

### **Supplementary information regarding the situation for Children in Mozambique made by Save the Children Norway Mozambique Programme**

First of all it is important to underline that the CRC report from Mozambique is a result of a close collaboration in between the Mozambican authorities and different NGO's, national and international, working in the country. That is the reason to why there has not been a separate NGO report submitted to Geneva.

It is also of interest to mention that the respect for the human rights in Mozambique has improved since the end of the civil war 1992. Mozambique has ratified most of the UN human rights conventions, except the convention about economical, social and cultural rights. These areas however are in priority in the government's latest five years plan.

Even though, there are still a lot of problems to be issued, based in old traditions, an old fashion law and justice system and of course the situation of poverty. Most of the legislation in Mozambique is a heritage from the colonial era and Mozambique is now making a big effort to try to change and make the laws more suitable in a modern society. Which is an important but time-taking work.

There is also important to mention that even though the legislation and the governmental plans in Mozambique has as its intention to protect the Rights of the Child, there are difficulties in the way of implementing and supervision of the laws and regulations as a result of lack of economic and personnel resources.

That is also one of the main causes that a lot of different international NGO's is working in close collaboration with the government in order to full fill the existing plans.

SCN will however as an answer to the desire from its head office in Oslo and from the NGO Group for the Convention on the Rights of the Child in Geneva, give some information about the situation of the Mozambican children and try to make a connection to the eight clusters of articles in the report. Most of the information that constitutes this document is taken from other official documents produced by SCN - Mozambique Programme during the last year.

### **General measures of implementation**

The UN convention on the Rights of Children is well known in the Mozambican government system and ongoing efforts are constantly made to make it possible to full fill the rights to a larger extent. Within the Mozambican context with respect to the governmental plans, Children's Rights are not violated on purpose; it is rather a question about possibilities and priorities.

### **Definition of the child**

The Mozambican law system is clear when talking about children in relation to the law. In Mozambique children become adults in the age of 21. At that age the law considers that an individual has full capacity to take responsibility for himself and his actions.

Up till this age there are other ages that mark differences in the rights for the person such as the right to vote or to be elected at 18 and that criminal responsibility is acquired at the age of 16.

This definition of the child is respected and well known in Mozambique even if it is also a well known fact that especially girls outside the urban areas are seen as adults at a much earlier age.

There are also situations where boys and girls have to take on the responsibility of an adult before they have reached the adult age, as for example in families where the parents have died or when the children for other reasons have been orphans.

### General principles

The situation presented in the report on these issues is to a very large extent the same opinion that SCN has. There is no discrimination as such in the Mozambican context, but in practice the situation for girls and women is often more complicated than the one for boys and men when we are talking about the possibilities to study, having a job with a salary, making independent decisions about their life situation etc. (more about this issue under the cluster "Education, leisure and cultural activities")

This is however more related to tradition and culture than to the official politics in the country.

There is for example an ongoing work both from the governmental bodies and from various NGO's to promote girls' right to education and to make it possible for more girls to complete their studies.

Regarding the part in the report where it is written about respect for the views of the child, there has been an interesting development during the last year. It has been organized in different places and at different times, sessions of Children's Parliament in the country. The last one was organized in Maputo with participants from all the provinces in the country and where the members of the parliament with the Prime Minister in the front were answering the questions and listening to the preoccupations of the children. This was an action in preparation to UNGASS in close collaboration with different NGO's, but it was also seen as an important action for the country as such and for the government to be directly informed about the situation for the children in the Country.

### Civil Rights and Freedoms

This cluster of articles is one of the many where the legislation says one thing and the reality shows something else. As written in the report there are a number of situations all over the country and at all times where children are suffering from mal treatments, in the family, in the school, in institutions and shelters for minors, at the streets etc.

It is important to underline that there are a lot of important work to do to make these situations change, not at least on the information front. It is important and necessary to make sure that more and more people in the country will have knowledge about the rights of the child and the fact that the Mozambican government also have these rights very clearly established.

Another important thing that was brought up in the report and that need to be improved is the birth registration. There are still a lot of children that are born in Mozambique without a proper registration done, and this will give difficulties to the children later in life.

Regarding the protection of privacy the situation is still alarming when we are talking about how media are using young people in different ways. There are constantly examples in the national television and in the daily or weekly newspapers of young people that are suspected for criminal activities and that are shown with their faces and names, guilty or not, directly on the TV screen or at the front pages of the papers.

#### Family environment and Alternative care

There is still a problematic situation for Mozambican children in case of the parent's separation or death and new relationship. These problematic situations are especially common in the cities where the traditional way of seeing the children as the responsibility for the whole family is no longer functioning and the children are more dependent on only their parents.

Many of the children who are living on the streets tells stories about the fact that their situation was changed drastically when their mother or father was re-married and the new partner was not interested of taking on the responsibility for already existing children. This situation is at risk to increase with the growing number of orphans as a result of HIV/AIDS.

It is necessary to find good alternatives and maybe ways of supporting families and communities that are taking care of these children when the families are no longer capable to take on the responsibility in order to full fill the policy of the government that it is in the best interest of the child to grow up in a family or in family-like circumstances.

