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### Human Rights Council

Working group on the universal periodic review

Tenth session

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### Draft report of the Working Group on the Universal Periodic Review

### Mozambique\*

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\* The final document will be issued under the symbol A/HRC/17/16. The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its tenth session from 24 January to 4 February 2011. The review of Mozambique was held at the 14<sup>th</sup> meeting on 1 February 2011. The delegation of Mozambique was headed by H.E. Mrs. Benvinda Levi, Minister of Justice. At its 17th meeting held on 4 February 2011, the Working Group adopted the report on Mozambique.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Mozambique: Poland, Bangladesh and Uganda.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Mozambique:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/10/MOZ/1);
  - (b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/10/MOZ/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/10/MOZ/3).
4. A list of questions prepared in advance by Czech Republic, Denmark, France, Germany, Ireland, Latvia, Netherlands, Norway, Slovenia, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland was transmitted to Mozambique through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. Mozambique indicated that the preparation of its national report had been a unique opportunity to carry out an in-depth assessment of the human rights situation in the country and to identify achievements and challenges. The National Report is the result of a broad consultation process, which involved the whole of Mozambican society and was prepared in accordance with the UPR Guidelines. Mozambique stated that, because of the importance that the Government accords to the involvement of the people in the discussion on human rights, an effort was made to create the conditions to re-transmit the inter-active in the Working Group to all of those who were unable to come to Geneva.
6. Mozambique then provided details on its historical background and referred to the long civil war it had faced, as well as the country's geographic situation, which renders it vulnerable to natural disasters. It stated that, in addition to ensuring the country's development and reconstruction, the prevention and mitigation of natural disasters are among the Government's highest priorities.
7. Mozambique stated further that the country's fundamental objective is the eradication of poverty, which necessarily implies ensuring a balanced development of society, which reduces social and regional inequalities.
8. Mozambique noted that it has achieved progress in the compliance of its obligations in the fields of economic freedom, transparency and good governance. Additionally, it

indicated that in 2010, the Government had held discussions with national stakeholders both on the National Human Rights Action Plan and the appointment of members to the National Commission on Human Rights. Mozambique hoped that the Plan will be adopted very soon and that the Commission will become operational in the near future.

9. Mozambique observed that it is party to most international and regional human rights instruments. However, as ratification is a process, the country has not yet ratified all relevant instruments. Nevertheless, in the case of a significant number, a process with a view to acceding to these instrument's exists. Mozambique is also in the process of preparing reports to the Human Rights Committee, the Committee against Torture and the African Commission on Human and Peoples' Rights.

10. Mozambique stated that access to justice is considered a fundamental right. In order to guarantee this right, the Government has been carrying out, in coordination with partners in the civil society, campaigns to disseminate information on legislation on the rights and duties of citizens.

11. On the issue of legal assistance, Mozambique indicated that the Institute for Judicial Assistance (IPAJ), an institution under the Ministry of Justice, had been created with the objective of providing the right to legal assistance and support to citizens with restricted economic means. Mozambique highlighted that, in last few years, IPAJ has expanded its services of legal assistance to cover the capitals of all the provinces and 109 of the country's 128 districts.

12. Mozambique stated that the judiciary in the country is effectively independent and that a number of different initiatives have been adopted to strengthen this independence. Since 2000, the State has, in a consistent and permanent manner, provided training and human resources through the Centre for Legal and Judicial Education. In the first decade (2000-2010), the centre trained some 304 magistrates.

13. Mozambique added that notable progress has also been made at the infrastructure level, with the construction of justice "palaces", which are institutions that host in the same space the different organs involved in judicial cases, such as courts, attorney general's office, criminal investigation and legal assistance services.

14. Mozambique then stated that its Constitution guarantees the right to life and expressly prohibits the death penalty, the use of torture and other inhuman treatment. All cases of excessive use of force, torture and extrajudicial executions result in those agents responsible being held criminally accountable, as well as in the imposition of disciplinary measures, when these are proven. Legal procedures regarding such cases are public, and can be followed by the victim's family members.

15. Regarding prisons, Mozambique stated that this is still one of the greatest challenges faced but, nevertheless, progress has been made in improving conditions of detention and guaranteeing the human rights of detainees. Prison agents receive training on, among others, the application of measures of imprisonment and human rights, the main national, regional and international mechanisms for the protection of persons deprived of their liberty, as well as on interpersonal conflict resolution. More resources have been allocated with a view to improving physical conditions of detention and it was noted that the situation as regards sanitation and hygiene has improved markedly.

16. Mozambique stated further that five new prison establishments at the district level have been built. On Juvenile Justice it was stated that the government defended the rehabilitation of young people in conflict with the law and school-prisons. As for the rehabilitation of detainees, Mozambique explained that a number of trainings and educational programmes have been introduced in all prison facilities. Additionally, the

introduction of alternative measures to detention is currently being examined, including the drafting of a law to that effect.

17. Mozambique indicated that men and women enjoy equal rights in the country. Mozambique mentioned the numerous efforts that had been made in this regard, including the creation of a Ministry for Women and Social Action, the ratification of various regional and international instruments that promote the equality between men and women and the adoption of specific legislation such as the Law on the Family, Law on Domestic Violence and the Law on Combating Trafficking. It was added that efforts have also been made to guarantee the greater participation of women in Government and Parliament with significant success.

18. On the question of Child Rights, Mozambique declared that the well-being of the child is one of the Government's main priorities and that the Mozambican Declaration on the Rights of the Child, which is included in the Constitution, reflects its recognition of the norms provided for in the instruments to which it is party. It provided details of legislation that had been reviewed or adopted to ensure the Rights of the Child. It added that, additionally, a number of policies, plans and strategies had been adopted and provided details regarding these. Mozambique also referred to the creation of the National Council on the Rights of the Child. Finally, Mozambique provided details of numerous initiatives that have been adopted to ensure that children are registered after birth.

19. With regards to health, Mozambique stated that, after independence, its main strategy had been the adoption of the Primary Health Care Policy which prioritized women and child health, through a number of specific programmes. This led to a substantial decrease in the infant mortality rate. Maternal health has also registered significant progress with impressive decrease in maternal mortality since 1997.

20. On HIV/AIDS, Mozambique indicated that it has one of the highest rates of infection in Sub-Saharan Africa. This issue is thus of the highest priority for the Government, which is made clear by the active intervention of various public officials, from the Head of State to those at district level, in action to address this problem.

