



Comité Africain d'Experts sur les Droits et le Bien-être de l'Enfant
Comit  Africano dos Direitos e Bem-Estar da Crian as
لجنة الخبراء الإفريقية المعنية بحقوق الطفل ورفاهه



**CONCLUDING OBSERVATIONS AND RECOMMENDATIONS BY THE
AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE
OF THE CHILD ON THE REPUBLIC OF MOZAMBIQUE PERIODIC
REPORT ON THE STATUS OF IMPLEMENTATION OF THE AFRICAN
CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD**

Original – English

August 2024

I INTRODUCTION

1. The African Committee of Experts on the Rights and Welfare of the Child (Committee) received the First Periodic Report of the Republic of Mozambique, concerning the implementation of the African Charter on the Rights and Welfare of the Child (Charter) in the State Party. The report was submitted according to the State Party's obligation under Article 43 of the Charter and was considered during the 43rd Ordinary Session of The Committee, held from 15 to 25 April 2024, in Maseru, Kingdom of Lesotho.
2. The Committee appreciates the submission of the State report and the engagement in a productive dialogue with the delegation of the State Party, headed by the Honourable Lucas Mangrassa, Deputy Minister of Gender, Children, and Social Action, which allowed the Committee to better appreciate the extent of implementation of the Charter in the State Party. Following the consideration of the report and the discussion with the Delegation during the Ordinary Session, The Committee has developed the subsequent Concluding Observations and Recommendations. The Committee believes these Observations and Recommendations will guide the State Party in its measures for enhancing the promotion and protection of children's rights in the State Party, ensuring better implementation of the Charter.

II PROGRESS IN IMPLEMENTING THE CHARTER

3. The Committee compliments the State Party for its efforts in implementing the Charter and the Committee's previous Concluding Observations and Recommendations during the reporting period, including:
 - a. Finalising and approving the revision of the Family Law, which set the minimum age of marriage in the country to 18 years, without exception;
 - b. Approving the law on preventing and combating premature unions;
 - c. Revising the National Education System Law in order to allow pregnant and parenting learners to attend school during the regular day hours;
 - d. Approving the Plan to Combat the Worst Forms of Child Labour and approving a list of dangerous work for children;
 - e. Expanding access to birth registration, allowing more children to have official identification documents;
 - f. Disseminating information about children's rights and duties at the communal and institutional levels in the State Party; and
 - g. Incorporating children's rights content into the school curriculum from the pre-school to the secondary school level.

III AREAS OF CONCERN AND RECOMMENDATIONS

A General measures of implementation

Legislative measures

4. The Committee commends the legal measures undertaken by the State Party, including:
 - a. The National Strategy for Basic Social Security (2016-2024) to combat poverty;
 - b. The 2023 revision of the Labour Law to set the admission age to employment at 18, with the exception of 15 years where authorisation

- from the child's legal representative is attained, and the adoption of the Plan to Combat the Worst Forms of Child Labour;
- c. The Approval of the National Plan to Prevent and Combat Trafficking in Persons, and setting up domestic and inter-country mechanisms for its implementation;
 - d. The National Strategy for Inclusive Education and Development of Children with Disabilities; and
 - e. The drafting of the fourth National Action Plan on Children, to be considered for approval in 2024.
5. The Committee encourages the State Party to finalise and adopt the National Action Plan on Children, and to implement all abovementioned legislative measures and report on implementation in the next Periodic Report submitted.

Budgeting measures

6. The Committee appreciates the data provided by the State Party concerning the funding of sectors working on children's rights. The Committee particularly notes that 37% of the State budget is allocated to the social sector. However, The Committee notes with concern the various reports regarding mismanagement of public funds in the State Party, which impacts investment on children. The Committee, while appreciating the creation of mechanisms to ensure accountability including the anti-corruption offices at the national and provincial levels, reiterates its prior recommendation that the State Party addresses challenges concerning the children's budget caused by mismanagement of public funds. The Committee further recommends that the State Party increases accountability and effective budget execution mechanisms for the budget allocated for children.

Data collection measures

7. The Committee notes with concern that the data provided on children is not comprehensive and often not updated. In this regard, The Committee reiterates its prior recommendation that the State Party puts in place a comprehensive data collection and record keeping system for children, covering all matters under the Charter, and to incorporate a disaggregated statistical dataset in its next report to be submitted to The Committee.

Institutional measures

8. The Committee commends the measures undertaken by the State Party to enhance the coordination between various actors on children's rights, including the creation of the National Council for the Rights of the Child and the National Council for Social Action. The Committee recommends that these coordination mechanisms are strengthened and provided with the required financial and technical resources.
9. While the Committee notes that the State Party's National Human Rights Commission actively monitors the human rights situation in the State Party, the Committee notes with concern that the Commission is under-resourced, curtailing its ability to remain independent and fully carry out its mandate. In this light, The Committee reiterates its previous recommendation that the State Party strengthens the Human Rights Commission by providing it with sufficient financial, human, and technical resources to enable it to follow up on complaints

and fulfil its mandate. Furthermore, The Committee recommends that the State Party provides the necessary structures for dealing with children's rights within the Commission and ensures that an anonymous children's complaints mechanism is available to all children.

