

ADVANCE QUESTIONS TO MOZAMBIQUE ADD.2

NORWAY

- Mozambique acknowledges in its national report, that prison conditions remain problematic. Overcrowding is severe and an extremely high proportion of detainees (34%) are in pre-trial detention, including children. *How does Mozambique plan to deal with the paradox of overcrowding in prisons on the one hand and excessive preventive detention, including of children, on the other?*
- Norway is concerned by the high rates of police violence in Mozambique including extra-judicial killings. Amnesty International reports that 46 people have died at the hands of police between 2006 and 2009¹. Adequate investigations are lacking. *How does Mozambique plan to address police violence, including extra-judicial killings, as well as the culture of impunity for police and security forces? Will Mozambique consider responding to the request for a visit by the SR on extrajudicial executions?*
- Norway commends Mozambique in extending an invitation to the Independent Expert on the Independence on Judges and Lawyers². *How will Mozambique ensure that the recommendations arising from this visit will be implemented?*
- Mozambique has demonstrated a strong commitment to ensuring equality between men and women; it has ratified CEDAW, guarantees the promotion of women's rights into the Constitution and has adopted the Family Law and the Law against Domestic violence with a view to eliminating discrimination based on gender. However, these provisions are seldom respected in practice and discriminatory social practices are widespread. *How does Mozambique plan to enforce legislation and policies designed to combat discrimination against women, and in particular address discriminatory social practices that prevent the realization of women's rights?*
- Mozambique is commended on adopting Law No. 6/2008 in relation to human trafficking of women and children. However, the CRC has expressed deep concern that the existing law does not cover certain sexual offences against children³, and that implementation of the law is weak. It also recommended that Mozambique adopt a Plan of Action against sexual abuse and trafficking.

¹ In 2006, the Special Rapporteur on extrajudicial execution sent a communication regarding allegations that in 2005, a man was shot by a policeman after he attempted to intervene on behalf of a young woman being beaten by police in the street. Mozambique, to date, has not yet responded

² While a final report is yet to be circulated, preliminary conclusions include the need to address issues relating to expanding access to justice throughout the country; efficient and impartial administration of justice; fair trials; gender and justice; and importance of the media in strengthening rule of law. See [press release](#).

³ According to the Committee on the Rights of the Child, the law does not cover forced sexual relations and sexual exploitation.

How will Mozambique ensure that existing legislation is fully aligned with the OP-CRC-SC⁴ and that provisions of the law are adequately enforced?

- The Mozambican Human Rights League, LDH, has documented the practice of murders for the purpose of trafficking of body parts for the use in which craft. This practice seems to be more widespread than many anticipated, and the trafficking is interlinked with neighboring countries. What legal and organizational measures need to be put in place to combat this evil?
- Mozambique is committed to ensure the human rights of all its citizens. Will organizations in the area of human rights of Lesbian, Gay, Bisexual and Transsexual people be able to officially register in Mozambique?
- Mozambique is currently revising various anti-corruption laws, including measures to protect whistleblowers and the authorities of the anticorruption body GCCC. However, some high profile cases in the past years have not progressed. For instance, in the Banco Austral-case, the Public Prosecution has abstained from indictment of the Mozambican administrators of the Bank, and the recovery of the credits is slow. What further measures may be taken to pursue justice and ensure transparency in high profile cases such as this, more concretely related to the mentioned case, may the forensic audit and list of debtors be published?

SLOVENIA

- What measures have been taken or will be taken to effectively enforce the “zero tolerance” policy on sexual abuse in schools?
- When will Mozambique consider revising other legislation, besides the labour law - including the Penal Code - to incorporate the principle of non-discrimination on the ground of sexual orientation?

⁴ Optional Protocol to the Convention on the rights of the child, on sale of children, child prostitution and child pornography.