21. Regarding education, Mozambique highlighted progress made including the provision of free and universal primary education, the significant increase in access to education for children of all social strata and the expansion of the provision of bi-lingual education. Nevertheless, Mozambique recognized the need to improve the quality of education at all levels.

22. Mozambique indicated that it would continue to cooperate with the Human Rights Council, including by receiving visits by special procedure mandate holders.

23. In conclusion Mozambique reiterated the country's commitment to honouring its human rights obligations and thanked the Human Rights Council for its support and assistance on the occasion of the review.

#### **B. Interactive dialogue and responses by the State under review**

24. During the interactive dialogue, 52 delegations made statements. Additional statements which could not be delivered during the interactive dialogue owing to time constraints are posted on the Extranet of the universal periodic review when available<sup>1</sup> Recommendations made during the dialogue are to be found in section II of the present report. A number of delegations acknowledged Mozambique's constructive engagement

<sup>1</sup> Mexico, Malaysia, Romania, Lao People's Democratic Republic, Democratic Republic of Congo, Burkina Faso, Cape Verde, Namibia, Niger, Mauritius.

with the universal periodic review mechanism. They noted with satisfaction that various achievements in the promotion and protection of human rights since the Peace Agreement in 1992, notwithstanding remaining challenges.

25. Algeria stressed that the invitation extended to nine Special Procedures mandate holders in May 2010 showed the commitments of Mozambique to the promotion of human rights. It noted the significant progress made for women's liberation, protection of children, right to education and the achievements in fighting leprosy. Algeria made recommendations.

26. Finland asked about intended measures to reduce poverty and inequality. While recognizing efforts made, Finland wished to emphasize the importance of bilingual and mother tongue education and asked about the measures taken to increase the school completion rate of girls. Finland made recommendations.

27. Russian Federation commended Mozambique's efforts to preserve peace and stability in the post conflict period, bring development of the economy, combat poverty as well as the prohibition on the applications of the death penalty, assisting the refugees its international cooperation in human rights as well as an active interaction with OHCHR. It made recommendations. Russia made recommendations.

28. Zimbabwe noted Mozambique's achievements in human rights since independence in 1975 and following the destabilization it suffered until 1992. Zimbabwe was impressed by the people-centred policies on land, education, water, sanitation, health, housing and environment. Zimbabwe made recommendations.

29. Canada was concerned about reports of summary executions, torture and ill-treatment of prisoners and detainees including arbitrary arrests and violent repression of protesters by police. Canada noted important challenges with respect to conditions of detention and lack of separation of adult and child offenders outside Maputo. It encouraged Mozambique to continue its efforts to eliminate discrimination, including on the basis on sexual orientation and gender identity, and to facilitate civil society contributions in this regard. Canada made recommendations.

30. South Africa welcomed Mozambique's frank assessment of the challenges it faced as a developing country and one which emerged from conflict. South Africa encouraged the international community to provide the technical assistance required, as outlined in the national report, to overcome those challenges. South Africa made recommendations.

31. Nigeria welcomed Mozambique's accession to most UN human rights conventions but noted that there are international human rights instruments that it is not yet party to. Nigeria recognized the various challenges, including poverty, inadequate human and financial and technical resources, hindering the efforts to guarantee human rights by its citizens. Nigeria called upon all relevant bodies to render all the needed assistance. Nigeria made recommendations.

32. Lesotho noted with satisfaction the efforts made by the Government to fight corruption and promote transparency and encouraged Mozambique to maintain this course. Lesotho encouraged Mozambique to maintain course regarding reforms to improve policies and programmes for the promotion and protection of all human rights. It also encouraged Mozambique to take necessary steps to ratify or accede to other major international human rights instruments which are still outstanding. Lesotho made a recommendation.

33. Angola noted that the Constitution contributed to stabilization, multiparty democracy and the holding of general elections. Angola called upon the international community to support Mozambique in implementing human rights instruments and ensuring the full enjoyment of human rights. It called upon the international community to

help with such environmental challenges as the recent floods. Angola made recommendations.

34. Morocco congratulated the effective and non discriminatory participation of all ethnic groups in the decision making process both in the legislative branch and the executive. Morocco referred to the recent election of provincial assemblies as a step towards effective local governance. Morocco requested the international community to support Mozambique in its strategies. Morocco made recommendations.

35. Singapore noted that Mozambique faces considerable challenges in access to water and noted the increased coverage of access from 5% to 51% as impressive. It noted that HIV/AIDS is expected to affect 16.8% of the population between 15 and 49 years old in 2010, and that Mozambique has rightly prioritized HIV/AIDS in its overall national human and economic development agenda. Singapore made recommendations.

36. Botswana referred to Mozambique's promotion of gender equality and its heavy investment in the health and education sectors. Botswana asked about measures being considered to address poverty affecting rural women and to address the reported high incidence of teenage pregnancies. Botswana expressed the hope that Mozambique will benefit from the good will and support of the international community. Botswana made a recommendation.

37. Turkey praised the setting of the minimum age of criminal responsibility at 16 years of age. It considered that an increase in the number of functioning juvenile courts throughout the country would contribute to the improvement of children's rights. It appreciated the significant presence of women in political decision-making positions. It welcomed the efforts in combating HIV/AIDS, malaria and cholera. Turkey made recommendations.

38. Slovenia commended Mozambique for recent legislative reforms, including its incorporation of the principle of best interests of the child in its legislation. Slovenia asked about measures to enforce the "zero tolerance" policy on sexual abuse in schools and when Mozambique will incorporate the principle of non-discrimination on the ground of sexual orientation including into its Penal Code. Slovenia made recommendations.

39. France referred to reported cases of arbitrary detention, torture and extrajudicial executions and excessive use of force during the 2010 demonstrations. It highlighted discrimination against women in accessing basic social and education services, particularly in rural areas. It stated that, according to the CEDAW, certain forms of violence against women and girls and traditional harmful practices still persist despite the new family law. France made recommendations.

40. Ireland welcomed Mozambique's signature and ratification of many international instruments. Ireland asked when the National Human Rights Action will be adopted. Ireland, while acknowledging recent actions to promote and improve women and children's rights, asked about Mozambique's plans to retain pregnant students in school and of its intentions to repeal legislation requiring the transfer of pregnant girls to night time schools. Ireland made recommendations.

41. Holy See congratulated Mozambique for its efforts to maintain peace and stability, support the family, for its tradition of welcoming refugees, local provincial elections and efforts for education and to reduce illiteracy and to ensure clean drinking water for the population as well as combating forced and child labour. It made recommendations.

