



## Child Marriage in Mozambique: report on implementation of children's rights, international program and challenges

### *Introduction*

The purpose of this report is to map out the current situation and efforts to address the prevalence of child marriage in Mozambique. It provides an outline of the work that is being done, and a brief analysis of achievements and challenges linked to specific context, such as poverty, education, gender equality and tradition and culture. The background information is based on reports from multilateral entities such as UNICEF and UNFPA and reports from NGO:s active in Mozambique specialized on sexual and reproductive health and rights and networks of NGO:s focused on child marriage. The analysis presented in this report is based on interviews with primary sources, three professional representatives from civil society organizations working in the policy area and three adolescents representing the target group, young women and men living in Mozambique.

The aim of the report is to investigate the situation for children in the perspective of vulnerability to forced marriage, both the progress (legal and program/development initiatives) and the challenges (consequences of the pandemic, limitations in infrastructure and the unequal opportunities for children due to geographical and socio-economic factors: i.e. rural/urban premises).

The methodology is a limited case study and we applied grounded theory, that is collected material from primary sources and analyzed it with guidance from the results in the baseline report. The thesis is that the implementation of the law against premature marriage (Law No. 19/2019, of October 22 – Premature marriage prevention and fighting law), as adopted by the Mozambican government in 2019 has suffered from poor implementation, mainly due to consequences of the pandemic Covid -19 but also due to multiple other factors presented in the context analysis of the report. Consequently, in addition to the primary thesis, we believe that the implementation is even more challenged in the rural areas of the country (in the north and central areas of Mozambique), this was also a focus in the interviews and research.

**The thesis is that the implementation of the new law against premature marriage is more challenged in the rural areas of the country.**

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This report will uncover violations of human rights for the target group in question (children and adolescents, young people) such as the right to education, the right to consensual marriage and other rights that are being violated will be mapped out. The aim is to find out whether the improved legislation has benefitted the target group (children/girls/young women) or if the challenges, such as consequences of the pandemic, vulnerability to external power such as climate change, poor infrastructure, limited education, terrorism, and poverty has limited the target groups possibilities to benefit from the improvement. The report will also address work on sexual and reproductive health and rights, since this policy area is connected to the bodily autonomy of young women and girls, also linked to the socio-economic factors that interplay when families subject their minors to child marriage.

Throughout the report we use mainly the terminology “child marriage” as used by the UN, we are aware of that many actors in the civil society are opposing this wording because of the problematic recognition of children as independent agents and the suggestion to replace the terminology with “forced marriage” and/or “forced alliances”. For accessibility reasons we have chosen to use “child marriage” in this report since we focus on the target group “children” but we fully recognize and promote the efforts to highlight the problematic concept.

In this report we discuss children's rights in Mozambique, the definition of the child has not been very much discussed in this context, since the definition is equal to the UN definition, that is any person under the age of 18. But one former clause in Mozambique's legislation Family Law used to except some minors in relation to marriage, as mentioned in the quote above, which is an area of debate that we will analyze further in this report.

“DEFINITION OF THE CHILD 17. The Constitution of the Republic of Mozambique (CRM)20, the Family Law Act and the Law on the Promotion and Protection of the Rights of Child define the concept of child in accordance with the CRC. However, the exception provided in Article 30 of the Family Law which allows children under 18 and above 15 to marry, constitute a violation of the best interest of the child principle and promotes discrimination of girls. Therefore, that specific dispensation of the law must be repealed.”<sup>1</sup>

## **Background**

### **History**

Mozambique is a country with a turbulent history. As many other African countries, Mozambique was a colony for a long time. During colonial rule the country was for a long time not ruled under a single administration, rather, until 1942, different parts of the country had been administered in different ways. The regional separateness persisted even after the country came under a single administration. In 1975 Mozambique became an independent state from Portugal, and the regional divisions were still strong.<sup>2</sup>

**How has post-colonial politics influenced rights in Mozambique?**

At the time of independence, the most populated areas were the Zambezia and provinces in the center of the country and eighty percent or even more of the population lived as farmers in rural villages where educational and health services were rudimentary. In the rural areas the education was very low, and a vast majority of the population were classified as illiterate. The other twenty percent lived in the town, mostly the coastal towns.<sup>3</sup>

1975 before Portugal withdrew, the economy was healthily diversified. There was coal mining, oil refinery, cement factories, a vehicle assembly plant, a growing sector of consumer industries, as well as the large range of agricultural export crops from the many farmers in the country, where as tea, sugar and cashew had their processing in the country, and also the strong earnings from the railways and ports.<sup>4</sup>

The majority of the modern sector of both the government and the economy was organized and run by European immigrants or people of other immigrant origins during colonial time. No priority had been put in training the local people in the skills needed to organize and run a modern economy. This meant that when Portugal and most of the European population left the country was left with a shortage of skills in all areas. They were not equipped or trained to take over and run the economy without help.<sup>5</sup>

Independence didn't lead to instant success and the power only shifted hands from one to another rather than having an open election to decide government. Frelimo, a socialist political group, took over governing of the country without arranging an election and without the support of a large portion of the population. A civil war broke out in the country between Frelimo and Renamo, an anti-communist political group, and raged until 1992 with the signing of the Peace Accord.<sup>6</sup>

The first national election in Mozambique happened in 1994 and it was paid for and overseen by the United Nations. Ever since, there has been regular elections on a five-year cycle, in 1994, 1999, 2004, 2009, 2014 and 2019. The two biggest parties that have had the most following in all elections are still Frelimo and Renamo, whereas Frelimo has won every single election so far. Although, there have been many reports about irregularities ranging from malpractice in the recording and counting of votes to interference in the nomination of candidates.<sup>7</sup>

The war that raged on for over a decade virtually destroyed the functioning economy that existed before the independence of the country. Today, even with their many diverse resources Mozambique has become one of the poorest countries in the world and receives billions of dollars of aid each year. A large portion of the population are the peasantry and live in the rural areas of the country. The unemployment in the country is very high, and agriculture continues to be dominant. Employment in industry and construction only accounts for less than twenty percent of employment, even in the urban areas. Unemployment is also very high, and among 15–24-year-olds the unemployment has been as high as 77 percent.<sup>8</sup>

**Lack of infrastructure and vulnerability in the aftermath of the civil war**

### Context Analysis of Poverty, Gender Equality, Education and Culture and Tradition

There are several contextual parameters to be aware of in relation to the violations on human rights caused by the practice of child marriages. We will highlight four levels specifically in this report: poverty, education, gender equality, and culture/tradition/norms. For families who decide to marry a child/minor off, there are often mechanism at play that affects their reasoning around the practice, and it is important to understand these mechanisms better to be able to address the root causes of this illegal practice and through a rights-based approach be a stronger advocate in the implementation of human rights for this vulnerable group. As mentioned in the thesis, we have found evidence that the practice of child marriage is much more common and less debated at society level in the rural areas of the country. This pattern regarding rural/urban and the differences between target groups as for vulnerability is also linked to these four levels of context analysis.

