária de Ngolhosa (AAPN - *Agricultural and Cattle raising Association of Ngolhosa*), KUKUMBI – Organização de Desenvolvimento Rural (*Organization for Rural Development*), Associação Mulher (*Woman Association*), MULEID - Lei e Desenvolvimento (*Law and Development*), Centro de Integridade Pública (CIP - *Center for Public Integrity*), Fórum Mulher (*Woman's Forum*), LAMBDA – Associação para Defesa das Minorias Sexuais¹ (*Association for Protection of Sexual Minorities*), Pathfinder International and Associação para o Desenvolvimento da Família (AMODEFA - *Association for Family Development*)

SUMMARY AND METHODOLOGY

The information provided in this document is the result of joint work of 25 civil society organizations of Mozambique (CSOs). The platform formed identified **eleven (11) subjects** to be developed below, showing for each of them the national and international regulatory context, institutional framework, and recommendations arising from the group's concerns.

A public consultation was held in Nampula with CSOs from Nampula province (north of the country) and CSOs from the provinces of Manica and Zambézia (center of the country) sent their contributions electronically. In the capital, Maputo (south of the country), three meetings were held by the group.

¹ In process of legal recognition

The data of this document was collected by working groups formed by the platform organizations and compiled by a secretariat.

The organizations that subscribe to this document aim to contribute in such that the passage of Mozambique through the Universal Periodic Review provides a diagnosis of the human rights situation in the country, and hope that this exercise result in recommendations that will contribute for their promotion and implementation.

THEMATIC ANALYSIS

1. RIGHT TO ACCESS TO JUSTICE

A) Legal Framework

- i. The Constitution of the Republic of Mozambique establishes the principle of the Rule of Law and Social Justice (Articles 3, 62 and 63). The country is signatory to the *Charter of the United Nations* and of the *Constitutive Act of the African Union*, as well as the *International Covenant on Civil and Political Rights* and the *African Charter on Human and Peoples' Rights*.
- ii. However, the main statutory laws concerning the protection of fundamental rights and freedoms, namely the Penal Code, the Criminal Procedure Code, the Code of Judicial Costs and the laws regarding the prison system come from the colonial period and some of their provisions are contrary to the Constitution and the international human rights instruments ratified by Mozambique.
- iii. The country is not party of the International Covenant on Economic, Social and Cultural Rights nor to the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. The Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance were signed but not ratified. Moreover, the country adhered to only 01 (one) mechanism of individual petitions, the one prescribed in the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

B) Institutional Framework

- i. There is an expansion of courts, Offices of the Attorney General public and legal assistance and aid to the country's districts. However, the Superior Courts of Appeal, created in 2007, have not yet been installed.
- ii. The 2004 Constitution and the Law No. 7/2006 introduced the Ombudsman in the Mozambican Legal System, and was also approved the creation of the National Human Rights Commission (Law No. 33/2009), however, these institutions are not operating yet.
- iii. The Constitution established the legal pluralism in the Mozambican legal system, nevertheless there has been no investment in informal mechanisms of conflict resolution and restorative justice practices.

C) Concerns of the Mozambican civil society organizations

- i. The courts and the Offices of the Attorney General have high rates of procedural delays, which contribute and explain why the great part of the country's prison population being prisoners in pre-trial detention (34% in 2009).
- ii. Significant provisions of the laws applied in criminal justice are inappropriate given the present reality and constitute the cause of injustices and limitations on the access to justice.

- iii. There are high rates of police violence. From January to June 2010, the Mozambican Human Rights League received and set in motion to justice 02 (two) cases of summary executions (Processes 209/PCM/2010 and 135/LDH/2010).
- iv. The prisoners continue to receive cruel and degrading treatment in prisons. In 2009 twelve (12) prisoners died of asphyxiation in Mogincual District Jail, and between April and May 2010 there were serious acts of torture in the Machava Central Prison and Maximum Security Jail (B.O)

D) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Take the necessary steps for the approval of the Popular Action's Act, proposed in 2001 to the Parliament.
- ii. Guarantee the freedom of association and expression (art. 51 and 52 of the Constitution). Regarding this, it is recommendable that authorities speed up the process of legalization of LAMBDA (Association for Protection of Sexual Minorities).
- iii. Consider the creation of mechanisms to implement the recommendations of the Independent Expert on the effects of economic reforms and foreign debt on the full enjoyment of all human rights addressed to Mozambique on the reform of the judiciary and the creation of independent institutions of human rights under the Paris principles (E/CN.4/2006/46/Add.1).
- iv. Establish a planning to fulfill the joint appeal of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (A/HRC/4/28/Add.1), of the President of the working group on arbitrary detentions (A/HRC/4/41) and of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/4/33/Add.1), which pointed out the poor conditions of the detention in Maximum Jail (B.O).

