



Mozambique
Submission to the UN Human Rights Council's
Universal Periodic Review

Statement on

The situation of the Rights of the Child
in Mozambique

submitted by

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NGO in Consultative Status with ECOSOC

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1. In the last years Mozambique has considerably increased efforts to eradicate poverty and consolidate economic stability, and has undertaken measures for the promotion and protection of the rights of the child. In particular, the Istituto Internazionale Maria Ausiliatrice (IIMA) welcomes the adoption of the Promotion and Protection Law on Child Rights No. 7/2008, of 9 July 2008, and the adoption of the Family Law No. 12/2004, of 25 August 2004.

2. Moreover, IIMA appreciates article 92 of the Constitution of Mozambique that describes education as a right and a duty, and it notes with satisfaction the adoption of the National Plan of Action for Children, 2006-2011.

3. Finally, IIMA welcomes the ratification by Mozambique of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, on October 18th 2004, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, on March 6th 2003.

CONTEXT DESCRIPTION

4. Since the signing of the General Peace Agreement in 1992, which put an end to the civil war, Mozambique began a successful post war reconstruction aiming at the economic recovery, political stability and national reconciliation. Nevertheless, Mozambique remains one of the poorest countries in the world, in 168th place on the human development index (HDI), as mentioned by the Committee on the Rights of the Child in his Concluding Observations on 4 November 2009¹.

5. The deterioration of the economic situation and the shortage of governmental services and functions, due to years of war and protracted natural disasters, led to a situation of extreme poverty in the country. IIMA notes with appreciation the efforts made by Mozambique and the important investments allocated by the government in reforming public sector; nevertheless, the public sector is still characterized by a governmental widespread inefficiency.

6. Out of a population of almost 19.9 million, 1.54 % lives below the poverty line, while HIV/AIDS affects both households and the national economy. The average life expectancy is under 42 years and it is likely to further decrease because of HIV/AIDS proliferation. Nearly 1.6 million Mozambicans live with HIV and AIDS, 58% of whom are women and 5% are children under 5 years. 1.6 million children under 18 years are orphans, of whom an estimated 380,000 missed their parents because of AIDS.

7. In conclusion, the critical political and economic context impedes the implementation of national programmes and the full enjoyment of the rights of the child.

A. THE RIGHT TO EDUCATION

8. IIMA acknowledges the efforts made by Mozambique in the protection and promotion of the rights of the child, notably the right to education, which is considered by the government

¹ CRC Concluding Observations CRC/C/MOZ/CO/2.

one of the key sectors to reduce the extreme poverty. Particularly, IIMA notes that the principle of the best interest of the child is incorporated within the Mozambican legislation, in article 47 of the Constitution².

9. IIMA appreciates the objective adopted by the government to achieve universal seven-year primary education by 2015. Furthermore, IIMA welcomes the adoption of the Strategic Plan for Education and Culture, as well as the programs adopted to increase enrollment rates in primary and secondary schools.

Primary education

10. In Mozambique, preprimary and primary education is taught in three stages: a preprimary *creche*, for ages 1 to 5, and *Jardim Infantil*, for ages 5 and 6; a lower primary level, for ages 7 to 11 (from grades 1 to 5), and a higher primary level, for ages 12 and 13, (from grades 6 to 7). The preprimary and primary pupils are mainly rural; most higher primary students are semi-rural, studying mainly in district seats.

11. Although today the average child enrolled in primary school is 95.5%, IIMA remains concerned about the high levels of the dropout and repetition rates (20 %). In fact, only 15% of children enrolled in primary school complete the cycle within the expected duration, and nearly half of primary school-aged children drop-out of school before completing grade 5. While it is the government's policy to attain universal seven-year primary education by 2015, this policy cannot be enforced due to financial and other constraints. Despite this, nonetheless, primary education is compulsory. Moreover, the high numbers of students repeating classes and dropping out of school are results of shortage of educational infrastructures, as well as from the low quality of education and the inadequate number and qualification of teachers.