**What is impacting the prevalence of child marriage?**

### Poverty

Poverty rates in Mozambique are increasing for the first time since after the civil war ended in 1992, when a slow positive development started. In the nineties progress started, even though slowed by a very high population growth: Mozambique's population doubled in a time frame of a couple of decades. According to a recent study by International Growth Centre, the pattern is obvious on how the financial backlash, also connected to the negative effects of the pandemic, affects the rural areas to a much larger extent than the urban areas:

“Over the last five years, there was an increase in poverty rates, especially in rural areas, due to a crisis generated by decreasing foreign direct investment (FDI), natural disasters, and military attacks in the north and center of Mozambique. There was also the discovery of ‘hidden debts’ incurred by the Government between 2013 and 2014, which led to the retraction of foreign aid, currency depreciation, food price spikes, and a reduction in household consumption. According to the Ministry of Economy and Finance, from 2015 to 2019, the number of Mozambicans living in extreme poverty have increased by 55 to 60%, which corresponds to 16.7 to 18.2 million people.” ( --- ) “The gap between rural and urban areas is large and persistent – if not likely to get worse. Living conditions in southern Mozambique are much better than in other regions (partly due to a higher level of urbanization in the south). Inclusive poverty reduction can be achieved with policies that increase access to basic quality services, such as education, health, sanitation, electricity, as well as access to labor markets and means of production.”<sup>9)</sup>

This socio-economic pattern, with an increased poverty rate in rural areas points toward a stronger incentive for a rural family to create financial stability through the agreement with other families to get a sum of money by agreeing to an early marriage/forced alliance. Poverty rates also highlight the side effect that rural areas lack crucial infrastructure, such as supply of electricity and access to internet etc., which also creates a limited access to information and shared knowledge/experience which is an obvious challenge for the initiatives to address child marriages and to create awareness of human rights and legal framework.

**Increased poverty affects families in the rural areas.**

### **Education**

Mozambique has over the last decade made many efforts to promote education and improve statistics around literacy, by for example abolishing school fees, providing direct support to schools, and

distributing state funded textbooks for pupils at the primary level, as well as investments in classroom construction. The education sector receives the highest share of the state budget, over 15 per cent. All these efforts have shown positive results and there has been a significant rise in primary school enrolment over the last ten years. But still there are major challenges, especially in the higher levels of education, according to UNICEF: “quality and improvement in learning has lagged behind. Also, enrolment stagnates in upper primary and secondary despite increased provision. About 1.2 million children are out of school, more girls than boys, particularly in the secondary age group.”<sup>10</sup>

**“More than 50% of girls in Mozambique drop out by the fifth grade and this drops to 11% by the secondary level of education.”**

World Bank program to improve girls access to education:

“There are several measurements of educational attainment by gender in Mozambique and none present an optimistic picture. About 60% of men in Mozambique are literate, as of the latest measurement, in comparison to only about 28% of women. This is largely due to high dropout rates for girls in primary school. More than 50% of girls in Mozambique drop out by the fifth grade and this drops to 11% by the secondary level of education. Solely 1% of women in Mozambique attend college, and once they graduate, their job prospects are grim.

In 2017, less than 4% of women in Mozambique had salaried jobs and only one quarter were landowners holding official rights. Due to these facts, many women find themselves forced to marry early in order to gain any financial stability. About 48% of women in Mozambique get married by age 18, most of whom have long since dropped out of school. This lack of education comes with increased health risks as the prevalence of HIV is three times higher among young women than young men. Furthermore, researchers estimate more than half of Mozambican women have experienced domestic violence in their lifetime and believe it is justified.”<sup>11</sup>

### **Gender equality**

In Mozambique there is a challenge around insufficient data on gender equality. The statistics that is available, on for instance legislation and representation, shows a fairly positive image: according to UN Women’s statistics some major progress has been achieved since liberation in 1975: “In Mozambique, 83.3% of legal frameworks that promote, enforce and monitor gender equality under the SDG indicator, with a focus on violence against women, are in place. As of February 2021, 42.4% of seats in parliament were held by women.” But these positive indicators are not showing the whole picture of the

gender equality, and inequality, in the country, and there is in fact a long way to go to reach gender parity. UN Women points out the child marriages as one of the key factors in mapping out obstacles for women and girls:

“52.9% of women aged 20–24 years old who were married or in a union before age 18. The adolescent birth rate is 180 per 1,000 women aged 15-19 as of 2016, down from 193.9 per 1,000 in 2014. In 2018, 16.4% of women aged 15-49 years reported that they had been subject to physical and/or sexual violence by a current or former intimate partner in the previous 12 months. Moreover, women of reproductive age (15-49 years) often face barriers with respect to their sexual and reproductive health and rights: in 2015, 55.5% of women had their need for family planning satisfied with modern methods.”<sup>12</sup>

**“Women of reproductive age often face barriers with respects to their sexual and reproductive health and rights”**

Besides the violation on human rights as declared in the UDHR, the right to consensual marriage, the right to education, etc., there are also specific violation of rights regulated in CEDAW that are linked to the practice of child marriage, as reports on gender equality in Mozambique has shown, the practice of forced alliances is a major hindering factor in preventing violence against women and also prevents women from having career opportunities and from political influence and representation. A traditional and stereotypical expectation on women to marry early and to be the main caretaker of the children and the unpaid domestic work is acknowledged as a main challenge to human rights and to an equal society.

### **Tradition, Norms & Culture**

In Mozambique there is a very diverse cultural heritage. From the country’s time as a colony, it has taken on many traditions from Portuguese culture, which is mostly prominent in the urban areas. In the rural areas the majority of people are Bantus, indigenous groups, and therefore is most of the culture native.<sup>13</sup> Alongside economic hardship, harmful traditional customary practices, such as initiation rites, are one of the main reasons for enforcing child marriages.