42. Brazil noted that gender discrimination persisted in the labour market, in sexual violence, including in schools. Brazil noted that difficulties in accessing justice hampered the fight against summary executions, police brutality and lynching. Brazil hoped that the construction of the antiretroviral factory in Maputo in cooperation with Brazil would

provide better conditions for HIV/AIDS patients. Brazil stood ready to cooperate with Mozambique regarding its request for technical assistance and capacity building, in coordination with OHCHR. Brazil made recommendations.

43. Timor-Leste noted considerable progress to enhance gender equality and protect the rights of the child. However, it noted that women, especially rural and elderly are still marginalized and often face discrimination. Girls are often subject to harassment and sexual abuse, including in school. Child labour is still being practiced due to chronic poverty. It made recommendations.

44. Swaziland congratulated Mozambique for having one of the fastest growing economies in southern Africa. It noted significant expansion in health activities since 1992. Swaziland encouraged Mozambique to increase its efforts to provide quality education. Swaziland commended Mozambique for its pledge to enhance efforts to fight poverty and strengthen institutional capacity for the promotion and protection of human rights. Swaziland encouraged Mozambique to increase efforts for the provision of quality education.

45. Sudan noted Mozambique's ratification of most important international and regional human rights instruments. It noted that poverty is the source of such health problems as tuberculosis, HIV/AIDS, high mortality rates, and malaria. It applauded progress made on the legal framework related to children's rights and policies that would contribute to the welfare of the child. Sudan made recommendations.

46. Ghana noted that Mozambique achieved peace and stability after a long armed conflict and that it had made enormous progress in economic growth and fighting poverty. Ghana noted that Mozambique has one of the highest percentages of female parliamentarians in the world. With regard to the position of women, Ghana urged Mozambique to persist in its efforts to address, inter alia, traditional barriers and disadvantages in the right of inheritance and access to productive resources. Ghana made a recommendation.

47. Spain recognized efforts to promote and protect human rights since the signature of the 1992 Peace Agreements. It commended Mozambique for its determination in the protection of the right to access to drinking water and basic sanitation, including their goal to improve this access significantly by 2015. Spain made recommendations.

48. Cuba noted the clear commitment of Mozambique in the promotion and protection of human rights. It made reference to actions regarding food security, plans to reduce illiteracy, measures to improve access to medical services, in particular to prevent and control HIV/AIDS and environmental rights. Cuba made recommendations.

49. United Kingdom welcomed the visit in December 2010 by the Special Rapporteur on the Independence of Judges and Lawyers and asked about the steps taken to implement her recommendations. It commended the Justice Minister's quick reaction to allegations of degrading treatment at a Maputo prison. It acknowledged that Mozambique is taking seriously the issue of overcrowding in detention facilities but remained concerned that many detention facilities do not meet international standards. It made recommendations.

50. Norway observed that the ratification of outstanding treaties and their incorporation into domestic law would provide a further legal basis for Mozambique to improve its human rights standards. Norway called on Mozambique to submit overdue reports to the relevant treaty bodies. Norway commented on prison conditions, human rights violations by the police, access to justice, discrimination against women and the need to improve the protection of children. Norway made recommendations.

51. Germany noted that CRC in 2009 recommended adoption of necessary implementation procedures and regulatory frameworks to allow legislation concerning



children to become fully operational. Germany asked how Mozambique had followed-up on this recommendation. It noted reports of extrajudicial killings by the police and the military and the problem of lynching. It also noted that UNCT indicated that the lack of infrastructure and equipment restricted access to efficient police services. Germany made recommendations.

52. Thailand expressed appreciation to Mozambique for its hosting of refugees and stateless persons from neighbouring countries. Thailand noted with concern allegations of the use of child labour, violence against children, particularly the trafficking of children. Thailand expressed its willingness to share its experience with Mozambique in administering prisons, particularly in the care for female inmates and in fighting HIV/AIDS. Thailand made recommendations.

53. On questions regarding the creation of the National Human Rights Commission, Mozambique reiterated that much progress had been made and provided details. As for the election of the Ombudsman, it was stated that this is the responsibility of the National Assembly, which was elected one year ago, and that it was hoped that this would occur soon.

54. As for the proposed visit of the Special Rapporteur on Extrajudicial Executions, Mozambique stated that the country is open to receiving his visit as well as that of other rapporteurs and has no restrictions in this regard.

55. On questions regarding torture and ill-treatment in prisons, Mozambique reiterated that there have been isolated cases only and that criminal and disciplinary measures have been taken against those responsible, which is public knowledge. Mozambique added that a number of visits have been carried out to prisons and it was verified that conditions have improved enormously in recent years, though problems, such as overcrowding, still remain.

56. Regarding questions on the excessive use of force, Mozambique also reiterated that it was not State policy and that when such cases occur, criminal and disciplinary measures are taken.

57. On the follow-up to the UPR, Mozambique stated that it intended to draw up a detailed action plan, which would define a timeline and the actors responsible for implementation. It added that the country would need technical assistance in this regard.

58. On recommendations to ratify the Convention on Person with Disabilities and its Optional Protocol, Mozambique clarified that these have just been ratified by the National Assembly and that this decision is in the process of publication prior to the deposit of the instrument of ratification.

59. On trafficking, Mozambique recalled that it had adopted a law on trafficking and that it is the only country in the region to have done so, which demonstrates its commitment to the implementation of the provisions of the Palermo Protocol.

60. Zambia commended the invitation extended to nine Special Rapporteurs in 2010. It commended the Plan of Action for Orphans and Vulnerable Children. However, Zambia called on Mozambique to make operational all laws regarding children's rights. It urged Mozambique to revisit the Five Year Plan to reduce illiteracy. It noted that violence against women and girls should be addressed inter alia by criminalizing it. Zambia made recommendations.

61. Argentina asked Mozambique about measures to encourage a more active participation of women in education and work. It also asked about progress made in the area of the health of women, with particular emphasis on maternal mortality and HIV/AIDS. Argentina made recommendations.

62. Azerbaijan noted Mozambique's cooperation with OHCHR based on providing technical assistance. It was pleased to know that women's participation in parliament is one of the largest in the world. It welcomed the measures taken to promote the advancement of women, including the adoption of the law on Domestic Violence. It also noted the Action Plan on MDGs. Azerbaijan made recommendations.