2. RIGHT TO ADEQUATE FOOD

A) Legal Framework

- i. The Mozambican Constitution recognizes implicitly the right to adequate food, by recognizing the right to life (art. 40), health (art. 89), consumers' rights (art. 92) and social protection (art. 95). The Convention on the Rights of the Child (CRC - art. 24), and the Convention to the Elimination of All Forms of Discrimination against Women (CEDAW - Art. 12), also establishes the Right Food.
- ii. The Base-Law of the Right to Adequate Food, which was foreseen in the Action Plan for the Reduction of Absolute Poverty II (PARPA II) and in the Strategy for Food and Nutrition Safety II (ESAN II), should be approved by the year 2007. This deadline expired and to date no bill has been presented to the Parliament for approval.

B) Institutional Framework

- i. In Mozambique, issues related to food and nutrition safety are coordinated by the Technical Secretariat for Food and Nutrition Safety (SETSAN), which is operating since 2000 as an ad hoc institution, part of the Department of Food and Nutrition Safety of the Ministry of Agriculture. This hierarchical organization chart makes it unable to have command in the sectors, and to implement actions to ensure food and nutrition Safety.

C) Concerns of the Mozambican civil society organizations

- i. The SETSAN - Technical Secretariat for Food and Nutrition Safety disputes resources within the Ministry of Agriculture (MINAG). And has no sector-wide budget, as it should be. Between

funding the SETSAN activities and agricultural programs, MINAG gives primacy to funding agricultural programs.

- ii. There was a reduction in the chronic malnutrition from 48% in 2003 to 44% in 2008. Even so, high rates of malnutrition in children less than 05 years prevail, and 41% suffer from a low height for their age ratio whilst 24% suffer from low weight for their age.
- iii. The programs of food and nutrition education do not cover most of the people entitled to the right to adequate food. This exclusion is reflected in the health of the mother and child, violating thus what is enshrined in articles 24 and 12 of the CRC and CEDAW.
- iv. According to the Report of Impact Evaluation of the Action Plan for the Reduction of Absolute Poverty II (PARPA II), about 30% of the Mozambican population is affected by food insecurity in a cyclic way, due to their vulnerability to natural disasters, absolute poverty and the incidences of chronic diseases.

D) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Consider the explicit inclusion in the Constitution of the right to adequate food and approve the Base-Law of the Right to Adequate Food.
- ii. Despite the SETSAN demonstrating progress in coordinating the Food and Nutrition Safety program, it is recommended that the State creates mechanisms in order to ensure that the Secretariat may exercise its duties autonomously by implementing projects aimed to guarantee of food and nutrition safety;
- iii. Consider the creation of mechanisms to implement the recommendations of the Representative of the Secretary-General on the protection of and assistance to Internally Displaced Persons (A/63/286), which aim to ensure that the population affected by natural disasters has the right to life with dignity, health and education, particularly in resettlement areas, and have means of livelihood.

3. RIGHTS OF THE CHILD

A) Legal Framework

- i. The Constitution guarantees the prevalence of the best interests of the child (art. 47). The country is party of the Convention on the Rights of the Child (CRC) and its protocols, approved in 2000.
- ii. In April 2008, the Assembly of the Republic passed three laws for child protection, namely: Law No. 7/2008 - Law of Promotion and Protection on the Rights of the Child; Law No. 8/2008 - Law of the Minor Guardianship Organization; and the Law No 6/2008 - Law against Human Trafficking in particular Women and Children.

B) Institutional Framework

- i. The creation of the juvenile court remains a challenge. Throughout the country, there is only one juvenile court - the Juvenile Court in the City of Maputo.
- ii. There are only two schools for teach children with disabilities - one in the City of Maputo and another in the City of Beira.
- iii. The Decree No 8/2009 of March 31, created the National Council for Child.