**Alongside economic hardships harmful traditions such as initiation rites and lobolo/dowry enforce child marriages.**

“Under the guise of initiation rites, young girls are taught to be good wives and boys are taught to provide for their families. In some cases, initiation rites encourage children to view themselves as adults and mature, despite their young age. As a result, upon completion of initiation rituals some girls are forced into early marriages as they are seen to have graduated into adulthood.”<sup>14</sup>

“Many of these kids are brought to the rites of initiation when they are 12, 13 and deemed ready for marriage afterwards,” “It’s a powerful thing when someone from your own family, someone you respect and must obey, tells you that and starts to discuss dowry issues. It’s very difficult to challenge these cultural issues.”<sup>15</sup>

Another harmful traditional custom is the practice of lobolo. Lobolo is the practice of where a man offers money and/or gifts to a girl’s or woman’s parents in exchange for a bride. Once the exchange has been made, the man expects the girl or woman to start having his children that can help out with the farm or with the household chores. If the woman fails to live up to the expectations of delivering children the man has the right to return her to the family, which the family oftentimes will resist as it would entail giving the husband who rejected her a refund.<sup>16</sup> Furthermore, polygamy is also a common practice in many communities and interlinks with child marriage since many young girls are married off as a second or even third spouse to wealthy men.<sup>17</sup>

### **Legislation on Child Marriage**

The United Nations Convention on the Rights of the Child<sup>18</sup> (UNCRC) is an International Convention which is specifically for children, was submitted by The United Nations General Assembly on the 20<sup>th</sup> of November 1989 and was put forward as Resolution number 44/25 for countries to enter it through signing, ratification and accession. For Mozambique's part they signed the convention on the 30<sup>th</sup> of September 1990 and ratified it on the 26<sup>th</sup> of April 1994.<sup>19</sup> In other words Mozambique has chosen to follow the minimal standards in this convention but can also choose to strengthen and increase children's rights through incorporation by making the Convention national which may also lead to an increase of the protection of children and their rights in Mozambique if that is the goal.<sup>20</sup>

**Can child marriage be prevented supported by international legal framework?**

After taking a closer look at The United Nations Convention on the rights of the child, it can be seen that it does not bring up anything about child marriage and if is prohibited in any form. With that consideration it can be considered that child marriage is permissible for many countries worldwide not only for Mozambique. The United Nations have in some way placed the responsibility on the different regions/continents’ conventions, the countries national laws and courts to make up guidelines or discuss issues regarding this specific question. Another important thing to also point out and have in mind is that the Mozambican government has chosen to prohibit all forms



of individual complaints to be accepted and tried in the International Court of Justice regarding violations of this specific Convention which leads to other questions and dilemmas.

The African Charter on the Rights and Welfare of the Child (ACRWC) is a regional convention only for Africa that focuses on the rights and needs of the children in the African continent through the African Union. The Organization of African Unity adopted this regional convention in 1990 and the convention became a part of the regional law in 1999. This regional convention was put forward to focus on different societal problems and is used as regional law to protect children's rights in Africa.<sup>21</sup> Mozambique signed the Convention on the 15<sup>th</sup> of July 1998 and ratified the Convention after it became regional law on the 29<sup>th</sup> of November 1999.<sup>22</sup>

**In ARWC child marriage is prohibited, but not mentioned in the UNCRC.**

In the African Charter on the Rights and Welfare of the Child, marriage is prohibited compared to the United Nations Convention on the Rights of the Child which doesn't bring up anything about marriage. Regional member states have a responsibility to change their national law if it infringes with the convention because the regional law takes precedence if a national law is contrary to the Convention. It is clearly written in Article 21:2 ACRWC that child marriage and betrothal of girls and boys must be prohibited through different actions from the state side and the minimum legal age should be 18 years old if someone's getting married. Legislation even should be put in place where the state can see the age of a person who is getting married and registration after they have confirmed its legality.<sup>23</sup>

### **Human Rights violations concerning child marriage in Mozambique**

For many decades different nongovernmental organizations, activists, human rights watch and even children themselves,<sup>24</sup> have been addressing the various violations that have occurred regarding child marriage. The different violations of Children's rights and the negative effects child marriage has on children internationally but specifically in Mozambique since they are one of the countries in the world with a high rate of child marriages.<sup>25</sup>

**What human rights are being violated by child marriage?**

The different rights that are being violated through child marriage, even if it is seen as a tradition in the Mozambican state, firstly is the right to consensual marriage<sup>26</sup>, secondly the right to education.<sup>27</sup> Because most of the time the female children at an early age drop out of school and take care of the home and the guy's family. The third

and fourth violation are the right to reproductive<sup>28</sup> rights plus access to sexual and reproductive health care<sup>29</sup> since many of the children do not have any knowledge about sexual health care and other questions after they have dropped out of school at an early age, and some drop out when pregnancy symptoms start showing physically. Fifth right been violated is freedom from sexual, physical, and mental violence<sup>30</sup> since most of the girls are forced to have sexual intercourse with their husband consent even if they are not understanding or ready for what is happening in the situation/marriage. The sixth right been violated is freedom of movement<sup>31</sup> because it makes it hard for the children to leave their family's home because most of the time they have different chores and the final violation is the right to employment<sup>32</sup> which makes it hard for the children to get employed because most of them don't have an education, mostly girls compared because the boys get to finish school compared while the girls get married away before finishing school.

### National changes 2019 regarding child marriage in Mozambique

A legal turning point with stronger protection against child marriage came at the end of year 2019 when the Mozambican Parliament approved their first Criminal Law Paragraph ever where its focus point was child marriage, after recognizing the negative effects and problems which have accompanied the subject itself. It took years of negotiations and discussions between the Mozambican Government Authorities, Activists, Nongovernmental Organizations (NGOs) along with People from the Mozambican Community to reach a legal agreement and understanding upon the effects on the children who got married at a young age<sup>33</sup>, that is why the new Criminal law paragraph was added to protect the next child generation.<sup>34</sup> With other words child marriage is now prohibited in Mozambique and is counted as a criminal act if it occurs that someone under the age of 18 years old is married away with or without the child's consent and will be tried as a criminal case against the adults (people that are 18+ years) involved in the situation.<sup>3536</sup>

**2019, Mozambique passed a new law prohibiting child marriage.**

After the law has gained legal force, it is now written in Article 30 of the New Family Law Act Number 10/2004 of 25 August 2004 that all marriage before the age of 18 is prohibited, compared to earlier in Article 30 of the same Family Law Act Number 10/2004 of 25 August 2004 where there were some exceptions and circumstances for children at the age of 16–18<sup>37</sup> years old to be allowed to enter marriages. Firstly, with their parents or legal guardians' consent and

finally due to pregnancy.<sup>3839</sup> Many Mozambican laws also need to be changed to not infringe other laws/articles after implementing The African Charter on the Rights and Welfare of the Child in 2019.<sup>40</sup>