Dissemination of children's rights information

10. The Committee commends the State Party for the extensive measures taken to disseminate the Charter and other children's instruments throughout the State Party, and holding training sessions and community talks on the rights of children. However, the Committee expresses concern that the Charter is not entirely translated into local languages. In this regard, the Committee recommends that in addition to translation into Portuguese, children's rights instruments are translated into all local languages and widely disseminated and popularised, including in child-friendly and disability-friendly versions. The Committee also recommends that these concluding observation and recommendations are widely disseminated among relevant stakeholders.

B Definition of a child

11. The Committee commends the State Party for implementing the previous recommendations through legal reforms made to ensure that the minimum age for marriage is 18, and that the age of admission to employment is set to 18 — with the exception of 15 where authorisation from a legal representative is obtained. The Committee recommends that the State Party takes all measures to ensure that these laws are enforced through sensitisation and through law enforcement and prosecution of persons who violate these laws. The Committee further recommends that the State Party collects and disaggregates data on the impact of these laws in reducing child marriages and child labour in all its regions, especially those affected by armed conflict.

C General principles

Non-discrimination

12. The Committee commends the State Party for its efforts to ensure the equality of children and the measures taken to reduce poverty and inequality, including the National Strategy for Basic Social Security. However, the Committee remains concerned about the disparities in access to basic services between children in rural areas and in urban areas and about the persistent levels of child poverty in the State Party. In this light, the Committee recommends that the State Party addresses the disparities between rural and urban children especially in relation to access to basic services, by ensuring that all children in the State Party are provided with clean water, proper sanitation, health and other basic services, regardless of the region where they reside. The Committee also recommends that the State Party ensure the full implementation of the poverty reduction measures adopted and collect data on the impact of these measures on children's wellbeing.
13. The Committee also notes with concern that there are persisting attacks on children with albinism in the State Party. Therefore, The Committee recommends that the State Party undertakes measures to protect children with

albinism and ensure that they enjoy an overall quality of life that is similar to other children. Further, the Committee recommends that the State Party keep a regularly updated database on the number of children with albinism in the State Party, on attacks against this group of children, and on measures taken against the perpetrators of the attacks. The Committee recommends that the State Party utilise the data collected to create awareness-raising campaigns addressing stigma against children with albinism, and to formulate legal frameworks to address the root causes of attacks against children with albinism.

Best interests of the child

14. The Committee appreciates that the State Party has incorporated the principle of the best interests of the child into its Constitution and domestic laws. However, The Committee is concerned about reports which state that the material and economic interests of adults often trump the best interests of children in practice. The Committee therefore recommends that the State Party, through sensitization and capacity building, ensures that the principle of the best interests of the child is upheld by law enforcement, judiciary, care givers, and other administrative measures.

Life, survival, and development

15. The measures taken by the State Party to reduce malnutrition in children, including the promotion of exclusive breastfeeding up to 6 months and followed by complementary feeding, are commendable. Nonetheless, the level of malnutrition, at 37%, remains high. The Committee recommends that the State Party takes a more rigorous approach to address malnutrition and food insecurity, including through providing paid leave and other incentives for mothers to enable them to breastfeed their children exclusively until 6 months, providing nutritional education for communities, providing vulnerable families with basic food packages, and encouraging the creation of community gardening initiatives to empower communities to grow their own food. Further, The Committee recommends that the State Party subsidises basic food items to address food insecurity, and thoroughly regulates food markets to ensure that children's food products meet appropriate nutritional standards.
16. The Committee also notes the measures taken to prevent accidents involving children, although there remains a notable number of vehicle accidents. The Committee, therefore, reiterates its prior recommendation that the State Party develops more rigorous road safety standards to protect children's right to life. Further, the Committee recommends that the State Party holds accountable those who engage in reckless driving and continuously ensure safe and well-maintained public roads to alleviate risks of vehicle accidents.

Child participation

17. The Committee welcomes the efforts of the State Party to promote children's participation, from the national to the district level including through the Children's Parliament, school councils, youth forums, children's participation in the media, and the comprehensive measures taken to disseminate information about children's rights. However, the Committee notes with concern that due to the COVID-19 pandemic and natural disasters, the operation of the National Children's Parliament was stalled. To ensure children's participation in times of

emergencies, the Committee recommends that the State Party ensures that the Children's Parliament is accessible and adaptable, including through the provision of technological resources that enable remote participation for all children.

18. The Committee appreciates that child participation is incorporated into the domestic laws of the State Party and that public education measures have been undertaken regarding this principle. However, the Committee notes that there are social practices that negate children's rights to participate in decisions affecting them, including child marriages. The Committee, therefore, recommends that the State Party ensures that child participation is safeguarded and not negated by traditional or religious practices through enhanced awareness-raising efforts on children's right to participation and embracing a nation-wide respect for children's views on matters concerning them.