12. Although primary education is compulsory and free, the national educational system, implemented in the early 1980s, is not yet capable of absorbing all who should be attending primary education. In fact, the educational system has expanded rapidly to accommodate more children. In particular, IIMA observes a shortage of schools and classrooms, often lacking water supplies and private and decent sanitation facilities. The existing schools are overcrowded, and there is an insufficient quantity of schoolbooks and teaching materials. In many realities, the only way to reach school is by foot and many children walk far to get to school, often carrying their own chairs.

13. Therefore, despite the efforts of the Government aimed at rehabilitating and modernizing the educational public infrastructures, as well as at taking measures to ensure training courses addressed to educators and teachers, difficulties in numerous contexts persist: resources invested, school facilities, update of school programs, training of personnel and quality of education.

14. The quality of education is not only aggravated by overcrowded classrooms and insufficient teaching materials, but by children's poor living conditions and the lack of access to resources. Other reasons for the high dropout rate stem from problems with the official

² Constitution of the Republic of Mozambique, art.47 Rights of Children: 1) Children shall have the right to protection and the care required for their well being. 2) Children may express their opinion freely on issues that relate to them, according to their age and maturity. 3) All acts carried out by public entities or private institutions in respect of children shall take into account, primarily, the paramount interests of the child.

language, migration and poverty of families. Furthermore, the inadequate number of teachers (the average pupil-teacher ratio in primary education is 67.4:1), and their insufficient professional training contribute to the high level of children dropping out of school and / or repeating grades.

15. Although in principle, public primary education is free and compulsory, not all school-age children attend classes. Despite the initiative of the government to abolish school enrolment fees in 2005, IIMA notes that families continue to face some indirect costs. Unfortunately, these payments are not possible for poor families who are often unable to meet these costs, forcing their children to abandon school. In fact, an elevated number of children drop-out of school due to the shortage of necessary resources for uniforms, books, pens and other basic needs. Their abandon is inevitable because the Government does not provide any economical support for poor or with special needs children.

16. Because of financial and other constraints, the government has been unable to enforce his policy and objective. Furthermore, in Mozambique the household expenditure for education is strongly influenced by external factors. As a matter of fact, the international economic situation, in addition with the above mentioned factors, impact negatively on the educational sector resources, penalizing disadvantaged and vulnerable children, such as the economically poorest, orphans, migrants, and those living in rural areas.

Secondary and Higher education

17. Concerning **Secondary education**, there are around 100 public secondary schools nationwide, of which only 23 offer classes through grade 12. Secondary schools are located in provincial capitals and major provincial districts. The problem of location concerns the public and private **Higher Education Institutions** as well. In fact, the major part of these institutions is located in Maputo, and only few faculties are in Beira, Nampula or Angoche.

18. Therefore, taking into consideration the Mozambican educational system, IIMA realizes that several forms of discrimination persist towards children and adolescents belonging to poorest and most disadvantaged families, as well as towards people living in rural areas who do not have the economic resources to move to provincial capitals in order to attend secondary schools and universities.

19. Furthermore, the gender gap increases dramatically for each additional year of schooling because even well heeled families prefer to sacrifice education of girls to allow boys to attend higher levels of schools. Since the Mozambican government does not provide any economic support, disadvantaged children and adolescents do not have the opportunities to attend higher educational levels.

20. Finally, even though the minimum working age is 18-years-old and children younger than 15 are not permitted to work³, children who are not in school are frequently employed in the agricultural and casual labour sectors, increasingly in construction jobs and in the informal labour sector. Children younger than 15 years of age often work alongside their parents or independently during seasonal harvests at commercial plantations. These children are normally compensated with school supplies and books rather than money.

³ Children under 16 – years – old can be involved in specific sectors.

21. IMA strongly believes that the increase in the number of students, especially in the primary school, does not necessarily coincide with a quality improvement in education. For this reason, IIMA maintains that it is necessary to emphasize the access to education and guarantee a higher quality. In fact, this would have a crucial role in reducing extreme poverty and promoting social development, economic justice and gender equity. In addition to this, education could positively impact on the fight against HIV/AIDS, because it would make people more aware of risks and consequences of this infection.