### **Methodology**

The methodology is a limited case study and we applied grounded theory, that is collected material from primary sources and analyzed it with guidance from the results in the baseline report. The analysis presented in this report is based on interviews with primary sources that were found through contacts local in Mozambique. We have used interviews with three professional representatives from civil society organizations working in the policy area:

- Santos Simione, Director Executivo at AMODEFA (February 27, 2022)
- Stelio Faiela, Programme Officer at AMODEFA (March 4, 2022)
- Female professional working at an international NGO in Maputo who preferred to answer anonymously (March 3, 2022)

We also performed interviews with three adolescents representing the target group of right holders, young women and men living in Mozambique, who will all be kept anonymous:

- Young female, age 24, living in an urban area (February 28, 2022)
- Adolescent boy, age 16, living in urban area (March 3, 2022)
- Young female, age 21, living in urban area (February 27, 2022)

A methodology comment is that we failed to find interviewees in the rural areas, due to both language barrier and a challenge on technical access (limitation of electricity and internet). Full interviews with questions can be found in the appendix.

### **Case Studies Results Analysis**

#### **Child Marriage in Context of Poverty**

The results of interviews and analysis of current statistics and reports on effects of the pandemic points toward that the link between poverty and child marriage is very strong. The female representative in Maputo, that answered to our interview, also connected the issue of poverty and vulnerability to the humanitarian needs that increased in the rural areas of Mozambique prior to the pandemic:

“According to WHO, Covid-19 arrived in Mozambique when humanitarian needs were rising due to consecutive climatic shocks in multiple parts of the country and growing insecurity in Cabo Delgado province due to terrorism conflict. Over the past years, drought, cyclones, floods, and violence have left at least 2.5 million people in urgent need of humanitarian assistance across the country.”

The interviewee continues by connecting the dots between poverty and the especially vulnerable group, young women and girls, by explaining mechanisms that interplay in child marriages:

“The pandemic exposed girls more to the risk of pregnancy, leaving them with no other option but to prematurely get into a forced union to escape poverty and further humiliation in the community. The economic conditions of rural and urban families have deteriorated due to government restrictions because the majority are operating in the informal sector depending on the daily revenue to survive.”

This NGO professional supports the thesis in our study, that the rural target group is much further from implementation of the new legislation banning child marriage, and also pin-point how the climate issues and conflict also increase this specific target group’s vulnerability to become subjected to child marriage.

“Children affected by cyclones and conflict areas in Mozambique are more exposed to poverty and violence, including forced unions and sexual exploitation. It was reported in local media that due to extreme poverty in those areas, parents exchange girls obliging them to get into forced unions to get money for survival. It becomes challenging to sensitize people on the new legislation if they are psychologically affected by natural disasters or conflict if they face challenges related to displacement, intense violence, and chronic poverty.”

As we mapped out in the base-line report, a difference between urban and rural context is supported by this primary source and the interconnection between poverty, climate change, conflict and terrorism is highlighted.

Another primary source, also he an NGO representative, Santos Simone, executive director at AMODEFA, stresses the need for an extended analysis and mitigation on the actual conditions for implementation of the legislation – and provide examples of how the lack of planning, and ultimately, resources/funding, results in huge challenges for implementation. The practicalities and methods to

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address/follow the law are prevented by poverty. Mr. Simione explains that the support and back-up for girls whose parents and/or “husbands” has been convicted for a forced union are still taken care of and provided for by the girl who is the victim, and social welfare is missing out on safe spaces/shelter and trauma support. His analysis is also that the civil society is expected to take more responsibility than the state funded institutions, which is difficult since no extra funding or resources is provided for organizing the implementation.

“In the process of implementation of the law, new challenges appear and there is a need for new advocacy actions for its removal. Not all conditions have been created for the support of girls who, for example, are recovered from unions. There are no safe spaces for their reception, and they are forced to return to their families where they are discriminated against and mistreated for having denounced the fact and eventually causing the arrest of their parents or “husbands”. In these cases, they have to take food to the prisoners, for example, which seems traumatic. And for trauma, there are no psychosocial or psychological support services for survivors. Some organizations are providing shelter, but due to their limited financial capacity, they only do as much as they can. On the other hand, these interventions are not sustainable, since the State should be the one to create safe spaces for the reception of girls.”

In the interviews with target group representatives, two adolescent girls and one boy, all of them mentions poverty as the major root cause for child marriage. One of the interviewees also believe that the practice is part of a “cycle of poverty” that also works as a stigma, both for the girls themselves but also for their children: “I think that early marriage is a practice that at least in my country is associated with cultural factors, poverty, and misinformation about the harmful effects on the lives of girls and even on the economy and development of the country. It is a practice that jeopardizes the physical integrity, the emotional health, and the dreams of our girls, not to mention that it perpetuates the cycle of poverty of which almost all girls are victims, including their children who are the fruit of these forced unions.” (Girl, 24 years)

The boy we interviewed is also very clear on the link between poverty and child marriages, he even says that hunger is one of the major drivers behind it: “I think that child marriage is a forced marriage where both sides or one of the sides are under 18 age. Child marriage is happening in areas where people are poor such as underdeveloped

**“Child marriage is happening in areas where people are poor such as underdeveloped districts in Mozambique where people don’t get access to information.”**

districts in Mozambique where people don't get access to information. The causes of child marriage are hunger, an unwanted pregnancy, and the death of parents or one of them who took responsibility for the minor. (Boy, 16 years)

One of the girls that we interviewed is also engaged as a youth activist so she gave a very powerful testament to the unfairness in how child marriage hits on the rural target groups in comparison to the more autonomous young people in the urban areas: "When I look at early marriages, it reminds me of many thoughts that would make us argue for hours because this situation is very unfair, that in the same country there are discrepancies in rights between girls, because girls from the south of the country can have freedom and most of their rights respected or at least the right to study and freedom of choice about their sexual and reproductive health. But girls from the centre and north, mainly from rural areas, they do not have the ability to choose they are subjected by their parents, most of the time to having to leave school to take care of a home as a housewife and marry a much older man just because he has some social status better than the family of the girl in question and that is simply sad and regrettable."

It is a very clear result in this report that poverty is one of the primary hindering factors, both for human rights in general, but specifically to the implementation of the legislation against child marriage. We also found support for the theory that rural areas are more vulnerable and that there are links between other factors, such as conflict, climate change, corporate capture, and terrorism in the rural areas.