D Civil rights and freedoms

Name and nationality

19. The Committee appreciates all the measures taken by the State Party to improve birth registration, including creating registration centres and raising awareness on the importance of registering children. However, the Committee notes with concern that certain social practices, including traditions related to child naming, remain a cause of delayed registration, the distance to registration centers; and undocumented children especially in resettlement centers. The Committee, thus, recommends that the State Party enhances awareness-raising measures on the importance of registering births early, and finds innovative ways, in consultation with communities, to establish a child identification and registration system that accommodates cultural naming practices while documenting births immediately. The Committee recommends that the State Party takes enhanced measures to ensure that all regions have access to birth registration services including through mobile registration centres and integrating birth registration into health facilities.
20. The Committee noted during its investigative mission in 2022 to the State Party that one of the causes for undocumented children is that identification documents are lost when children flee from the ongoing conflict situation. In this regard, the Committee recommends that the State Party ensures undocumented children can access birth registration services through stationing registration facilities within resettlement centres, so that children are promptly registered and can access social services and poverty alleviation programmes. Furthermore, the Committee recommends that the State Party invests more financial and human resources in conflict-prone areas to ensure a speedy re-issuing of children's documentation that has been lost due to the conflict, so that these children can be able to access social services without delay.

Freedom of expression and association

21. The Committee appreciates that the Constitution and the domestic laws of the State Party protect children's right to freely express their views and their right to freely associate, set up youth organisations, and freely take part in peaceful demonstrations. The Committee recommends that the State Party provides

support and resources to youth organisations to enable children's enhanced participation in decision-making processes.

Freedom of thought, conscience, and religion

22. The Committee appreciates that children in the State Party have freedom of thought, conscience and religion, and that children can receive religious education. However, the Committee notes with concern that the conflict situation in the State Party is connected to radical religious groups, who forcefully involve children in their activities. The Committee is concerned that children exposed to the armed groups face a threat of being forcefully indoctrinated into religious extremism. The Committee, therefore, recommends that the State Party ensures that children are protected from contact with armed groups, and that those who have been abducted by armed groups are rescued and provided psychosocial and rehabilitation services that target religious extremism.

Privacy

23. The Committee appreciates that the State Party ensures the protection of the right to children's privacy in its legal frameworks. The Committee recommends that the State Party ensures the enforcement of this right through awareness-raising campaigns and conducting trainings for persons working with children, including public officials, caregivers, and school staff, on the importance of respecting and protecting children's privacy.

Prohibition of torture

24. The Committee appreciates that the State Party prohibits torture in its legal frameworks and has banned corporal punishment in penal institutions. However, the Committee remains concerned that the corporal punishment of children is not prohibited in various settings including homes, alternative care institutions, day care centres, and schools. The Committee, therefore, recommends that the State Party explicitly prohibits corporal punishment of children in all settings through legislation. Furthermore, the State Party is encouraged to undertake public educational measures to promote positive discipline among parents, teachers, and all other actors whose work is involved with children as well as hold perpetrators accountable.

E Family environment and alternative care

Protection of the family

25. The Committee welcomes the legal duty of families to care for and protect children, regardless of whether children are born out of wedlock. The Committee further welcomes that the State Party's laws provide for the equal parental power and the obligatory parental responsibility over children. The Committee recommends that the State Party ensures the enforcement of the laws concerning families' responsibilities towards children and undertakes awareness-raising campaigns on parental obligations to ensure that communities are sensitised regarding the duty of both parents to care for children during and upon the dissolution of marriages.

Parental responsibility

26. The Committee appreciates the measures taken by the State Party to ensure that families thrive despite the various shocks, including through providing monetary and food allowances. However, the Committee is concerned that a high number of people live under the poverty line, and that there is a high number of child-headed households in the State Party. The Committee recommends that the State Party enhances its efforts to provide support to parents to prevent separation and establish community-based mechanisms to provide preventive and psychosocial support to parents to enable them to discharge their parental duties. Furthermore, the Committee encourages the State Party to create educational, employment and other opportunities to ensure economic empowerment for parents, ensuring that parents have sufficient economic means to fulfil their children's needs.
27. The Committee further recommends that the State Party targets the most vulnerable regions including Cabo Delgado, Zambezia, and Tete, when implementing its poverty-reduction measures such as the National Strategy for Basic Social Security. The Committee recommends that the State Party prioritises children from economically disadvantaged backgrounds in nutritional supplementation programmes and ensure that these children have access to basic services, and access to food that meets their minimum nutritional needs.
28. The Committee appreciates that the State Party provides a child grant for children between 0-2 years, accompanied by nutritional education for families. The Committee recommends that the State Party maintains the provision of this grant and continually adjusts it according to inflation to ensure that it can sufficiently meet the needs of children. Furthermore, the Committee recommends that the State Party expand this grant to cover more children in vulnerable groups and children above the age of 2 years.