63. Italy noted the improvements in the health, water and education sectors though serious challenges remained. Italy commended Mozambique for the abolition of the death penalty. Italy expressed the hope that the National Human Rights Commission will soon begin functioning. Italy pointed to reports of human rights violations by the police in relation to arrests and detention. Italy made recommendations.

64. Portugal asked what concrete measures are planned to prevent cases of excessive and arbitrary use of force by the police. Portugal asked which additional policies and actions will be undertaken to ensure wider access to justice for citizens, to reduce overcrowding in prisons and to improve conditions of detainees. Portugal asked about the designation of the Ombudsman and the members of the National Human Rights Commission. Portugal made recommendations.

65. Austria, while commending Mozambique on its recent advances in the area of human rights, asked how the Government intended to prevent an escalation in the use of excessive force and violence by security forces and prison authorities. Austria asked about additional steps planned to protect the rights of the child and expressed concern about persisting discrimination and violence against women. Austria made recommendations.

66. Chad noted with satisfaction the cooperation of Mozambique with Treaty Bodies and the Special Procedures as a sign of the importance attached to the promotion and protection of human rights. Chad requested the international community to help Mozambique to live up to its challenges in the area of human rights. Chad made a recommendation..

67. Slovakia noted with appreciation Mozambique's generous asylum policy. Slovakia expressed concern about the persistence of reports on torture and ill-treatment of detainees and prisons by law enforcement as well as reports of extrajudicial executions by police and the military and the continued problem of lynching. It also noted that access to justice remained a challenge. Slovakia made recommendations.

68. Denmark noted sustained and impressive economic growth, as well as steady progress in regard to human rights since 1992. It noted that Mozambique has not ratified some basic human rights instruments, and strongly encouraged Mozambique to adopt OP-CAT without delay. Denmark noted that 2009 electoral process was criticized by international and national observer groups and appreciated that the electoral legislation is currently under revision. Denmark made recommendations.

69. Netherlands commended Mozambique for increasing enrolment in primary education, though challenges remained regarding the quality of education. It referred to reports of allegations of excessive use of force and extrajudicial executions. It praised the revision of Mozambique's Labour Law prohibiting discrimination against employees on the basis of their sexual orientation but was concerned that the Penal Code still prohibited homosexuality. Netherlands made recommendations.

70. United States of America welcomed the Central Office for Combating Corruption (GCCC) and the enactment of the anticorruption law. However, it noted that officials continue to engage with impunity to bribery, unlawful killings and arbitrary arrest. It asked about plans to develop a national strategy on corruption. It was concerned with the lack of transparency during the most recent elections, notably the inability of the electoral

commission to act independently and the increasing lack of political space for opposition parties. It made recommendations.

71. India noted that the ongoing process of decentralization had strengthened participatory decision-making in the country. India noted the efforts to promote women's rights and that HIV/AIDS constituted a major challenge. India appreciated Mozambique's commitment to accede to international human rights instrument to which it is not yet a party, such as the ICECR, and to strengthen its institutional framework, through the full compliance of its National Commission with the Paris Principles.

72. Switzerland referred to four issues of concern. It noted the excessive use of force by the security forces, the numerous cases of arbitrary detention and extrajudicial executions, the lack of impact of the annual growth on improving the social and economic rights of the population and the rights of the child in Mozambique. Switzerland made recommendations.

73. Australia congratulated Mozambique on its remarkable post-conflict progress towards recovery and its progress towards achieving the Millennium Development Goals. It noted that HIV/AIDS remained a significant threat to Mozambique's development. Australia urged Mozambique to address on-going corruption, encouraged its efforts to continue reform in education and to work towards ending violence against women, including sexual slavery. Australia made recommendations.

74. Rwanda noted that Mozambique is one of the fastest growing economies of the region with best practices for effective poverty reduction strategies. Rwanda noted the remarkable raise in the percentage of female representation in the parliament. It also commended the fight against corruption and the approval of GCCC. It noted however that progress in this area is often constrained by limited resources. Rwanda made recommendations.

75. Uruguay noted that following a difficult conflict situation, Mozambique has made progress on all indicators of economic development, which has contributed to making progress in the human rights situation. Uruguay thanked Mozambique for their honest report on the situation of children, partly due to the extreme poverty in the country. Uruguay made recommendations.

76. Ecuador commended Mozambique's decision to invite nine mandate-holders to simultaneously visit the country in August 2010, reflecting its willingness to improve the human rights of its population and its commitment to the universal periodic review mechanism. Ecuador made recommendations.

77. Hungary acknowledged Mozambique's vulnerability to natural disasters. Hungary remained concerned about food insecurity and extreme poverty, which had led to serious health problems. It referred to information about the limited number of citizens benefiting from social and health programmes. Hungary asked for further details about the conformity of traditional authorities' decisions with human rights requirements. Hungary referred to access to justice as a major challenge and the failure of police investigations into cases of ill-treatment. Hungary made recommendations.

78. Chile recognized progress and noted remaining challenges with regard domestic violence and gender equality, as well as poverty. Chile indicated that it is important that the international community makes efforts to respond to the request for technical assistance made by Mozambique in its national report. Chile made recommendations.

79. China noted with appreciation that Mozambique had achieved positive results in poverty reduction, health and education. It also appreciated the sincere attitude of the Government in explaining the problems and challenges in terms of poverty elimination and AIDS prevention. China called upon the international community to strengthen

international assistance and technical support in the above fields. China made a recommendation.

80. Luxembourg referred to the serious problems with access to water and sanitation especially in remote and rural areas. It raised concerns regarding the situation of women especially those living in isolated areas, stricken by poverty and illiteracy. It also stressed the poor conditions in prisons, characterised by overcrowding, contagious and endemic diseases and violence. Luxembourg made recommendations.

81. Sweden, while welcoming positive steps taken, noted that women still faced discrimination, including regarding their personal status, ownership rights and employment. Sweden referred to reports that Mozambican police were responsible for human rights violations and that victims and their families had received no information regarding the progress of investigations and had been left without remedies or justice. Sweden made recommendations.

82. Latvia noted that several special procedures mandate holders have visited Mozambique during the last five years. It noted that another two requests for visit have been agreed upon and two other requests are still pending. Latvia made a recommendation in this regard.

83. Congo noted positively Mozambique's cooperation with United Nations mechanisms and the African Commission on Human and Peoples Rights, its efforts to promote the rights of women and the decrease in mortality due to malaria. Congo referred to reported difficulties, such as in the prison system, and Mozambique's efforts to solve them as well as the country's request for technical assistance. Congo made a recommendation.