### Child Marriage in Context of Education

Education has been a big issue in Mozambique, especially for girls, due to the very high number of girls who drop out of school at a fairly early age, 50% of girls dropping out by the fifth grade. It was mentioned by one of the right holders we interviewed, the young female of 21 years of age from an urban area, that girls from rural areas are often forced to leave school by their parents to take care of the family and household like a housewife. With no prospects of being able to take care of themselves without an education, the only option for the girls is to marry someone who will be able to provide, which often is much older men of higher status. Even if the girl has stayed in school, if she is forced into a child marriage a common consequence is that she will drop out of school at that point to be a wife.

The female NGO professional in Maputo that we also interviewed discussed some ideas for a better implementation of the legislation and she started off by mentioning how crucial the quality of education is and encouraging education for girls in rural areas is. There is also need for “The investment in infrastructure (e.g. equipped schools) in rural and peri urban areas giving good conditions to girls and boys getting access to education at the same level as the urban areas.” Even with Mozambique’s efforts to promote education of the last decade, there is still a lack of access to good infrastructures like schools in rural areas, which can prove to be an issue for continuing education if the children must travel far to go to a school.

**The accessibility to quality education and school facilities in urban and rural areas makes all the difference.**

Another issue brought up by the female professional was the pandemic causing schools to be closed, because “the greater the loss of learning time and the greater the chances that children, particularly girls, will not return to the classroom when schools reopen.” With the already high dropout rate, the pandemic is catastrophic with the probability that the number will rise even further.

Considering the major differences between urban and rural areas, especially with regards to accessibility to quality education and school facilities it can be seen as one major reason to why child marriage is vastly more prevalent in rural areas in comparison to urban. Without an education, the girls are unable to get jobs and support themselves and will be forced to get married at a young age for financial support.

### **Child Marriage in Context of Gender Equality**

It is interesting to dig deeper into the role of gender inequality since, as mentioned in the context analysis, Mozambique could seem to be quite gender balanced by judging from legislation and representation in politics for example. In our interviews we received very advanced analysis from two of the interviewees, one from the professional side and one of the right-holders. The female professional NGO representative links the so called cultural/traditional practice and rites to the commodification of girls bodies and thus supports the interdependence of child marriage and gender inequality, she also reflect on the power relations at stake, where women become subordinate to men in an intrinsic web of dependence and norms:

“In Mozambique, women, particularly girls, are very vulnerable to several factors: domestic violence, forced unions, sexual abuse, and other forms of domestic violence and exploitation. ( --- ) As seen elsewhere in the world, the drivers of child marriage in Mozambique

include high levels of poverty, gender inequality, poor access to quality education, limited life choices, cultural norms, especially those related to initiation rites, and high levels of teenage pregnancy. Child marriage is driven by gender inequality and the belief that girls are somehow inferior to boys. In Mozambique, child marriage is also driven by poverty which means girls living in rural parts of Mozambique and the poorest households marry at a younger age. Traditional gender norms continue to drive child marriage where sexual initiation rites often encourage the subordination of a girl to her "husband" and the practice of *lobolo* where parents are getting an amount of money due to marriage transaction (girl's bodies commodification); and adolescent pregnancy where the majority of adolescent become mothers are married in their teens. Girls are also exposed to a high level of HIV infection and their babies to severe malnutrition conditions. The obstetric violence/obstetric fistula is related to childbirth at an earlier age and is associated with increasing maternal health risks, one of the consequences for several girls in Mozambique.”

**“Child marriage is driven by gender inequality and the belief that girls are somehow inferior to boys.”**

The NGO representative also maps out how the structural discrimination of women and girls is hindering the implementation and that “patriarchy” itself is one of the main hinders: “Mozambique has ratified international and regional women's rights protection instruments, but their provision is often violated in law and practice. All these factors impact the lives of girls in Mozambique and jeopardize the implementation of the new legislation. The ability of girls and women to control their own bodies is fundamental to their empowerment. Social norms and traditions affect the implementation of the new legislation if patriarchy is not challenging.”

One of the girls we interviewed also reflects on the mechanisms of patriarchy even though not using that wording, when she witnesses how girls often are discriminated against in terms of opportunity, both to education and to possibilities to become professionals and to achieve important positions in terms of power and influence. She thinks this ultimately also slows the progress and development and the country down.

“What is at stake and what we can prove is that this compromises the future of a community in terms of its development as a society and even for the country. Because parents prevail in ignorance of inhibiting schooling for girls and only grant this right to boys, and it is sad because today's women have already proven that they are capable



of occupying prominent and decision-making positions, which contribute to growth from the country.” (Girl, 21 years)

**Gender stereotypes pushes girls to take larger responsibilities in the household.**

This girl also reflects on how the lack of bodily integrity affects girls and places them in a subordinate position in relation to boys and men. Also, the expectations linked to gender stereotypes is contributing to this self-image and girls need to take a much larger responsibility for the household, and are often expected to fetch water and firewood or gas and support the mother of the family in these activities that are linked to preparing food and caring for small children and the elders of the family:

“The girl sees herself placed in a disadvantaged position because most of the time she sees her brother going to school and she having to take care of the house, without being able to go to school, the girl she goes through situations of harassment in her neighborhood and their mothers in these rural areas tell them that they must accept and submit to it because they are only women. And that they have no choice or right to preserve their body or decide who and how can touch it. This makes me very sad, as a girl too and as a sexual and reproductive health activist.”

### **Child Marriage in Context of Culture and Tradition**

“Norms, culture and tradition have been two of the main obstacles to the implementation of the law.” Santos Simione, Executive Director at AMODEFA, says. Oftentimes, it is traditional leaders, religious leaders and community leaders that are the main promoters of child marriage, he continues, which can prevent any kind of awareness raising activity or even the reporting of cases of child marriage. With the stronghold of these leaders, they can prevent activists and also police from doing their jobs in the communities.

**“Norms, culture and tradition have been two of the main obstacles to the implementation of the law.”**

“Culture interferes with the implementation of laws, because in the event of discrepancies, cultural and traditional values sound louder, and make the legislation not apply. For example: Premature unions, polygamy, harmful cultural practices that undermine sexual and reproductive health.” (Stelio Faiela, Programme Officer, AMODEFA)

The female NGO representative also reflected on norms and tradition as a driving factor of child marriage in Mozambique. For example, the common practice of sexual initiation rites encourages the subordination of a girl to her “husband” she mentions as one of the

harmful traditional practices as well as the practice of lobolo, “girl’s bodies commodification.”