Alternative care

29. The Committee appreciates that the policies of the State Party prefer that separated children be cared for through extended families and communities, instead of institutionalisation. However, the Committee is concerned by the high number of children who are abandoned and need assistance with reunification. In this regard, the Committee recommends that the State Party takes legislative and awareness-raising measures to address child mistreatment in families, abandonment, and expulsion of children from homes, which remain the prevalent causes of children being separated from caregivers in the State Party.
30. The Committee further welcomes the State Party's assumption of responsibility for children who cannot be reunited with their families, and the creation of various institutions to care for these children, including reception centres. The Committee recommends that the State Party ensures that these institutions are regularly monitored to ensure that no violations of children's rights occur. Moreover, it is recommended that children stay in such institutions as a temporary measure and are provided with alternative family care in the form of adoption, foster care, kinship care and so forth.
31. The Committee also recommends that the State Party creates regulations for alternative care institutions, which are in line with the United Nations Guidelines for Alternative Child Care. The Committee encourages the State Party to collect comprehensive data on the number of private and public alternative care institutions and the number of children cared for in these institutions, and also

the reasons for children's institutionalisation in order to enable evidence-based measures to address causes of separation from parents.

Adoption

32. The Committee notes that the State Party does not have any domestic legal frameworks on international adoption and has not ratified the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. The Committee recommends that the State Party ratifies and domesticates the Hague Convention, to ensure that inter-country adoptions are always in the best interests and protection of children involved in the adoptions. Additionally, The Committee recommends that the State Party appoints a domestic mechanism to oversee inter-country adoptions. Moreover, The Committee encourages the State Party to promote domestic adoption through regulations and sensitisation of communities.

F Health and Welfare

33. The Committee appreciates that the laws of the State Party guarantee free basic health services to all children, that new health units have been built, and that more health professionals are trained to increase access to health services. However, the Committee is concerned that there remain rural-urban disparities in access to healthcare services, with the province of Cabo Delgado having the lowest access to health services. In this light, the Committee recommends that the State Party takes all measures possible to ensure that all children have access to quality health care services in their region by increasing the number of health facilities, assigning health officers, and ensuring that health facilities are well equipped in all regions.
34. The Committee appreciates the measures taken towards broadening access to immunisation. However, the Committee is concerned that there is a high number of children in the State Party who are not vaccinated, and that the immunisation schedule has been susceptible to natural disasters and the COVID-19 pandemic. Moreover, while appreciating the reduction of the infant mortality rate, the Committee is concerned that infant mortality remains high. In this regard, the Committee encourages the State Party to continue its efforts to increase access to immunisation for children including through establishing mobile immunisation facilities to reach children who live in remote areas and those who have not been vaccinated. Additionally, the Committee recommends that the State Party takes steps to ensure that immunisation services are adaptable and can be accessed despite national emergencies, and devise programmes and campaigns to reach children who missed vaccinations due to emergency situations.
35. The Committee is concerned that there remains a high prevalence of malaria, especially affecting children and pregnant women. The Committee appreciates that there has been a National Programme on the Prevention and Combating of Malaria, under which awareness-raising activities were undertaken. However, the Committee noted during its follow-up visit to the State Party that there was a need for behavioural changes in communities as households were not making use of mosquito nets provided to them, and children infected with malaria were not taken to health institutions for treatment. The Committee,

therefore, recommends that the State Party ensures the continuation of programmes and policies addressing malaria, and intensifies awareness-raising measures taken to address community beliefs that hinder the effective prevention and treatment of malaria.

36. The measures taken by the State Party to increase the coverage of Antiretroviral Therapy (ART) for children living with HIV/AIDS, are welcomed by the Committee. While appreciating the provision of ART to pregnant and lactating women which reduced mother-to-child transmission of HIV, The Committee is concerned about the reported high levels of new infections. In this light, The Committee recommends that the State Party takes measures to educate all sections of the public about HIV/AIDS, mother-to-child transmissions and how to prevent them, and to adopt prevention mechanisms to reduce the rate of new infections. The Committee recommends that the State Party undertakes awareness-raising measures to encourage the testing of children for HIV and ensure that diagnosed children are appropriately treated in a child-friendly and confidential manner. Furthermore, The Committee recommends that the State Party ensures the continuation of the National Strategic Plan to Prevent and Combat AIDS which had been adopted for 2010-2014.
37. The Committee notes the measures taken by the State Party to raise awareness on sexual and reproductive health rights, especially in relation to girl children. The Committee notes the mentorship programme in schools, the Family Planning and Contraception Strategy, and the distribution of dignity kits in schools. The Committee encourages the State Party to continue these measures and ensure broad access to reproductive rights education and services for all children.

G Education and leisure

Education

38. The Committee appreciates the measures taken by the State Party to expand the coverage of early childhood education for children under 6 years during the reporting period, including through the National Strategy for Early Childhood Development Project (DICIPE). However, the Committee is concerned by the statistics provided, which show that by 2017, the percentage of 6-year-olds who were out of school stood at 73%. The Committee is also concerned about the optional nature of Early Childhood Development (ECD) programmes, and the lack of provision of sufficiently trained educators in the ECD sector.
39. To address these challenges, the Committee reiterates its previous recommendation that the State Party takes all appropriate measures to scale-up pre-school education to an acceptable level, and also recommends that the State Party ensures the continuation of the National Strategy for Early Childhood Development Project, and that ECD programmes are made accessible in all regions, and that economically disadvantaged children are not excluded from ECD services due to costs.
40. The Committee further recommends that the State Party undertakes awareness-raising measures to encourage parents to enrol their children in ECD programmes, establishes State-funded ECD centres especially in remote areas, guarantees a subsidy for vulnerable children where ECD services are provided by the private sector, provides standardised ECD learning materials

to ensure quality ECD education, and train and equitably distribute ECD practitioners across regions.