84. On questions relating to corruption, Mozambique, clarified that it had adopted a number of initiatives including trainings, dissemination of information, and disciplinary and criminal measures. Mozambique added that an anti-corruption "package" is currently being developed and provided detailed information in this regard. It also indicated that relevant laws are being reviewed.

85. Regarding questions on the issue of sexual orientation, Mozambique stated that its Constitution makes no reference to sexual orientation. The country is confronted with profoundly entrenched cultural and religious habits and such issues are recent and have only begun to be faced now. It was added, that homosexuality is not criminalized, as there is no such definition in the Criminal Code so that no one can be sanctioned for homosexuality. It was added, regarding freedom of association, that there was no restriction in this regard.

86. On the issue of access to water, Mozambique explained that many efforts have been made and that these have resulted in significant progress. Detailed information was provided on measures adopted and on the situation in the country.

87. In conclusion, Mozambique thanked participants for the very positive interaction and the encouragement received.

## **II. Conclusions and/or recommendations**

88. The recommendations formulated during the interactive dialogue/listed below have been examined by Mozambique and enjoy its support:

**88.1. Consolidate the legal framework for the promotion and protection of human rights by ratifying the International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Convention on the Protection of**

**the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Algeria);**

**88.2. Consider the possibility of signing or acceding to the remaining international human rights treaties, including the ICESCR and ICRMW and domesticate them in its national legislation (Nigeria 1);**

**88.3. Sign and ratify the ICESCR and the ICCPR-OP 1 (Spain);**

**88.4. Study the possibility of becoming a party to the following international instruments: ICESCR and ICRMW (Argentina);**

**88.5. Accelerate the ratification process of a number of relevant international legal instruments on human rights, namely ICESCR and the First Optional Protocol to ICCPR (ICCPR-OP 1) (Portugal);**

**88.6. Ratify the ICESCR (Austria);**

**88.7. Ratify ICCPR-OP 1 and ICESCR (Slovakia);**

**88.8. Become a party to the ICESCR (Australia);**

**88.9. Withdraw the reservations to the Convention on the Status of Refugees (Ecuador);**

**88.10. Adopt as soon as possible the National Human Rights Action Plan (Ireland);**

**88.11. Implement the law on the establishment of a National Human Rights Commission (Russian Federation);**

**88.12. Conclude consultations on the composition of the National Commission for Human Rights, and make the Commission operational (United Kingdom);**

**88.13. Step up cooperation with the relevant international mechanisms , particularly the Committee on Elimination of Discrimination Against Women and the future Working Group of the Human Rights Council to combat discrimination against women in law and practice (France);**

**88.14. Continue its cooperation with treaty bodies and submit its initial report on the implementation of the ICCPR as well as the report on the application of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Congo);**

**88.15. Intensify efforts to implement the recommendations of the Committee on the Rights of the Child on the persistence in rural areas of traditional practices harmful to children (Portugal);**

**88.16. Consider responding to the request of the UN Special Rapporteur on extrajudicial, summary and arbitrary executions to visit the country (Brazil);**

**88.17. Respond positively to the request for an invitation of the Special Rapporteur on extrajudicial, summary or arbitrary executions to visit the country (Norway);**

**88.18. Grant the request of the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Killings to visit Mozambique (Germany);**

**88.19. Consider the extension of an invitation to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in accordance with his request (Italy);**

- 88.20. Agree on a date for a possible visit by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions requested in 2008 (Netherlands);
- 88.21. Respond positively to the request for a visit made by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the situation of human rights defenders (Spain);
- 88.22. Implement further policies to ensure gender equality throughout society and strengthen the promotion of the rights of women, especially the rights of rural women (South Africa);
- 88.23. Persist in its efforts to ensure equality between the rights of men and women, including through social sensitization actions (Argentina);
- 88.24. Take effective measures to ensure the equal treatment of women in law and practice (Sweden);
- 88.25. Take effective measures to eradicate the persistent cultural practices that discriminate against women (Azerbaijan);<sup>2</sup>
- 88.26. Establish a strategy to eliminate cultural practices against women (Luxembourg);<sup>3</sup>
- 88.27. Continue reducing disparities between men and women in order to reach a full parity particularly access of women to courts and property ownership as well as empowering their role in (economic) production (Sudan);
- 88.28. Establish more specialized juvenile courts to dispense justice (Turkey);
- 88.29. Act on the Matrix of Actions it put forward to the G-19 international donor community in March 2010 in response to deep concerns about the 2009 elections (United States);
- 88.30. Accelerate the implementation of its strategies and national policies aimed at finding effective solutions for main health problems in the country (Sudan);
- 88.31. Consider increasing funding for the National Plan to Combat HIV and AIDS and urge the international community to do more to assist (Zimbabwe);
- 88.32. Strengthen its programs and adopt further measures for combating HIV/AIDS, malaria and cholera (Turkey);
- 88.33. Seek technical assistance of UNICEF, ILO and other relevant organizations in order to combat the spread of diseases, such as HIV/AIDS and malaria and to allocate more financial resources to decrease the high rates of maternal and infant mortality (Azerbaijan);
- 88.34. Coordinate with all donors and civil society organizations on issues of mutual concern, including improvements in prison conditions and strengthening of the health system for HIV/AIDS sufferers and other patients to promote access to quality health care for all Mozambicans (United States);

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<sup>2</sup> The recommendation as read out during the interactive dialogue: "Take effective measures to eradicate the persistent discriminatory stereotypes, cultural practices that discriminate against women"

<sup>3</sup> The recommendation as read out during the interactive dialogue: "Establish a strategy to eliminate cultural practices and discriminatory stereotypes against women"

88.35. Consider <sup>1</sup>seeking further targeted technical assistance from United Nations agencies towards achieving its human rights obligations (Botswana);

88.36. Continue seeking development as well as technical assistance and capacity building needs from development partners and UN specialized agencies with a view to finding solutions to the identified challenges hindering the enjoyment of human rights. (Nigeria);

88.37. Seek from the international community continued meaningful support to the efforts made by Mozambique to enhancing discharge of its human rights obligations (Lesotho);

88.38. Define the technical and financial needs which are required to help the country to live up to its international obligations under the main human rights instruments( Morocco);