Traditions and culture and norms are not only an issue in promoting child marriage, but also the suppression of women and enforcing the gender inequality that leads to child marriage. Girls are taught from an early age that they are not equal to men through gender norms and the traditions of the community. This is something that the 21-year-old girl reflected on: “The girl sees herself placed in a disadvantaged position because most of the time she sees her brother going to school and she having to take care of the house, without being able to go to school, the girl she goes through situations of harassment in her neighborhood and their mothers in these rural areas tell them that they must accept and submit to it because they are only women. And that they have no choice or right to preserve their body or decide who and how can touch it. This makes me very sad, as a girl too and as a sexual and reproductive health activist.”

### *Child Marriage in Times of Pandemic*

While the passing of the legislation banning child marriage in 2019 was a big step towards eradicating child marriage in Mozambique, the implementation of the law has been severely impacted by the pandemic that halted the entire world in 2020-2021. Santos Simione, Director Ejecutivo at AMODEFA, says that the pandemic has negatively affected the implementation of the law “as activities related to its dissemination and monitoring of implementation were compromised due to the limitation of our people’s movements.” But there has been the development of other alternative strategies, especially with the use of social networks. Unfortunately, one issue that arises with the use of social networks is the fact that it does not reach out very well to the rural areas where electricity and internet connections are lacking.

The female professional we interviewed in Mozambique said: “Covid-19 arrived in Mozambique when humanitarian needs were rising due to consecutive climatic shocks in multiple parts of the country and growing insecurity in Cabo Delgado province due to terrorism conflict. Over the past years, drought, cyclones, floods, and violence have left at least 2.5 million people in urgent need of humanitarian assistance across the country.” She continues that with the pandemic the rate of child marriages increased even with the new legislation in place. Girls are already in a vulnerable condition and the pandemic increased their level of vulnerability.

**“Covid-19 arrived  
in Mozambique  
when humanitarian**

Early pregnancies have already been an issue 33,2 percent of girls in urban areas and 44,4 per cent in rural areas becoming pregnant before the age of 18. “The pandemic exposed girls more to the risk of pregnancy, leaving them with no other option but to prematurely get into a forced union to escape poverty and further humiliation in the community,” says the female professional. Another complication that arises with early pregnancies during the pandemic is the lack of availability to healthcare that is already scarce in rural areas.

**need were rising due to consecutive climatic shocks in multiple part of the country and growing insecurity in Cabo Delgado province due to terrorism conflict.”**

Mozambique has been struggling with poverty for a long time, and the pandemic did not improve the conditions. The economic conditions of both rural and urban families have deteriorated due to the government restrictions regarding the pandemic. This is yet another reason for the rates of child marriage having increased since many families must marry off their daughters because they are unable to afford supporting them, especially in areas that were also affected by cyclones and conflicts, “it was reported in local media that due to the extreme poverty in those areas, parents exchange girls obliging them to get in to forced unions to get money for survival.”

“It becomes challenging to sensitize people on the new legislation if they are psychologically affected by natural disasters or conflict if they face challenges related to displacement, intense violence, and chronic poverty.” Along with the pandemic, the conflicts, and natural disasters that all devastated the country at the same time have all made it hard to implement the legislation when the people are in crisis.

### **Conclusion**

This report has mapped out the multiple challenges to implement the legislation against child marriage in Mozambique. It presents result both on set-back (pandemic, poverty, terrorism etc.) and on victories (strong legislation, high awareness in both civil society and multilateral organizations and strong initiatives from right holders). Here are the core results in bullet points.

- Poverty is one of the primary hindering factors, both for human rights in general, but specifically to the implementation of the legislation against child marriage.
- Conflict caused by climate change, extractivism of nature resources/corporate capture and terrorism are all hindering human rights and implementation of the law against child marriage.
- The tendency of increasing dropouts in rural areas is prevalent.

- The poor infrastructure in rural areas prevents girls from going to school and supports upholding of traditional gender roles.
- Poverty and lack of infrastructure increases the gender inequality in the rural areas and is a hindering factor to human rights in general.
- Norms and patriarchal structures are stronger in rural areas, and stand in the way for human rights, especially those of the girl child.
- Cultural norms and tradition effectively hinder women's rights and support the practice of child marriage and is stronger in rural areas.
- Access to information on sexual and reproductive health and rights and bodily autonomy is one of the most crucial methods to prevent child marriage. Sexual and reproductive health and rights is a steppingstone for implementation of the legislation, but the work on awareness and advocacy has suffered from the consequences of the pandemic. Especially setbacks related to outreach to right holders living in rural areas.
- Lack of funding prevents implementation and civil society is expected to take larger responsibility than its capacity allows.
- Planning and accountability on social support for victims is insufficient.
- Mozambique has a fairly strong legal support for women's rights and a balanced representation in parliament, but there are major gaps between these promising statistics vs how it works in real life where women and girls are discriminated against in many areas such as right to education, bodily autonomy and financial independence.
- According to our sources, implementation in rural areas is suffering much more than the implementation in urban areas.



## **Appendix**

**Answers from professional level:**

**Santos Simione, Director Executivo / AMODEFA**

**Associação Moçambicana para o Desenvolvimento da Família:**

**- How has the pandemic affected the implementation of the new legislation?**

The Covid -19 pandemic affected negatively the implementation of the Law, as activities related to its dissemination and monitoring of implementation were compromised due to the limitation of our people's movements. Even so, other strategies were developed as an alternative, especially the use of social networks.

**- Are people being informed on the new legislation? Does it differ between urban and rural areas?**

Yes, people are informed. In urban areas more than in rural areas, since in the urban area we use TV, radio, and social media to inform the people. In rural we use more activists, parent educators and community. But, there are still many people who do not know the Law.

**- How does culture/tradition/norms affect the implementation?**

Norms, culture and tradition have been two of the main obstacles to the implementation of the law. In many cases traditional leaders, religious leaders and community leaders are the main promoters of forced unions, which in some cases prevents any kind of awareness raising activity or reporting of cases of child marriage. Our (AMODEFA) activists and even the police are sometimes prevented from doing their work in the communities.

But norms, culture and traditions are not static, they are dynamic, and that is Why do the member organisation of CECAP, under the leadership of AMODEFA, break the silence by questioning those norms and values which do not respond to the brutal reality in which the girls of our country live, in order to find new norms and values which respond better to the real world in which we live? The Law against premature unions is an answer of the Mozambican society for the creation of a new social order concerning the rights of girls and women.