*In relation to the three remaining clusters it is important to take up to what extent the government have given priority in economical terms to the important areas for the children, namely; Education, Health and Social welfare.*

*In a recent finalized research done by a group of NGO's that have "Children's Budget" (monitoring the state budget in relation to children), on their programme it is possible to see that during:*

*1998 the education sector had 7.3% of the total state budget; the health sector had 14.3% and Social welfare only 0,38%*

*1999 the education sector had 9,1%, health 11,5% and social welfare 0,51%*

*2000 the education sector had 15,4%, health 14,5% and social welfare 0,71%*

*This shows that there are efforts made to keep or to increase the level of the budgets in these sectors, and it will be interesting to follow this development in time to come since Mozambique recently went one step further in the debt relive within the HIPC II programme.*

### Basic health and well being.

The access to social services is weak in the whole country but of course the situation is worse in the rural areas. As shown the social welfare has a very small part of the state budget for its actions and they are to a very large extent dependent on the collaboration and assistance from different other sources such as bilateral assistance, collaboration with UNICEF and other international NGO's.

The health system has a lot of difficulties and even with slightly increasing budget the quality leaves a lot more to wish. The resources are distributed unequally in between the rural areas and the cities. For example the costs for the health care is four times higher per capita in the city of Maputo than in the provinces of Zambesia or Nampula

Lack of basic health care, good hygiene and clean drinking water makes it very common with diseases that under other circumstances easily should be possible to avoid such as malaria, measles, diarrhea and respiratory diseases. These diseases continue to be the most common death causes for children. The infant mortality rate is still high, one out of eight children dies before they are one year old.

The health system is not prepared to receive all the victims of HIV/AIDS and the disease make the situation extremely difficult for the families that with very small means shall take care of the sick member(s) of the family. The person who is sick is often an adult that normally should have participated in sharing the economic responsibilities for the family.

The mortality rate for birth giving mothers has increased and is now one of the highest in the world, which has a connection with the HIV infection that makes their resistance lower and as a result of this, they have a higher level of infections during the childbirth.

### Education, leisure and cultural activities

One of the most serious problems that Mozambique has in relation to a positive development in the country is the fact that the educational level is extremely low. It is important not to underestimate the importance that education has for a positive development in Mozambique and different studies shows that there is a very clear connection in between the level of education and the level of welfare in the society, specifically for women and children.

In spite of the progress that has been registered during the last years there are still a lot of problems to be solved;

- Only about 40% of all children in school age actually enroll in school.
- 89% of all students in compulsory school are in the grades 1-5, and only 8% are in the grades 6-7, which leaves only 3% for the grades 8-10. This means that most of the children only attend school for very few years.
- The ratio pupil pr. teacher is as high as 66 in EP1 and it has been growing since 1998. At present the Education ministry say they only manage to employ 63% of the teachers they need.

There is also notable inequality between men and women and between regions;

- 15 % of the women in the rural areas can read and write, while the number for men is 44 %.
- In the cities every second women can read and write and four of five men
- 14% of the women in the northern part of the country are literate in comparison to 93% of the men in Maputo city.<sup>1</sup>
- The lowest number of girls in the schools is found in Sofala, Zambezia and Nampula provinces (approximately 40%), while the highest number is found in Maputo City (approximately 49%).

A very high % of the student's drops out and also here it is possible to note a difference in between the urban and the rural areas as well as in between boys and girls.

As an example; in the rural area of Nampula province 87% of the girls and 60% of the boys do not complete their studies.

One of the most common reasons for this situation is the fact that there is very little connection in between the daily life in the rural areas, and the subjects in the curriculum, e.g. the link between what the children learn in school and the knowledge that is seen as useful in their daily life is very weak.

Other reasons can be the fact that the costs for sending the children to school are too high, there are works to do at the fields or at home that are given priority and/or the fact that pre-mature weddings or childbirth's makes it difficult to continue school.

### Special protection measures

#### *Children in conflict with the law.*

The fact that was mentioned earlier in this document that in the Penal code, under article 42, criminal responsibility is acquired at the age of 16, has its implications for the Mozambican children

In an investigation done by Save the Children Norway staff regarding this issue was found that during the year 2000, 23,4 % of the prisoners in Beira City Central Prison was youth in the ages in between 16 and 18 years and in the prison in the City of Chimoio the same group of age was 24,5 % of the prisoners.

There are several existing histories that bear witness to that the situations for these children are far from acceptable.

#### *Sexual exploitation of Children*

The traditional rules and values that dominate in Mozambique, especially in the rural areas are many times discriminating for the women and as a result of this also for the girls. It is a common understanding that the man is the head of the family and that this gives him the right to practice different types of violence against women and children. This also includes pre mature marriages and the impossibility for a women or a young girl to say no to sexual relationships whenever a man demands.

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<sup>1</sup> Swedish International Development Agency SIDA - country analyses Mozambique 1999

This situation stands in a gaudy contrast to the new constitution from 1990 that clearly declares the equality between men and women.

The situation of sexual exploitation has different faces in different parts in the society, but it is without any doubt one of the difficult circumstances that the Mozambican children have to encounter.

Maputo 28 September 2001

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