88.39. Seek the support of development partners to extend technical assistance and capacity building to address challenges identified in its national report so as to reinforce its efforts in the protection and promotion of the human rights of its people (Rwanda).<sup>4</sup>

89. The following recommendations enjoy the support of Mozambique which considers that they are already implemented or in the process of implementation:

89.1. Consolidate the legal framework for the promotion and protection of human rights by ratifying the Convention on the Rights of Persons with Disabilities (CRPD) (Algeria);

89.2. Consider the possibility of signing or acceding to the remaining international human rights treaties, including the CRPD, and domesticate them in its national legislation (Nigeria);

89.3. Sign and ratify the Optional Protocol to the CRPD. Intensify efforts with a view to the prompt ratification of CRPD (Spain);

89.4. Ratify the CRPD (United Kingdom);

89.5. Study the possibility of becoming a party to the following international instruments: CRPD (Argentina);

89.6. Ratify the CRPD (Austria);

89.7. Become a party to the CRPD (Australia);

89.8. Sign or ratify the following international conventions: CRPD (Ecuador);

89.9. Continue to strengthen Human Rights institutions to ensure the continued promotion and protection of human rights throughout society (South Africa);

89.10. Complete the process of establishing a National Human Rights Commission in accordance with the Paris Principles and fill the Ombudsman post established by law (France);

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<sup>4</sup> The recommendation as read out during the interactive dialogue: "Recommend to development partners to extend technical assistance and capacity building to Mozambique in the areas identified in its national report so as to reinforce its efforts in the protection and promotion of the human rights of its people"

- 89.11. **Adopt the necessary measures to accelerate the functioning of a national human rights institution that is in accordance with the international standards established in the Paris Principles (Argentina);**
- 89.12. **Finalize the establishment of the National Human Rights Institution which will be in compliance with the Paris Principles (Zambia);**
- 89.13. **Follow-up on initiatives for establishing an independent national human rights institution to advance its human rights agenda and proceed with this task in conformity with the Paris Principles (Hungary);**
- 89.14. **Make operational in the nearest future the National Commission on Human Rights and the Ombudsman institution (Denmark);**
- 89.15. **Intensify its efforts to appoint the Ombudsman, and ensure the full functioning of the National Human Rights Commission as soon as possible (Spain);**
- 89.16. **Sign and ratify CEDAW and incorporate its provisions into domestic law (Sweden);**
- 89.17. **Repeal all discriminatory laws with regard to women and promote access to education at all levels (Luxembourg);**
- 89.18. **Strengthen the promotion and protection of women's rights through appropriate legislative and policy measures and by addressing discriminatory social and cultural attitudes and practices (Norway);**
- 89.19. **Undertake a legislative review aimed at eliminating all forms of discrimination against women, particularly in relation to the Penal Code and inheritance laws (Australia);**
- 89.20. **Intensify efforts to accelerate the implementation of governmental measures and actions to ensure the respect of international standards for persons deprived of their liberty as soon as possible (Luxembourg);**
- 89.21. **Develop and implement a plan to reduce overcrowding and improve conditions of detention in the prison system, including by exploring alternatives to preventive detention (Canada);**
- 89.22. **Take further steps to prevent mistreatment of prisoners including through greater compliance with the UN Minimum Standards for the treatment of Prisoners (United Kingdom);**
- 89.23. **Take steps to bring prison conditions into compliance with international legal standards for the treatment of prisoners as a matter of urgency (Norway);**
- 89.24. **Take effective measures to improve conditions of detention, in particular to reduce overcrowding and violent crimes in prisons as well as to improve prisoners' access to educational and health services (Austria);**
- 89.25. **Ensure that violence against women and girls constitutes a criminal offence, as well as to ensure the prosecution, punishment and rehabilitation of perpetrators, and the protection and access to immediate means of redress for victims of violence (Slovenia);**
- 89.26. **Fully implement the law on Domestic Violence against Women and disseminate information about this law as widely as possible (South Africa);**



- 89.27. Effectively implement the law on domestic violence against women, and enforce the policy of “zero tolerance” of sexual abuse in schools to provide better protection for women and girls (Timor-Leste);
- 89.28. Take effective steps to implement the new legislation enacted in 2009 regarding the family (Lei da Familia), domestic violence (Lei Contra Violência Doméstica) and trafficking (Lei contra Tráfico de Pessoas) to address the issue of sexual abuse, exploitation and trafficking of children in order to hold perpetrators accountable and provide means of redress and protection for victims (Austria);
- 89.29. Strengthen the application of the legislation in combating discrimination and violence, above all sexual violence against women and girls (France);
- 89.30. Adopt and implement policies for combating discrimination and violence against women, especially domestic and sexual violence (Brazil);
- 89.31. Take all necessary measures to eliminate, combat and sanction all forms of discrimination or violence against women (Ecuador);
- 89.32. Strengthen its child protection system with effective mechanisms, including investigation of reports of cases of child abuse (Thailand);
- 89.33. Open temporary shelters for children victims of abuse and neglect, and provide them with the necessary psychological and other support for their full recovery and social reintegration (Thailand);
- 89.34. Prepare and intensify appropriate legislative measures to address questions relating to sexual abuse and sexual exploitation and child prostitution (Uruguay);
- 89.35. Continue its efforts to improve the penitentiary system and health services and offer greater protection to children, in particular those who are victims of trafficking in persons (Holy See);
- 89.36. Strengthen legislation and adopt a plan of action against sexual abuse and trafficking (Norway);
- 89.37. Undertake the necessary measures to advance in the eradication of child labour, by applying the 2008 law to protect children which prohibits child labour (Uruguay);
- 89.38. Continue its efforts in the fight against corruption (Holy See);
- 89.39. Strengthen efforts in combating corruption and for access to Justice (Brazil);
- 89.40. Implement, in full, newly introduced Anti-Corruption legislation (Australia);
- 89.41. Meet its deadline and complete actions to which it committed in the three general areas described in the March 2010 Matrix: electoral reform, economic governance, and combating corruption (United States);
- 89.42. Increase funding for the Central Office for Combating Corruption (GCCC) to expand its training programs for prosecutors and to increase accountability for government officials by allowing the GCCC to investigate and prosecute these crimes (United States);
- 89.43. Pursue ongoing judicial reforms (Morocco);