**- Other reflections on parameters that matters for implementation: infrastructure, finance etc?**

In the process of implementation of the law, new challenges appear and there is a need for new advocacy actions for its removal. Not all conditions have been created for the support of girls who, for example, are recovered from unions. There are no safe spaces for their reception, and they are forced to return to their families where they are discriminated against and mistreated for having denounced the fact and eventually caused the arrest of their parents or "husbands". In these cases, they have to take food to the prisoners, for example, which seems traumatic. And for trauma, there are no psychosocial or psychological support services for survivors. Some organisations are providing shelter, but due to their limited financial capacity, they only do as

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much as they can. On the other hand, these interventions are not sustainable, since the State should be the one to create safe spaces for the reception of girls.

The protection of whistle-blowers and the lengthy processing of cases are other aspects that deserve special attention. Some member organizations of CECAP - Coalition for the Elimination of Early Unions (an affiliate of GNB), are implementing the strategy of mobile courts to reduce waiting times in prosecuting cases.

**Stelio Faiela, Programme officer/ AMODEFA – March 4, 2022**

**Associação Moçambicana para o Desenvolvimento da Família:**

**How has the pandemic affected the implementation of the new legislation?**

The pandemic had negative impacts on the implementation of legislation in premature unions and beyond, in terms of monitoring and following up on cases of human rights violations.

**- Are people being informed about the new legislation? Are there differences between urban and rural areas?**

There is dissemination of legislation by government and civil society through activities in communities, schools, public spaces and more. In recent times there has been an immigration to the countryside but there is still a tendency to remain in the cities.

**- How does culture/tradition/standards affect implementation?**

Culture interferes with the implementation of laws, because in the event of discrepancies, cultural and traditional values sound louder, and make the legislation not apply.

For example: Premature unions, polygamy, harmful cultural practices that undermine sexual and reproductive health.

**- Other reflections on important parameters for implementation: infrastructure, finances, etc?**

no.

**- What do you think of child marriage?**

A serious violation of human rights that blocks the development of the country.

**- Have you heard about the new legislation banning child marriage?**

Yes, law 19/2019

**Female professional working at international NGO in Maputo – March 3, 2022**

**- How has the pandemic affected the implementation of the new legislation?**

In December 2019, the Mozambican Parliament approved the law criminalising unions with minors (under 18-year-olds). This event resulted from efforts by civil society and rights-based organisations advocating for girl's rights protection as the concern is that almost half of girls in Mozambique married under 18 ages.

According to WHO, Covid-19 arrived in Mozambique when humanitarian needs were rising due to consecutive climatic shocks in multiple parts of the country and growing insecurity in Cabo Delgado province due to terrorism conflict. Over the past years, drought, cyclones, floods, and violence have left at least 2.5 million people in urgent need of humanitarian assistance across the country.

Restrictions imposed by COVID-19 have resulted in social confinement, with schools closed and less access by adolescents, especially girls, to health care facilities. The significant consequence was the increase in the child marriage rate in Mozambique. More than a third of students leave school before third grade, and less than half complete primary school. In the pandemic scenario, the situation got worse. And for girls, who are already in a vulnerable condition, their level of vulnerability increased with the pandemic. The more extended schools are closed, the greater the loss of learning time and the greater the chances that children, particularly girls, will not return to the classroom when schools reopen. Currently, in Mozambique, 33.2 per cent of girls in urban areas and 44.4 per cent in rural areas become pregnant before the age of 18. The pandemic exposed girls more to the risk of pregnancy, leaving them with no other option but to prematurely get into a forced union to escape poverty and further humiliation in the community. The economic conditions of rural and urban families have deteriorated due to government restrictions because the majority are operating in the informal sector depending on the daily revenue to survive.

The dissemination of the new legislation is challenging in Covid times due to difficult access to target groups by CSOs and other entities. The harmful effects of child marriage and teaching girls and boys about the country's recently approved law that criminalises it should extensively be shared in all communication channels, especially among community local structures and leaderships. In rural areas, child marriage is frequent and is linked to local and cultural practices.

Children affected by cyclones and conflict areas in Mozambique are more exposed to poverty and violence, including forced unions and sexual exploitation. It was reported in local media that due to extreme poverty in those areas, parents exchange girls obliging them to get in to forced unions to get money for survival. It becomes challenging to sensitise people on the new legislation if they are psychologically affected by natural disasters or conflict if they face challenges related to displacement, intense violence, and chronic poverty.

The pandemic has imposed several challenges on Mozambican society, among them:

- The social distance in a situation of absolute poverty. The population has encountered difficulties coping with Covid-19 prevention measures due to their economic situation, since most of the Mozambican population has agriculture and informal trade as a source of survival.
- Covid-19 jeopardises the progress made to protect women and girls from violence and harmful practices that endanger their human development.
- New costs are linked to masks, hand sanitising, etc.
- Emotional instability caused by confinement.

### **- Are people being informed on the new legislation? Does it differ between urban and rural areas?**

Currently, few organisations are disseminating the new legislation against child marriage. According to their plans, they produce material to target groups according to geographical areas. The primary responsibility comes from the government, but up to now, it's a challenge having the new legislation broader distributed in schools and other strategic points of the massive population such as informal markets and churches all over the country. In urban areas, people's level of education is higher than in rural areas. The fact that people in urban areas get full access to electricity and media contributes to a better level of education. In rural areas, the challenge for people is to get access to basic infrastructures that are not available such as schools, hospitals and other needs.

The official language in Mozambique is Portuguese. Most of the population in rural areas communicate in the local language, as Mozambique has diverse ethnic groups. The scenario contributes to a significant barrier to accessing formal documentation as laws approved if the government does not translate those to local languages.

### **- How does culture/tradition/norms affect the implementation?**

In Mozambique, women, particularly girls, are very vulnerable to several factors: domestic violence, forced unions, sexual abuse, and other forms of domestic violence and exploitation. Child marriage is more prevalent in rural areas where 56% of women aged 20-24 were married by the age of 18, compared with 36% in urban areas. As seen elsewhere in the world, the drivers of child marriage in Mozambique include high levels of poverty, gender inequality, poor access to quality education, limited life choices, cultural norms, especially those related to initiation rites, and high levels of teenage pregnancy.

Child marriage is driven by gender inequality and the belief that girls are somehow inferior to boys. In Mozambique, child marriage is also driven by poverty which means girls living in rural parts of Mozambique and the poorest households marry at a younger age. Traditional gender norms continue to drive child marriage where sexual initiation rites often encourage the subordination of a girl to her "husband" and the practice of *lobolo* where parents are getting an amount of money due to marriage transaction (girl's bodies commodification); and adolescent pregnancy where the majority of adolescent become mothers are married in their teens. Girls are also exposed to a high level of HIV infection and their babies to severe malnutrition conditions. The obstetric violence/obstetric fistula is related to childbirth at an earlier age and is associated with increasing maternal health risks, one of the consequences for several girls in Mozambique.