41. The Committee recalls its follow-up visit to the State Party that informed about a draft law which aimed to integrate pre-primary education into the primary education sector. The Committee thus recommends that the State Party ensures that the draft law is adopted and implemented to enable all children to access pre-primary education.
42. The Committee appreciates the building of new schools closer to communities, the achievement of gender parity in primary school enrolment, and the removal of enrolment fees to enable all children to register in schools. However, the Committee notes from reports that there are hidden fees and costs to cover for learning materials and school uniforms. The Committee is also concerned about the high percentage of 7-year-olds reported to be out of school, and the decrease in the gross completion rate for primary school education. Furthermore, the Committee is concerned about the increasing learner-teacher ratio. In this regard, the Committee recommends that the State Party:
 - Undertakes awareness-raising measures to encourage enrolment and completion of primary school education
 - Remove hidden fees and provide school materials for children in primary schools to realise free and compulsory primary education
 - Accelerates the construction of schools especially in remote areas and ensures the provision of teaching and learning materials and qualified teachers in all regions, to improve the learner-teacher ratio and ensure that learners receive quality education
 - Undertakes awareness-raising on children's right to primary education, enforces compulsory primary education, removes all barriers to enrolment and hidden educational costs
 - Ensures that the quality of education content meets the needs of children such that they value continuing in their education.
43. In its follow-up mission to the State Party, the Committee observed that there were urban-rural disparities in access to secondary education as secondary schools were mainly in district capitals. The Committee notes with concern the persistence of poor access to secondary schooling in that there are not enough secondary schools to meet the demand. In this regard, The Committee recommends that the State Party builds State-funded secondary schools in all regions especially in rural areas, trains more teachers for secondary schools, and undertakes awareness campaigns in communities on the benefits of secondary education to encourage enrolment. Further, the Committee recommends that the State Party creates more employment opportunities for youth upon completion of secondary education, to encourage more children to complete secondary schooling.
44. The Committee appreciates the implementation its previous recommendation to guarantee access to education for pregnant girls through the revision of the National Education System Law to allow pregnant girls to attend school during the day. The Committee further welcomes the development of educational programmes on sexual and reproductive health issues, the mentorship programme for girls, and the training of teachers to combat child marriages. The Committee recommends that the State Party ensures that these

programmes are continuous and that further awareness-raising efforts are undertaken at the communal level to address stigma against pregnant learners and empower girl children to remain in school. Further, the Committee recommends that the State Party collects data on the impact on these measures in keeping girl children in school and in ensuring a safe learning environment especially for girl children.

45. The Committee welcomes the creation of the multi-sectoral mechanism for the prevention of gender-based violence in schools, which allows for the reporting and referral of cases of violations. The Committee recommends that the State Party provides sufficient resources for this mechanism, ensuring that it is accessible and that children can anonymously report gender-based violation and that cases are thoroughly investigated.
46. Concerning violence against children in the form of bullying in schools, The Committee recommends that the State Party takes legislative and other measures to address bullying from its root causes and incorporate the topic of bullying into the school curriculum to sensitise children of the harm caused by this practice.
47. The Committee noted during its investigation mission to the State Party that the conflict situation was affecting children's right to education as schools were attacked by armed groups, and children who moved to other regions to flee conflict had language barriers when accessing education. The Committee expresses concern that children's education continues to be affected by the conflict situation in the State Party, and thus reiterates its prior recommendation that the State Party increases its financial, human, and technical resources to ensure that children in conflict areas can realise their right to education. The Committee also reiterates its recommendation that the State Party ensures bilingual education for children who are displaced by conflict, build more schools close to displacement centres, and ensure that schools are not targets in the ongoing conflict situation. Furthermore, the Committee recommends that the State Party ensures the enforcement of the Safe Schools Declaration by all actors in the conflict and invests in an adaptable education system that allows for the continuation of children's education despite armed conflicts and other crises.
48. The Committee welcomes the measures undertaken by the State Party towards providing inclusive education, including through the Strategic Plan for Education 2020-2029 which promotes equal access to educational opportunities for children with disabilities. While noting measures taken to ensure inclusive education for children with disabilities, the Committee expresses concern over reports that children with disabilities are still discriminated in accessing schools due to inadequate infrastructure in learning facilities, and the lack of teachers trained in special needs education. During its follow-up visit to the State Party, the Committee also noted that despite measures taken to construct accessible schools and to train teachers, there remained challenges related to the lack of learning materials for children with disabilities, lack of skilled teachers, and stigma.
49. In this regard, the Committee recommends that the State Party ensures inclusive education measures reach all children with disabilities across different regions. Furthermore, the Committee reiterates that the manner and form of inclusive education must be dictated by the individual needs of the child, and

must cater for the child's specific needs through the re-evaluation of the school curriculum to address challenges faced by children with disabilities, incorporating special needs training in the training of all personnel in the education sector, and through the provision of suitable educational infrastructure that is accessible to children with disabilities.