- 89.44. **Build upon existing justice and security sector reforms (Australia);**
- 89.45. **Pursue efficient justice system reforms, with particular focus on ensuring free legal assistance for its underprivileged citizens (Slovakia);**
- 89.46. **Develop efforts to strengthen the program of reforms of the judicial system (Angola);**
- 89.47. **Take the necessary steps to ensure police receive the information, training and equipment needed to deliver their duties in accordance with the country's international human rights obligations (Canada);**
- 89.48. **Continue measures to train the national police forces in order to enable them to fulfil their tasks in an adequate and proportionate manner, in accordance with the principles of the rule of law (Germany);**
- 89.49. **Strengthen the human rights training curriculum provided in the Police Science Academy (ACIPOL) and define an ethics code and appropriate inspection mechanisms for the security forces (France);**
- 89.50. **Reform laws, rules and codes of conduct that regulate police action to bring them in line with international human rights standards (Ecuador);**
- 89.51. **Reform the laws, regulations and codes of conduct that regulate the functioning of the police to bring them into line with international human rights standards (Sweden);**
- 89.52. **Adopt a human rights education and training programme for law enforcement officials, in particular on the use of force with a view to providing alternative methods to address any potentially violent situation proportionally (Spain);**
- 89.53. **Ensure that thorough, prompt, and impartial investigations are carried out in all cases of alleged arbitrary detentions, extrajudicial killings and other excessive use of force by police, and that perpetrators are brought to justice (Canada);**
- 89.54. **Ensure that cases of excessive use of force and violence by security forces and prison authorities are immediately stopped and investigated by an independent and impartial authority (Austria);**
- 89.55. **Ensure prompt, thorough and impartial investigations into all cases of suspected extrajudicial executions and other use of force (Netherlands);**
- 89.56. **Carry out prompt, credible and impartial investigations of all alleged extrajudicial killings and other excessive use of force by law enforcement officials resulting in death and bring all perpetrators to justice in compliance with international standards for fair trials (Slovakia);**
- 89.57. **Undertake prompt and impartial investigations on cases of excessive use of force by law enforcement officials; and that those found responsible be brought to justice and convicted and that the victims and their families be adequately compensated (Ecuador);**
- 89.58. **Investigate all cases of extrajudicial killings, torture and ill-treatment by the police and to bring those responsible to justice (Germany);**
- 89.59. **Ensure the independent investigation of all allegations of extrajudicial killings and torture (Hungary);**

- 89.60. Conduct thorough and impartial investigation into all allegations of having committed excessive use of force, torture and other human rights violations (Sweden);
- 89.61. Take effective measures without delay to uphold the total prohibition against torture, in accordance with its international obligations under the CAT (Sweden);
- 89.62. Carry out effective and independent investigations on allegations of torture and ill treatment in order to bring the perpetrators to justice and ensure that the victims enjoy full reparation (Switzerland);
- 89.63. Ensure investigation of all allegations of torture and ill-treatment, bring perpetrators to justice in compliance with international standards for fair trials and provide rehabilitation to victims (Slovakia);
- 89.64. Investigate all reports of torture and other ill-treatment in places of detention (Italy);
- 89.65. Establish juvenile courts throughout the country to enable the incarceration of children and adolescents separately from adults (Canada);
- 89.66. Undertake measures to ensure that all children are registered immediately after birth, as a crucial step for children to benefit formally from the social protection system (Uruguay);
- 89.67. Ensure applications for accreditation by non-governmental organizations are processed objectively, expeditiously, and in accordance with principles of non-discrimination, and that long-pending applications are promptly reviewed in accordance with these principles (Canada);
- 89.68. Strengthen the enforcement of equality provisions with respect to women in employment laws (Turkey);
- 89.69. Strengthen efforts to reduce poverty, malnutrition and illiteracy (Azerbaijan);
- 89.70. Continue to implement development and poverty reduction policies in order to promote peaceful and stable development (China);
- 89.71. Continue its efforts to fight poverty and ensure sustainable development; as well as implement fully plans to reduce illiteracy and to provide high quality medical services (particularly to those affected by HIV/AIDS); ensure the population has access to water (Russian Federation);
- 89.72. Continue applying the country's strategies and socio-economic development plans, in particular those aimed at reducing poverty (Cuba);
- 89.73. Continue the implementation of its Strategy to combat poverty to achieve the MDGs (Morocco)
- 89.74. Continue its engagement with the international community to combat poverty, including by devising special social schemes for families living in extreme poverty (Timor-Leste);
- 89.75. Continue applying programmes and measures to improve the enjoyment of the right to education, the right to health and the right to food (Cuba);

- 89.76. Disseminate and implement the plan to achieve MDGs 4 and 5, approved by the Ministry of Health, on the basis of the right to health for mother and child (Switzerland);
- 89.77. Apply measures aimed at increasing the number of health professionals and ensure that they receive high quality training (Switzerland);
- 89.78. Taking into account the high level of infant mortality, disseminate and implement promptly the Plan to Achieve the Millennium Development Goals 4 and 5, using a rights based approach to maternal-child health (Uruguay);
- 89.79. Continue applying programmes and measures to prevent and combat the problem of HIV/AIDS (Cuba);
- 89.80. Continue its efforts to achieve full respect of the rights of the child despite widespread poverty (Sudan);
- 89.81. Give greater attention to the programs for the reduction of infant mortality due to Aids and the national prevalence of HIV amongst women, as well as fighting the epidemics of cholera and tuberculosis (Algeria);
- 89.82. Maintain and further build upon its HIV/AIDS prevention, care and treatment programs (Singapore);
- 89.83. Take steps to prevent the feminization of the AIDS pandemic (Hungary);
- 89.84. Increase its efforts so the people of Mozambique can benefit from clean and quality drinking water as well as sanitation infrastructure (Luxembourg);
- 89.85. Intensify programmes to improve the social security system, the housing projects, home sanitation facilities and access to drinking water, as recommended by CRC (Chile);
- 89.86. Continue the efforts at improving the access to water and sanitation (Singapore);
- 89.87. Strengthen its measures to effectively implement national programs on human rights, in particular regarding their integration into the educational system (Angola);
- 89.88. Take measures to combat the underlying causes which impeded girls from completing their education (Finland);
- 89.89. Develop programmes and campaigns aiming at combating discrimination against girls in schools (Brazil);
- 89.90. Put into operation the national law aimed against sexual harassment of women and girls especially at learning institutions (Zambia);
- 89.91. Take effective steps to encounter harassment and abuse of girls in the educational system and ensure that perpetrators are effectively punished (Austria);
- 89.92. Guarantee that all those responsible for acts of violence, harassment and sexual abuse of girls, in particular in the educational system, are effectively punished and that the girls receive support, including to denounce these situations, and reparation and protection measures (Uruguay).