Mozambique has ratified international and regional women's rights protection instruments, but their provision is often violated in law and practice. All these factors impact the lives of girls in Mozambique and jeopardise the implementation of the new legislation. The ability of girls and women to control their own bodies is fundamental to their empowerment. Social norms and traditions affect the implementation of the new legislation if patriarchy is not challenging. Changing the people's mindset is crucial to a greater achievement of results if the efforts focus on education and massive sharing of information.



**- Other reflections on parameters that matter for implementation: infrastructure, finance etc.?**

The improvement of the quality of education encouraging education for girls in rural areas is crucial. The awareness and education on SRHR to young people especially focused on girls' rights and opportunities. Comprehensive sexual education for girls and boys in schools and at community level although some efforts by some CSOs.

The investment in infrastructure (e.g equipped schools) in rural and peri urban areas giving good conditions to girls and boys getting access to education at the same level as the urban areas.

A more transparent funding management is also important for the development of education in Mozambique. A more social justice and respect for human rights will contribute to a just society. Massive investment in education to local and community leaders on the law criminalising unions with minor/child marriage.

Continue to ensure full sexual and reproductive health and rights services for girls and women during Covid-19.

Ensuring that the response to Covid-19 does not reproduce or perpetuate harmful gender norms, discriminatory practices, and inequities.

Ensuring that governments and global health institutions consider the direct and indirect effects of age, sex, and gender under Covid-19 when analysing the impacts of the outbreak.

Ensuring that the legislation against child marriage is disseminated in urban and rural areas. In rural areas, the challenge is people's level of education and high level of poverty, which influences access to information.

**Right holders:**

**Young female, age 24, living in urban area – February 28, 2022**

**- What do you think about child marriage?**

I think that early marriage is a practice that at least in my country is associated with cultural factors, poverty and misinformation about the harmful effects on the lives of girls and even on the economy and development of the country.

It is a practice that jeopardizes the physical integrity, the emotional health and the dreams of our girls, not to mention that it perpetuates the cycle of poverty of which almost all girls are victims, including their children who are the fruit of these forced unions.

I advocate that each and every one of us must do his or her role in order to contribute to the eradication of this practice.

**- Have you heard about the new legislation banning child marriage?**

Yes, I have heard about the new legislation banning child marriage, specifically the Prevention and Combating Early Marriage Law. I believe it was an important step forward in the fight to

end this practice and as an activist I have been working to ensure the dissemination of this legislation at the community and youth group level.

### **Adolescent boy 16 years old – March 3, 2022**

#### **- What do you think about child marriage?**

I think that child marriage is a forced marriage where both sides or one of the sides are under 18 age. Child marriage is happening in areas where people are poor such as underdeveloped districts in Mozambique where people don't get access to information.

#### **Causes and consequences:**

The causes of child marriage are hunger, an unwanted pregnancy, and the death of parents or one of them who took responsibility for the minor. The consequences are unwanted pregnancies making girls young mothers, school dropouts, social isolation, etc.

#### **- Have you heard about the new legislation banning child marriage?**

I don't know much about the new legislation banning child marriage, but I heard my teacher in the classroom sharing that the new law prohibits minors under 18 years of age from engaging in forced unions. If this happens, individuals over 18 will be prosecuted and have to pay a fine.

### **Young female, age 21, living in urban area – February 27, 2022**

#### **- What do you think about child marriage?**

When I look at early marriages, it reminds me of many thoughts that would make us argue for hours because this situation is very unfair, that in the same country there are discrepancies in rights between girls, because girls from the south of the country can have freedom and most of their rights respected or at least the right to study and freedom of choice about their sexual and reproductive health.

But girls from the center and north, mainly from rural areas, they do not have the ability to choose they are subjected by their parents, most of the time to having to leave school to take care of a home as a housewife and marry a much older man just because he has some social status better than the family of the girl in question and that is simply sad and regrettable.

What is at stake and what we can prove is that this compromises the future of a community in terms of its development as a society and even for the country. Because parents prevail in ignorance of inhibiting schooling for girls and only grant this right to boys, and it is sad because today's women have already proven that they are capable of occupying prominent and decision-making positions, which contribute to growth from the country.

There are both physical and psychological health factors that come to these girls as a result of these forced unions and that above all go against the law that the state has passed, protecting adolescent girls from early marriages.

In fact, child marriages are mostly forced unions without the consent or acceptance of the girl in question. In fact, they have no choice and no other option than to submit to it.

The girl sees herself placed in a disadvantaged position because most of the time she sees her brother going to school and she having to take care of the house, without being able to go to school, the girl she goes through situations of harassment in her neighbourhood and their mothers in these rural areas tell them that they must accept and submit to it because they are only women. And that they have no choice or right to preserve their body or decide who and how can touch it. This makes me very sad, as a girl too and as a sexual and reproductive health activist.

**- Have you heard about the new legislation banning child marriage?**

Regarding PREMATURE MARRIAGE (LAW No. 19/2019, OF OCTOBER 22 - PREMATURE MARRIAGE PREVENTION AND FIGHTING LAW)

It is a law that has existed for almost 3 years, and I cannot ignore the efforts of the Mozambican government and civil society so far after the approval of this law, but still its effects are not felt, the materialization of premature marriages still prevails. and most of them are not even shown in the media or television but they still happen, and they are a reality. However, I want to believe that the Government, in partnership with civil society, should create a good plan of action and awareness of the community and a campaign for girls to join schools in the most remote areas. So that we can succeed in terminating this type of marriage. Unfortunately, one in two Mozambican children under the age of 17 are forced to live with an older man, that is, 48% of girls in the country. There are several rights violated in this situation and it is urgent to eradicate this practice in Mozambique.

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<sup>38</sup> Mozambique, Civil Society Report on the Implementation of the ICCPR (Replies to the List of Issues CCPR/C/MOZ/Q/1). October, 2013. [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MOZ/INT\\_CCPR\\_NGO\\_MOZ\\_1554\\_1\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MOZ/INT_CCPR_NGO_MOZ_1554_1_E.pdf)

<sup>39</sup> CEDAW (2007a), para 50 – CEDAW (2007a), Summary Record of the 784th Meeting, CEDAW/C/SR.784, United Nations Committee on the Elimination of Discrimination Against Women, New York, NY

<sup>40</sup> Like the change of the legal marriage age from 16-18 years old to only 18 years old to no infringe been Article 21 ACRWC