50. The Committee notes that the State Party created three Regional Centres for Inclusive Education, to develop practices for inclusive education which would be utilised to enhance mainstream schools. However, the Committee is concerned that these institutions do not cover all regions of the country, and the practices developed in these institutions have not been transferred to mainstream schools. In this light, the Committee recommends that the State Party enhances measures to extend the benefits and practices of the Regional Centres to mainstream schools in all regions. The Committee further recommends that the State Party ensures through this strategy, that children with disabilities can be integrated into the schooling system and be supported to complete their education.

Leisure

51. The Committee welcomes measures taken by the State Party to realise the children's right to leisure, including through the Youth in Action Programme, and sporting and cultural activities held through schools. The Committee recommends that the State Party continues these measures, ensuring that vulnerable children, including children with disabilities, economically disadvantaged children, and undocumented children, can enjoy these initiatives. The Committee further recommends that in addition to ensuring this right in the public sphere, that measures are undertaken to raise awareness on the benefits of children's enjoyment of leisure, recreation, and cultural activities within the home.

H Special protection measures

Children with disabilities

52. The Committee welcomes that there are play areas that are adapted for children with disabilities, and that the laws of the State Party establish standards for the construction of public infrastructure, to ensure accessibility for children with disability. However, the Committee is concerned that there are still public buildings and transportation that are not adapted to the needs of children with disabilities. In this regard, the Committee recommends that the State Party rigorously monitors and enforces accessibility standards, particularly the standards articulated in Decree No.53/2008 of December 30 2008, to ensure that children with disabilities can access public spaces and services without hinderance.
53. The Committee welcomes the efforts of the State Party towards ensuring the protection of children with albinism, including through the Multisectoral Plan for the Protection of Persons with Disabilities, and the project on Protection and Promotion of Human Rights of Persons with Albinism. However, the Committee is concerned that in addition to the risks of physical attacks, children with disabilities including children with albinism continue to face discrimination and verbal attacks. In this light, the Committee recommends that the State Party accelerates its implementation of its policies, and of international laws on the

rights of children with albinism. In particular, the Committee recommends that the State Party focuses on public education efforts to ensure the change in social behaviours and attitudes towards children with albinism. Moreover, The Committee recommends that preventive and supportive services and facilities are provided such as sun protection items for children with albinism.

Children in situations of economic exploitation

54. The Committee welcomes the steps taken by the State Party to address child labour, including the revision to the Labour Law, awareness raising efforts and the National Plan of Action to Combat the Worst Forms of Child Labour. However, the Committee is concerned by the persisting high levels of child labour, especially in the provinces of Nampula, Zambezia, Tete, Manica, Sofala, Inhambane, and in Gaza. Considering this, the Committee recommends that further legal measures and regulations are adopted to ensure that employers follow the law, and that children joining the work force are provided with a suitable and non-hazardous working environment considering their age, capacity, and development. The Committee recommends that the State Party ensures the enforcement of the laws and policies against child labour and undertakes further awareness-raising measures to address the acceptability of child labour in communities. The Committee further recommends that the State Party ensures that systems are set up to monitor child labour in the formal and informal systems, and to bring to justice all who violate the prohibition of child labour.

Refugee and internally displaced children

55. The Committee commends the State Party for the extensive measures taken to ensure refugee children in the country have access to education, health services, and safety and security services. The Committee further appreciates that the Constitution of the State Party recognises the right of refugee children to a name and nationality. The Committee encourages the State Party to ratify and implement the Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa, to especially accommodate unaccompanied and undocumented refugee children.
56. The Committee noted during its investigation mission to the State Party that many children were displaced from their homes due to conflict and natural disasters, of which many children could not locate their parents. While appreciating the measures taken by the State Party for internally displaced children including accommodating them in displacement shelters and adopting a coordination plan to assist them, The Committee is concerned that children continue to be displaced and live in shelters with limited means to meet their basic needs.
57. In this regard, the Committee recommends that the State Party enhances its early warning systems for natural disasters and violent conflict, ensuring that emergencies are detected and prevented before they occur, and that children are safely evacuated from risk areas and provided all their basic needs and dignified living conditions while they are displaced. Recalling article 3 of the Kampala Convention which obliges State Parties to incorporate the provisions into domestic laws for internally displaced persons, The Committee

recommends that the State Party ensures the adoption of comprehensive laws and policies to set the standards for responses to children's displacement.

