

Child rights in Mozambique

In 1992, when the signing of a peace agreement brought an end to 15 years of bitter civil strife, Mozambique ranked as the poorest country in the world. Since then, political stability and democratic governance have paved the way for sustained socio-economic development, and Mozambique is now recognized as an example of post-war reconstruction and economic recovery in Africa. The country held its first democratic elections in 1994, the same year it endorsed the Convention; its third peaceful national elections took place a decade later.

The economy has grown rapidly over the past decade, with gross domestic product for 2008 expected to exceed 6 per cent. The national poverty rate, an estimated 69 per cent in 1997, measured 54 per cent in 2003, the latest year for which comprehensive data are available. Progress in political and economic stability has been accompanied by improved human and social development. The country's under-five mortality rate dropped from 201 deaths per 1,000 live births in 1990 to 168 per 1,000 in 2007. Net primary school attendance rose to 99 per cent in 2008. Despite these advances, Mozambique remains impoverished – 75 per cent of its population lived on less than US\$1.25 per day in 2005 – and continues to face such obstacles as recurrent natural disasters and the AIDS epidemic; an estimated 1 in every 7 people aged 15–49 were HIV-positive in 2007.

Creating a protective legal framework for children

During the past two decades, Mozambique has shown a steady commitment to harmonizing national legislation with regional and international human rights instruments. Besides ratifying the Convention, on 26 May 1994, and its two Optional Protocols, the country has also ratified CEDAW, the

African Charters on Human and People's Rights (and its protocol on women's rights) and the African charters on the Rights and Welfare of the Child. The national constitution adopted in 2004 places particular emphasis on child rights, setting a new legal and policy framework for children. Under the constitution, all actions concerning children, whether by public bodies or private institutions, must take the 'best interests of the child' into account.

A comprehensive legal reform to update national legislation and bring it into line with the Convention and other human rights treaties has already resulted in major changes, such as an expansion of the period of free birth registration from 30 days to 120 days after a child is born, and adoption of a Family Law that articulates new legal standards for parental responsibilities, guardianship, adoption and inheritance rights, and raises the age of marriage from 16 to 18 years. The Children's Act, adopted in 2008, effectively translates the Convention's articles into national child rights legislation and outlines the responsibilities of all stakeholders in realizing these rights. The 2006–2010 National Action Plan for Children aims to develop and coordinate activities by key stakeholders; its objectives and targets are based on the recommendations of the 2001 African Forum on Children and the 2002 UN Special Session on Children. The Multisectoral Plan for Orphaned and Vulnerable Children addresses the specific needs of this growing population; the number of orphans was estimated at 1.5 million in 2008, of which about 510,000 were orphaned by AIDS.

From legislation and plans to action and results

The main challenge now facing the Government is to translate new

legislation into effective programmes. Advances are already apparent in a number of areas. In 2009, the Council of Ministers approved the creation of a National Child Council, an independent body entrusted with coordinating implementation of child rights. Furthermore, special children's court divisions have been established in six provinces to attend to child justice issues. Since 2006, a national birth registration campaign has helped register 4.4 million children; the campaign will continue until 2011, aiming to achieve universal registration by that deadline.

Challenges for realizing children's rights

Poverty and disparities are perhaps the biggest challenges to the realization of child rights in Mozambique. Fighting poverty has been at the top of the Government's agenda during recent years. To be successful, however, scarce budget resources must be allocated equitably to sectors that contribute to children's well-being and development – especially education, health care, water, sanitation and social protection. Within sectors, the equitable allocation of resources across provinces and programmes is also crucial to reducing disparities.

Scaling up basic services and social programmes for children is pivotal to reducing the incidence of child poverty and securing children's rights. The concerted efforts of government, donors, civil society, the media, the corporate sector, families and communities will be necessary to ensure that consistent action is taken to meet the promise of the Convention for all Mozambique's 11 million children.

See References, pages 90–92.