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According to the Multiple Indicator Research (*Pesquisa dos Indicadores Múltiplos*) – MICS 2009 – INE; 2009

C) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Adopt measures to assure that the legislative package on children's rights, approved in 2008, will be regulated and that will not have any constraints to its implementation.
- ii. Ratify the Convention on the Rights of Persons with Disabilities and, from this act, establish mechanisms to give effect to the rights of children with disabilities; expand the school system to serve children with disabilities, and prepare teachers, magistrates and health professionals to adequately treat children with visual and/or hearing deficiency.
- iii. Consider the creation of juvenile courts and education centers for children in conflict with the law throughout the country, which would minimize the incarceration of children in the same cells with adult prisoners and the practice of ill-treatments which worsen their vulnerability.
- iv. Consider in the next State Budget an increase from 0.9% (2009 index) to 2% the amount allocated to the Ministry of Women and Social Action (MMAS), responsible for the target group consisting of children, women, elderly, and persons with disabilities.
- v. Adopt necessary measures for overcoming the situation of violations reported by the Special Rapporteur on violence against women, its causes and consequences (A/HRC/7/6/Add.1), in her communication sent to the government of Mozambique through denunciations received. The measures must consider the need to cease the trafficking of women and children from Mozambique to South Africa and elsewhere, for purposes of sexual exploitation and forced labor.
- vi. Implement the recommendations from November 2009 of the Committee on the Rights of the Child (CRC/C/SR.1430).

4. RIGHTS OF THE ELDERLY

A) Legal Framework

- i. The Mozambican Constitution guarantees special protection for the elderly (art. 124), however, this general constitutional provision was not materialized in ordinary legislation.

B) Institutional Framework

- i. In the Resolution 84/2002 (that approves the National Policy for the elderly), the State assumes responsibility for setting priorities, promotion, organization and coordination of the implementation of programs designed to ensure the satisfaction of the rights of elderly through the MMAS and the National Institute of Social Affairs (INAS).

C) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Ensure that there are professionals in the areas of geriatrics and gerontology in the State health centers and exempt the payment of fees for attendance at the health facilities centers for the poor incomes elderly population.
- ii. Expand the right to free public transport for the elderly, at the present moment stated only from 70 years to meet people from 60 years.
- iii. Ensure economic security for the elderly, fighting against illegal appropriation of their lands and the lack of support to increase their incomes.
- iv. Include the care of the elderly in the scope of the Offices for Women and Children Care of the Police of the Republic of Mozambique.

5. RIGHT TO EDUCATION

A) Legal Framework

- i. The Constitution guarantees the right to education (Art.113 and 114), but there is no constitutional provision that guarantees it as an obligation and free of charge. Law 6/92 regulates the operation of the National System of Education.

B) Institutional Framework

- i. Since 2000 the country has recorded an increase of 5% to 8% in the number of schools of primary and secondary levels. In 2009 the growth was 6.3%.

C) Concerns of the Mozambican civil society organizations

- i. Since 1998 there has been a substantial evolution of the number of students enrolled at all levels of education, but the educational pyramid is still too large at the base, indicating that it is still very difficult for students to advance to higher levels of education. Overall, 2.105.976 students were enrolled at all levels in 1998, a figure which in 2009 reached 5.484.337 students. In 1998, the students enrolled in the first grade of primary education (EP1) totaled 1.876.154 (or 89% of total students), while in 2009 they reached 4.233.454 (77% of total students).
- ii. Education system is facing structural problems such as the quality of teachers training, dropout rates, incidence of triple shifts, the discrepancies between the number of boys and girls and substantial regional asymmetries.
- iii. The quality of the educational environment is not good. There is a high proportion of student for each teacher in classrooms (69 students : 1 teacher in EP1- primary education, 39:1 in EP2 – secondary education, 47: 1 in ESG1- superior education 1 and 32:1 in ESG2 – superior education 2). There are also insufficient schooling hours (between 675 and 712 hours of tuition per year for the morning classes, and between 540 and 570 for evening classes), which is well below the international average (which is between 800 and 1.200 hours of tuition per year).
- iv. Mozambique did not adopt measures in order to comply with the Draft Plan of Action for the First Phase (2005 – 2007) of the Proposed World Programme for Human Rights Education, 59th Session, General Assembly, October 2004 and it is also far from the achievement of the Millennium Development Goals regarding the right to education.

D) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Value the career of teaching, granting benefits and incentives to encourage and retain the teachers and education professionals.
- ii. Adopt measures to reduce or end illiteracy in Mozambique, since even with growth of 4.5% of students enrolled in the general education, by 2009 about one in two people could not read and write (53.6% of the Mozambican population).
- iii. State must adopt measures in order to introduce human rights education, focusing on primary and secondary school system as to build and develop a culture of human rights all over the country.
- iv. Implement the recommendations of the Representative of the Secretary-General on the protection of and assistance to Internally Displaced Persons (A/63/286) on the need to ensure that the population affected by natural disasters has a right to an adequate life, health and education, particularly in the resettlement areas and have means of livelihood.