Children affected by armed conflict

58. The Committee noted during its investigation mission to the State Party that children had been kidnapped and recruited and used in the activities of armed groups. The Committee remains concerned that armed groups have continued to recruit children in their activities, with reports of children being used by the terrorist groups to raid the town of Macomia in May 2024. While the Committee welcomes measures taken against the use of child soldiers such as the observance of Red Hand Day, it recommends that the State Party takes rigorous prevention measures against the abduction and use of children by armed groups, including setting up alert systems to signal potential attacks on communities, and investing more funding into security for regions that are at risk of attacks by armed groups. The Committee recommends that the State Party, in consultation with children, establishes laws and policies to regulate responses for the abduction and use of children in conflict, with an aim of addressing weaknesses in communities that make them vulnerable to attacks by armed groups.
59. Regarding children who have already been recruited by armed groups, the Committee recommends that rigorous measures are taken to ensure the rescue of the children. The Committee also reiterates its previous recommendations that the State Party ensures psychological, medical and other support is provided to children who have participated in armed groups and ensure that these children are disarmed and provided all appropriate protections to enable their reintegration into society. Further, the Committee recommends that the State Party sets up a comprehensive data collection system to capture appropriate information about hotspot areas from which children are abducted or recruited, the number of children recruited and the number of those recruited, and other systems to enable documentation of the progress of rescued children in reintegrating into society — to allow for evidence-based decision making and enhance conflict prevention measures.
60. The Committee observed during its investigative visit to the State Party that there were attacks by armed groups on hospitals, schools and other public infrastructure. The Committee is further concerned from reports of the United Nations Office for the Coordination of Humanitarian Affairs, that during attacks early in 2024, public infrastructure was destroyed in multiple areas by armed groups, and that roads were compromised which delayed the transportation humanitarian cargo to areas in need. Noting that the destruction of public infrastructure impedes on children's abilities to enjoy their rights under the Charter, the Committee recommends that the State Party ensures public infrastructure, especially schools and hospitals, are secured against terrorist attacks, and also ensure that parties to the conflict who violate international laws during hostilities, are brought to justice.
61. The Committee expresses concern about the recurrent nature of violent armed conflict, having noted reports that recent attacks occurred against the background of displaced peoples' returns to their homes. The Committee notes that ensuring stability is vital for the development of children, ensuring that they can continue their education and normal lives. In this light, the Committee

encourages the State Party to rigorously work with regional and international humanitarian actors to ensure sustainable solutions to the armed conflict.

Children of imprisoned caregivers

62. The Committee notes that children of imprisoned caregivers are allowed to stay with their parents until the age of 3, and that minimum comfort conditions are created for these children to thrive. However, the Committee is concerned that there is only one women's prison in the country, resulting in incarcerated mothers in other parts of the country not being able to benefit from the separate facilities and comfort conditions suitable for their child. In this light, the Committee recommends that the State Party implements its General Comment 1 on Children of Incarcerated and Imprisoned Parents and Primary Caregivers, by reviewing its criminal sentencing laws to incorporate the consideration of caregiving responsibilities when computing sentences, and to prioritise non-custodial sentences where the person found guilty is a caregiver to children. Moreover, the Committee encourages the State Party to establish and expand detention facilities that can accommodate children incarcerated with their caregivers and provide the necessary services therein such as health care, early childhood development, nutrition, among others. The Committee also recommends that the State Party undertakes measures to ensure the removal of children from detention facilities after the legally prescribed age of 3 years and provide them with alternative care.

Children in situations of sexual exploitation

63. The Committee appreciates that the State Party has enacted laws that prohibit and punish sexual abuse and exploitation of children. However, the Committee is perplexed that the data provided indicates an annual increase in the number of child victims of sexual abuse. The Committee thus recommends that the State Party ensures the enforcement of laws regarding sexual abuse and takes rigorous measures to address the root causes of sexual violence against children, including through education and continuous public awareness campaigns. Further, the Committee recommends that the State Party collects comprehensive data on child victims of sexual abuse in various regions, and on the investigation and prosecution of reported cases to enable informed interventions for reducing sexual abuse incidents.
64. The Committee notes with appreciation the enactment of a law that regulates the establishment of Integrated Care Centres for Victims of Gender-Based Violence (CAIVVs), to assist victims of sexual violence. The Committee recommends that the State Party ensures the monitoring of the CAIVVs and takes steps to follow up with children who have been in these shelters, to ensure they have not been returned to abusive environments. Furthermore, the Committee recommends that the State Party ensures that the Centres are provided sufficient financial and human resources to effectively carry out their mandate.
65. The Committee expresses concern at the prevalence of online child sexual abuse and exploitation in Mozambique, often perpetrated by persons close to the child. The Committee is further concerned that the existing helpdesks for victims are not accessible in some communities, and that violations are often not reported due to stigma. In this light, the Committee recommends that the

State Party takes enhanced legislative and awareness-raising measures to protect children from sexual abuse online. Additionally, the Committee recommends that the State Party creates safe, anonymous, and accessible reporting mechanisms for children, and ensures that reporting helpdesks are established in all regions and that children are aware of them.

Children in situations of drug abuse

66. The Committee appreciates that the State Party has taken measures to address illegal substance use among children, including through the adoption of the Strategy on Illegal Drugs and Other Psychoactive Substances 2014-2023. However, The Committee is concerned that drug and alcohol use among children remains popular especially in schools, and that these substances are often sourced from the informal market. The Committee, thus, recommends that the State Party continues undertaking measures to raise awareness on the harmfulness of illicit substances among children and prosecutes all actors who provide such substances to children. Additionally, the Committee recommends that the State Party takes steps to enhance the regulation of the informal markets to curb the sale of illicit substances.
67. The Committee appreciates that Mozambique has a Central Office for Drug Prevention and Control and recommends that the State Party ensures that this mechanism has sufficient resources to fulfil its mandate.