90. The following recommendations will be examined by Mozambique which will provide responses in due time, but no later than the 17<sup>th</sup> session of the Human Rights Council in June 2011. The response of Mozambique to these recommendations will be

included in the outcome report adopted by the Human Rights Council at its 17<sup>th</sup> session in June 2011:

- 90.1. **Ratify the Convention for the Protection of All Persons from Enforced Disappearance (CED), the Rome Statute of the International Criminal Court (ICC), sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and establish a national independent mechanism to inspect detention centres (France);**
- 90.2. **Sign and ratify the Optional Protocol to ICESCR (OP-ICESCR). Intensify efforts with a view to the prompt ratification of the CED (Spain);**
- 90.3. **Ratify the OP-CAT (United Kingdom);**
- 90.4. **Study the possibility of becoming a party to the following international instruments: OP-CAT and the CED (Argentina);**
- 90.5. **Accelerate the ratification process of a number of relevant international legal instruments on human rights, namely the OP-ICESCR, the OP-CAT and the Rome Statute of the ICC (Portugal);**
- 90.6. **Ratify OP-ICESCR, the Rome Statute of the ICC as well as the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Slovakia);**
- 90.7. **Sign or ratify the following international conventions: OP-CAT and CED (Ecuador);**
- 90.8. **Consider the ratification of the main international human rights instruments already signed by Mozambique, such as the Rome Statute and CED (Chile);**
- 90.9. **Source more funds for capacity building in order to strengthen various institutions (Zimbabwe);**
- 90.10. **Implement its National Plan of Action on human rights (Russian Federation);**
- 90.11. **Consider issuing a standing invitation to all UN human rights special procedures (Brazil);**
- 90.12. **Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);**
- 90.13. **Consider the formulation of a standing permanent invitation to the Special Procedures of the Human Right Council (Portugal);**
- 90.14. **Extend an open and standing invitation to all special procedures mechanisms (Spain);**
- 90.15. **Extend an open and standing invitation to the special procedure mechanisms (Ecuador);**
- 90.16. **Extend a standing invitation to the UN Human Rights Special Procedures (United Kingdom);**
- 90.17. **Issue a standing invitation to Special Procedures (Denmark);**
- 90.18. **Extend a standing invitation to all mandate holders of the Human Rights Council (Hungary);**

- 90.19. **Implement the recommendations of the UN expert on the Independence of Judges and Lawyers, particularly with a focus on challenges faced by women and other disadvantaged groups in accessing justice, including combating impunity and corruption (Norway);**
- 90.20. **Take all necessary measures to clarify allegations of extrajudicial executions and arbitrary detentions (Switzerland);**
- 90.21. **Amend existing law by incorporating sexual offences against children, including forced sexual relations and sexual exploitation (Slovenia);**
- 90.22. **Further improve good governance and the rule of law in the context of the next Poverty Reduction Programme (PARP) (Finland);**
- 90.23. **Include concrete measures to effectively reduce social and regional inequalities in the context of the next Poverty Reduction Programme (PARP) (Finland);**
- 90.24. **Increase employment in the context of the next Poverty Reduction Programme (PARP) (Finland);**
- 90.25. **Pay special attention to agriculture, including subsistence farmers in the context of the next Poverty Reduction Programme (PARP) (Finland);**
- 90.26. **Include the expansion of bilingual education (education in mother tongue) during the first years of primary schooling in the next education sector strategy programme (Finland).**
- 90.27. **Repeal the legislation which requires for the transfer of pregnant girls to night time schools and take action to ensure that pregnant students do not face restrictions in their access to education (Ireland);**
- 90.28. **Use the three year grant to further raise the quality of education, thereby ensuring the right to education (Netherlands).<sup>5</sup>**
91. **The recommendations below did not enjoy the support of Mozambique:**
- 91.1. **Become a party to regional and international human rights instruments that it has not yet signed up to despite its efforts to fulfil its international obligations (Chad);**
- 91.2. **Ensure that all former girl soldiers as well as any girls and young women who were exploited in the armed forces as slaves for labour or sexual exploitation are included in programmes for reintegration of former soldiers (Slovenia);**
- 91.3. **Place greater emphasis on assisting former girl soldiers to reintegrate into society (Ghana);**
- 91.4. **Repeal the laws criminalizing sexual relations between consenting adults of the same sex and guarantee fully the right of association including for NGOs working on the question of sexual orientation (France);**
- 91.5. **Repeal criminal sanctions against sexual activity between consenting adults (Netherlands);**

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<sup>5</sup> The recommendation as read out during the interactive dialogue: “Use all funds available to further raise the quality of education, thereby ensuring the right to education”.

91.6. Amend articles 70 and 71 of the Penal Code with a view to not criminalizing sexual relations between consenting adults of the same sex; ensure the right to association of LGBTs and facilitate the registration and activities of NGOs specialized on issues of sexual orientation and gender identity (Spain);

91.7. Draft, enact, and implement legislation that provides greater protection for political rights (United States);

91.8. Ensure the right to freedom of association and enable the registration of NGOs working on issues of sexual orientation and gender identity (Netherlands);

91.9. Take immediate action to respect, protect and fulfil the right to food (Hungary);

91.10. Ensure access to health insurance and high quality medication to low income persons and (Switzerland).

92. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Mozambique was headed by H.E. Mrs. Benvinda LEVI, Minister of Justice and composed of the following members:

- H.E. Mrs. Frances RODRIGUES, Ambassador, Permanent Representative,
  - Permanent Mission of the Republic of Mozambique;
  - Mr. Elias Jaime ZIMBA, Minister Counselor, Permanent Mission of the Republic of Mozambique;
  - Mr. Milagre Macaringue, Deputy Director for International Organizations and Conferences, Ministry of Foreign Affairs and Cooperation;
  - Mr. Albachir MACASSAR, Head of Department for the Promotion and Development of Human Rights, Ministry of Justice of the Republic of Mozambique;
  - Mr. Cláudio Mate, Lawyer, Ministry of Foreign Affairs and Cooperation
  - Mrs. Francelina Romão, Adviser to the Minister of Health, Ministry of Health
  - Mr. Rafael Die, Communication Adviser, Ministry of Justice
  - Mr. Miguel Raúl TUNGADZA, Second secretary, Permanent Mission of the Republic of Mozambique
-