22. To reach its goals, particularly that which aims at achieving the universal seven-year primary education by 2015, the Mozambican government is undertaking efforts to provide new schools, improvements in the training of in-service teachers, successful implementation of the new curriculum, and better management of schools.

Children's living condition and education in urban and rural areas

23. While noting the efforts made by Mozambique to provide services for all children to enjoy their rights, IIMA is deeply concerned at the persistent disparities between children living in rural and urban areas, especially in the enjoyment of their Right to Education. The disparities are reflected in many demographic and social indicators, including the enrolment in and completion of education, the infant mortality rates and access to health care, and the persistent discrimination against children living in rural and remote areas.

24. In Mozambique the percentage of rural population using improved drinking-water is 26%, while the same indicator reaches 71% in urban areas. Always in urban areas, 53% of population use improved sanitation facilities, while this percentage is only 19% in rural areas. Moreover, 53% of rural children suffer from chronic malnutrition and a large number of them do not attend school due to a shortage or absence of facilities, difficult access and limited teacher training. 32% of rural areas do not have any schools and on average pupils have to walk 45 kilometres to reach a school.

25. While taking into account the efforts made by Mozambique to improve the school system and the measures undertaken to facilitate access to education, IIMA remains extremely concerned about the low quality of schooling in rural areas. 47% of teachers have no formal qualification, 47% have basic training, and only 1% has higher education. In urban areas, 25% of teachers have no formal qualification, 50% have basic education, and 11% have higher education. The critical data is the low percentage, only 7%, of rural children enrolled in primary schools, who complete the cycle within the scheduled years.

B. VIOLENCE AGAINST CHILDREN AND HARMFUL PRACTICES

26. Although IIMA welcomes the internal regulations of the Ministry of Education prohibiting corporal punishment, it is deeply concerned about their persistence both in private and in public contexts. In fact, children continue to be victims of corporal punishment at home by parents or in the school by teachers. Unfortunately, IIMA notes, as well, that the Mozambican Child Rights Protection Law does not explicitly prohibit this form of violence.

27. Moreover, IIMA notes, in accordance with the Concluding Observations of the Committee on the Rights of the Child of 4 November 2009⁴, the persistence in rural areas of traditional practices, such as initiation rites, early marriages, harmful sexual behaviours, and the perseverance of the practice of sending children to work in order to settle family debts. All these practices deprive children of their childhood and prevent them from enjoying their rights.

28. In particular, IIMA remains concerned about the persistence of harmful practices in the country, even as it welcomes the adoption by the Government of measures and programmes aimed at sensitizing families, community leaders and society at large on the harmful effects.

29. IIMA remains concerned, as well, about the percentage of child marriage in Mozambique both in rural areas, 60%, and in urban areas, 39%, especially because, young girls destined to marry from birth are deprived of attending school.

RECOMMENDATIONS

24. IIMA proposes the following recommendations in order to allow Mozambican government to protect and promote the Right to Education.

- **Build new schools according to the international standards and modernize the existent infrastructures, guaranteeing in particular: classrooms, adequate water supplies and private and decent sanitation facilities.**
- **Ensure increased budget allocations to provide schools with appropriate and necessary teaching materials;**
- **Provide subsidies for poorest and disadvantaged families in order to allow their children to attend school;**
- **Ensure equal access to education and literacy, for urban and rural children, both in the primary and in the secondary and higher educational levels;**
- **Plan a strategy to prepare an adequate number of teachers, especially in primary schools, in order to ensure a quality education thanks to an acceptable average pupil-teacher ratio;**
- **Provide improvements in the training of in-service and future teachers, successful implementation of the new curriculum, and a better management of schools.**
- **Prohibit all forms of corporal punishment, in all settings and by all persons with authority over children.**
- **Expand rural water and sanitation programmes, in particular focusing on children health care;**
- **Develop sensitization programmes and organize awareness-raising campaigns involving families, community leaders and society at large, including children themselves, to curb harmful traditional practices and all other forms of violence against children.**

⁴

CRC Concluding Observations CRC/C/MOZ/CO/2, cit.