6. RIGHTS OF PERSONS WITH DISABILITIES

A) Legal Framework

- i. The Constitution of the Republic refers to the protection of persons with disabilities in art. 125. In 2008, the Council of Ministers approved a decree on accessibility.
- ii. The Convention on the Rights of Persons with Disabilities has not yet been ratified by the State of Mozambique.

B) Institutional Framework

- i. The Ministry of Women and Social Affairs Coordination is the institution of guardianship.

C) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Ratify the Convention on the Rights of Persons with Disabilities and create a specific legislative framework for disability.
- ii. Consider the creation of an institute for disability
- iii. Although there is a National Plan for Disability, much remain to be done in the elimination of discrimination against people with disabilities in the professional development.
- iv. Make the food allowance for people with disabilities more comprehensive and define clear criteria for the selection of the beneficiaries.

7. GOVERNANCE AND ACCOUNTABILITY

A) Legal Framework

- i. The Law to Fight against Corruption was approved, Law No. 6/2004.
- ii. The Anti-Corruption Law does not appear aligned with the international legal instruments ratified by Mozambique, such as the UN Convention Against Corruption, the Protocol for the Southern African Development Community (SADC) Against Corruption and the African Union Convention Against Corruption.

B) Institutional Framework

- i. The Central Office for Fighting against Corruption (Gabinete Central de Combate à Corrupção) was established by the Article 19 of Law No 6/2004. This body is not autonomous because, in the article referred, it is stipulated that the office works in the Attorney General Office and subordinates itself to the Attorney General. The director of this Office is appointed by the Attorney General, who under the Constitution is appointed by the President of the Republic, what creates a situation of quasi-subordination situation to the political power.
- ii. Law 6/2004 only gives powers to the Central Office for Fighting against Corruption to investigate crimes of corruption and economic participation in business, leaving aside other crimes related to corruption as the embezzlement of the State funds, the peculation, the abuse of position or function, illicit enrichment, influence peddling.

C) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Implement the recommendations made by the Independent expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights (E/CN.4/2006/46/Add.1), after his mission to Mozambique, about the need for better control of

public expenses and strict supervision to ensure that funds obtained through debt relief are effectively used to meet the needs of the most vulnerable sectors of the population.

- ii. Implement the recommendation made by the Working Group on Enforced and Involuntary Disappearances (E/CN.4/2006/56) on the need to democratize the government structures and make the human rights a cornerstone for the public policies and improve cooperation with the UN Special rapporteurs.

8. RIGHT TO ENVIRONMENT

A) Legal Framework

- i. The Constitution establishes the right of all citizens to a balanced environment and the duty to protect it (Art. 90). Law No. 20/97, (Environment Law) was approved, as well as Law No. 16/91 (Law of Water), Law No. 10/99 (Law of Forests and Wildlife) and Law No. 19/97 (Land Law).

B) Institutional Framework

- i. The Ministry for Coordination of Environmental Action (Ministério para a Coordenação da Acção Ambiental – MICOA), established by a Presidential Decree - No. 2/94, is the authority that supervise the environmental area.

C) Concerns of the Mozambican civil society organizations

- i. The environmental problems have been treated marginally when addressing major economic and social issues, because the immediate economic benefits prevail, as in the case of MOZAL and VALE companies. It is urgent that the right to environment is considered a basic human right.
- ii. Forest degradation has been proceeding at an accelerated level. According to the 2007 National Forest Inventory, the annual average rate is 0.58%, which corresponds to an annual forest loss of 219 thousands hectares. The main reasons are, among others, illegal logging, in an excessive and uncontrolled cutting, weak supervision, inefficient or non-existent management plans, corruption in the sector, uncontrolled forest fires.
- iii. Access to water is considered a basic right, yet only 43% of Mozambicans have access to safe water, of which only 26% live in rural areas and 72% in urban areas. Water resources are under constant pressure by population increase, economic activity and increasing competition between different uses of water; pollution is increasing and exacerbating exponentially the shortage of drinking water.
- iv. The emergence of several mega-projects in Mozambique has shown that, although the Land Law in force protects the rights of local communities with regard to land ownership, economic interests, lack of information for local communities and the false promises that accompany most of these projects lead to no accountable processes of public consultation and participation of local communities relocation, and, in the majority of these cases, lead to conflicts. For example, in the case of resettlement of communities during the rehabilitation of the Massingir dam.
- v. The alleged need for energy has led to the emergence of mega-dam construction projects, such as Mphanda Nkuwa dam, without, however, a deep analysis of the real local energy needs, the alternatives energy production possibilities for that area, the cumulative impacts causes and without considering the forecasts in the phenomenon of climate change. Apart from this, a lack of transparency, of information and the effective participation of the community are characteristics of these projects.

D) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Promote a public hearing to contribute to the approbation of a law against environmental crimes.
- ii. Implement the recommendations made by the Representative of the Secretary-General on the protection of and assistance to Internally Displaced Persons (A/63/286) on the need to find appropriate mechanisms to regulate the relationship between the national legislation of land and regional customs.

9. WOMEN'S RIGHTS

A) Legal Framework

- i. The Constitution guarantees the promotion of women's rights (art. 122). The country is part of CEDAW and adopted a set of laws to mitigate the discrimination based on gender, namely the Family Law, approved in 2004, and the Law against Domestic Violence, approved in 2009.
- ii. The Mozambican Civil Code, in respect to hereditary succession, is in contradiction with the new Family Law which provides the equality of property.

B) Institutional Framework

- i. Offices for the Care of Women and Children were created in the Police of the Republic of Mozambique structure.

C) Concerns of the Mozambican civil society organizations

- i. Despite the ratification of international conventions concerning women's rights, the provisions of these instruments are not always respected, neither by the internal law nor in its practices.
- ii. Mozambique continues with a high rate of maternal mortality of 408/100.000 live births (IDS, 2003). The goal for 2009 was to reduce to 340/100.000 live births and, according to the advanced data, this goal was not reached.
- iii. In Education area there are still fewer girls in the schools, especially in rural areas. According to the Ministry of Education, in 2004, 21% of the girls married at aged 15; sexual harassment and abuse of minors are still practices that are often carried out by teachers; the curricular content persist in slope to a traditional treatment of woman, instilled by the patriarchy.
- iv. The low sensitivity on gender by the police authorities leaves the perpetrators of domestic violence unpunished.
- v. Women suffer stigma at various levels. The woman's rights speech is politically correct, but issues such as domestic violence, polygamy, early marriages, and low income "have a wide social legitimacy".

D) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Review the educational legislation that prevents sexual harassment and sexual abuse, especially the 39/GM/2003 Dispatch, which establishes the transfer of pregnant girls to nighttime schools.
- ii. Increase the care services to women victims of domestic violence and improve the statistical system of documentation of cases of violence.
- iii. Expand services of sexual and reproductive health for adolescents and youths.
- iv. Ensure equal access to all levels of education, the retention of girls in education and, in particular, the retention of pregnant students in school during and after pregnancy as well as awareness rising programs to overcome stereotypes and traditional attitudes in this matter.

- v. Implement the recommendations of the Committee for the Elimination of Discrimination against Women (CEDAW/C/SR.783) of June 2007.

10. RIGHT OF PEOPLE LIVING WITH HIV - AIDS

A) Legal Framework

- i. Law 12/2008, Law of Protection of the person living with HIV/AIDS was approved, as was Law No. 5/2005 which sets out the general principles designed to ensure that all employees and applicants for an employment will not be discriminated because they are suspects to be or are living with HIV/AIDS;

B) Institutional Framework

- i. In the country there is a National Council for fighting against HIV/AIDS, institution responsible for coordinate the implementation of the National Plan to fight against HIV/AIDS.
- ii. The closure of the “day hospitals”, designed to deal with specific cases of HIV/AIDS, created constraints to the population living with HIV-AIDS, which offered difficulties to control of the Anti-Retroviral Treatment (ART).

C) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Establish service centers for people living with HIV and reopen the “Day Hospitals”.
- ii. Expand access to antiretroviral treatment to rural areas.
- iii. Ensure home care for people living with HIV/AIDS;
- iv. Women are most affected by HIV/AIDS (59%). In this sense, it must be implemented policies to mitigate the lack of women’s autonomy in relation to men before sexual risk behavior.

11. RIGHT TO HEALTH

A) Legal Framework

- i. The Constitution guarantees access to health (art. 54 and 94).

B) Institutional Framework

- i. Only 52% of the country has health coverage and 60% of the population uses traditional medicine.

C) Recommendations suggested by civil society organizations to be made to Mozambique in the UPR

- i. Ensure access to health care and quality medicines for low-income population;
- ii. Implement measures to increase the number of health professionals and reduce the “drain” of the medical personnel in the health sector;
- iii. Adopt necessary measures for overcoming the situation of violations reported by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (E/CN.4/2005/51/Add.2) in a communication sent to the government in response to a complaint received. The measures must consider the need to improve the cooperation between the government and the international partners, and ensure allocation of more resources to the sector and to the health professionals.