Children in situations of sale, trafficking, and abduction

68. The Committee welcomes the various measures undertaken by the State Party to address child trafficking, including through collaboration with other countries to ensure the repatriation and reintegration of children. The Committee is, however, concerned that child trafficking persists in the State Party, especially affecting children with albinism. The Committee, therefore, recommends that the State Party carries out monitoring and evaluation of the implementation of its child trafficking laws to identify gaps and enhance further planning and responses. Additionally, The Committee encourages the State Party to undertake awareness-raising campaigns in communities and incorporate the topic of child trafficking into the school curriculum to equip society to better detect and report trafficking.
69. The Committee noted during its investigation mission to the State Party, that insecurity related to armed conflict, had led to increase in child trafficking in some parts of the State Party. While appreciating the measures undertaken to combat human trafficking, including the National Plan to Prevent and Combat Trafficking in Persons and the collaboration with neighbouring countries to address child trafficking, the Committee remains concerned about children who are separated from caregivers due to the conflict situation in Cabo Delgado. In this regard, The Committee encourages the State Party to ensure that anti-trafficking measures take special consideration of children in conflict regions, ensuring that these response mechanisms remain fully resourced to enable them to quickly respond to all emergencies.
70. Furthermore, the Committee reiterates its prior recommendations that the State Party takes all necessary measures through the urgent collection of data on child trafficking and make use of the data to inform responses in collaboration with other stakeholders working with children.

Children in street situations

71. The Committee welcomes the preventive measures taken by the State Party to curb the situation of children on the street. However, there are still many children living on the streets in urban centres. The Committee recommends that the State Party takes legislative, policy, and other measures, to address the root causes and factors that cause children to live on the streets, including unhealthy home environments. The Committee further recommends the State Party to provide rehabilitation and reintegration of children who live on the streets and ensure that they have access to basic services including education and healthcare.

Children affected by environmental disasters

72. The Committee appreciates that the State Party has set up a National Institute for Disaster Management and an early warning system to disseminate information about climatic phenomena. The Committee further appreciates the inclusion of education of environmental issues in the school curriculum. Noting the number of children that get displaced due to climatic events, The Committee recommends that the State Party continues strengthening and implementing its early warning system and strengthens children's resilience to climatic events.

Harmful practices

73. The Committee welcomes the measures taken by the State Party to address child marriage, including the revision of the Family Law to set the minimum age of marriage at 18, although there are still concerns about persistent child marriages. The Committee recommends that the State Party further undertakes all measures to ensure that the prohibition of child marriage in its laws is respected by all persons in the country and ensure that those who violate the law are prosecuted.
74. The Committee also observed in its follow-up visit to the State Party that power imbalances and cultural identities were the root causes of child marriages, and that there was no reliable and updated data on the prevalence of child marriage. In this light, the Committee recommends that the State Party, in addition to legal reforms achieved, undertakes awareness-raising campaigns on the harmful effects of child marriage and to address power imbalances in communities. The Committee recommends that the State Party creates empowerment programmes for girls to address the situation of those who are forced into child marriage by economic disadvantage. Additionally, the Committee encourages the State Party to collect data on the effectiveness of the revision of the Family Law in reducing the prevalence of child marriages, and to incorporate this data in its next State Party report.
75. The Committee observed during its investigation mission to the State Party that child marriage had increased substantially among children affected by armed conflict, despite national laws prohibiting child marriage. The Committee notes reports indicating that recent terrorist attacks have led to increases in child marriage in Cabo Delgado, with children being abducted and forced into marriage by armed groups or given in marriage by families seeking dowry. In this regard, the Committee recommends that the State Party's responses to the armed conflict mainstream the issues faced by children who are forced into marriage with members of armed groups.

Children in conflict with the law

76. The Committee appreciates the creation of Juvenile Courts in the State Party, and the creation of the youth rehabilitation centre in Maputo to ensure that children in conflict with the law have access to basic social services. Given that there are no institutions in the country dedicated to the care of children in conflict with the law and given that the rehabilitation centre is only in the Maputo province, the Committee recommends that the State Party expands rehabilitation services and child-friendly institutions to all regions of the country, and to prohibit the detention of children in conflict with the law in adult prisons.

Responsibilities of the child

77. The Committee appreciates that the State Party incorporated the responsibility of the child into its laws, and that measures are taken to ensure the dissemination of children's responsibilities through the Children's Parliament and other avenues. The Committee encourages the State Party to continue in its measures to ensure that children learn about their responsibilities, as is appropriate for their development and capacities. Further, The Committee encourages the State Party to continuously ensure that children's duties are performed with respect for the rights of children in all areas of the child's life.

CONCLUSION

78. The Committee expresses its appreciation for the fruitful and informative interaction with the Republic of Mozambique on the implementation of the Charter in the State Party. The Committee welcomes all the efforts made so far to ensure that children's rights are realised and anticipates that the current recommendations will enhance the implementation of the Charter in the State Party.

79. The Committee wishes to conduct a follow-up mission within the next two years to monitor the implementation of the current concluding observations and recommendations, and it is the hope of The Committee to be received in this regard by the State Party. The Committee also invites the State Party to submit its next periodic report by August 2027, detailing measures undertaken to implement the Charter and The Committee's recommendations.

80. The Committee wishes to renew to the State Party the assurances of its highest consideration.