

NGO STATEMENT MOZAMBIQUE

Submitted by AMCS (Association of Women in the Media), AMMCJ (Mozambican Association of Women in Legal Profession), AMRU (Association of Rural Women), ANSA (Association for Nutrition and Food Security), COMUTRA - (Committee of the Working Woman of the Organisation of Mozambican Workers – Labour Union), LDH (Human Rights League of Mozambique), MULEIDE (Association “Woman, Law and Development”), REDE CAME (Network for defending the children’s rights) and WLSA Mozambique – Women and Law in Southern Africa Research and Education Trust

Thank you Madam Chairperson for this opportunity to address to this committee.

My name is Terezinha da Silva. My colleague Cristina Hunguana and I speak on behalf of 9 NGO’s who contributed to the elaboration of the shadow report and we will be presenting the seven critical issues drawn from this report related to the Discrimination of Women in our country, referring, respectively to articles 2,5,10, 12, 14, 15 and 16 of the convention as well as to general recommendation 19 of this committee.

On article 2:

Discrimination continues to exist in the Penal Code and Inheritance Law. It is urgent to legislate in new areas in order to integrate the substantive equality principle, such as violence against women and trafficking of women and girl child.

Furthermore, we are concerned about a lack of definition in the law and jurisprudence of the discrimination and equality as elaborated in the convention. There is also an urgent need to fully operationalize the Protocol on the Rights of Women in Africa and to ratify the CEDAW’s Optional Protocol.

On article 5:

Culture contributes extensively to the subjugation of women in our society and arguments such as “respect to tradition” and “cultural rights” are used to justify lack of protection for women’s rights by the State.

Therefore, it is imperative that the Government takes a leading role in awareness campaigns and education against harmful cultural and traditional practices that discriminate and oppress girls and women, and in particular older women. The established structures of the legal system must criminalize negative cultural practices.

On article 10:

The drop-out rates and violence against girls in schools have increased alarmingly in the last years. Another very serious problem in schools is the issue of sexual

harassment and abuse of girls, from teachers, students and other citizens. Legislation to tackle the issue of sexual harassment in schools must urgently be put in place.

On article 12:

In respect to health care and with attention to sexual and reproductive health we are concerned with various issues, among others, the low coverage of the Family Planning services and of health services in general, the lack of infrastructure and the shortage in human resources, due to the inadequacy of the sector budget allocated to health area, high maternal mortality rate, inadequate care for obstetric fistula, the lack of a policy on sexual and reproductive health and the existing programs lack a human rights perspective, the increase in the rates of HIV and AIDS infection and of sexually transmitted diseases and high prevalence of pregnancies in adolescent and young girls.

Unsafe abortion constitutes the third major cause of maternal mortality in women, especially young girls and accounts for 11% of all causes of maternal deaths. In addition, complications due to unsafe abortion make up 8% of all complications received in the health units and 4% of the transfers to better health facilities.

Our recommendations on this regard can be found in the page 31 of our Shadow Report.

On article 14:

Despite the pivotal role of rural women in the family economy, they are relegated to second place due to the unequal gender relations. Rural women are discriminated in terms of acknowledgement of their fundamental rights, in the access and control of the productive, technological and natural resources, and still on the access to the returns of their own work. There isn't any development policy on the agrarian family sector, mainly for those households headed by women.

On article 15:

Although there is no formal difference in men and women's access to justice, in practice, substantive equality has not been attained as there are various obstacles to the access of women to formal instances of conflict resolution. The approval of measures to create a more friendly environment to women in the judicial system should be considered by the Government.

On Article 16:

A new Family Law was approved that takes into consideration the provisions of CEDAW. However, one of the great flaws of this law is the non- recognition of the *de facto* union, which represents more than 50% of the couple unions in Mozambique.

Finally, on recommendation 19 of the CEDAW committee:

We would like to report that violence against women is widely tolerated not only by the society but also by the agents of justice and by the government leaders which is translated into difficulty in penalizing the aggressors.

In addition, older women also experience violence as a result of their age and gender. Accusations of witchcraft and conflicts over property can result in physical or psychological abuse. Older women may be expelled from their homes or have their property taken away. Legislation against discrimination and violence against older women is urgently needed.

We thank you, Madam Chairperson.