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Let Me be a Child, Child Marriage is Child Abuse

A Strategy to End Child Marriage

Mozambique's Policy Analysis



Norad



ACCESS TO EDUCATION:

A STRATEGY TO END
CHILD MARRIAGE

Mozambique's Policy Analysis

Maputo, April 2018

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Executive Summary

Child marriage is a major challenge in Mozambique, with recent data showing that 18 per cent of girls aged 20–24 were married before they turned 15, with 51 per cent of them married before they turned 18. Although still high, the proportion of girls entering into child marriages has dropped slightly since 2003. This has been attributed largely to the lack of access to education, high levels of poverty and traditional practices, particularly in rural areas.

Mozambique has demonstrated some progress to change the situation through the adoption of legislation and policies to safeguard and promote children’s rights. These regulations and policies include the National Strategy for Preventing and Combating Child Marriages in Mozambique, whose goal is to reduce child marriages and implement actions in different areas conducive to improving children’s access to basic health and education, strengthening of social security and the reduction of children vulnerability. However, regardless of the progresses concerning the protection and promotion of children’s rights, there persists some challenges on reducing the vulnerabilities of families and the prevailing social practices such as violence, trafficking, taboos within families and communities which hinder the fulfilment of children’s rights and ultimately contributes for child marriages.

In order to understand the extent to which education can be used as a strategy to end child marriage, Panos Institute Southern Africa (PSAf) commissioned a study to assess how the national education policies can address drivers of child marriage in Mozambique. The study sought to identify the existing national educational policies, and examine the extent to which they address the drivers of child marriage. The study also sought to identify gaps and opportunities of education as a strategy for ending child marriage, and to identify issues for advocacy at national and community level.

The assessment took a predominantly qualitative approach, which entailed a desktop review of national policies and regulations and juxtaposed them with regional and international provisions. The study analysed the National Education Policies on addressing Child Marriages in Mozambique. This entailed the identification of the policies or legal provisions, their gaps or limitations, and opportunities for addressing the drivers of child marriage.

This report presents the findings of the assessment in four chapters, as follows:

- **Chapter 1** provides an overview on child marriage in Mozambique and shares the rationale for PSAf’s advocacy for improved access to education as a strategy to end child marriages.

- **Chapter 2** presents an analysis of the National Education Policies on addressing child marriages. This analysis unpacks the Constitution of Mozambique (2004), and subsidiary laws that address child marriage, such as the Law of the National System of Education, The Law of the Family, The Law of Promotion and Protection of Child Rights among others. The chapter also highlights and analyses policies relating to education and the protection of children, such as the National Education Policy (1995), the Education Strategic Plan (2012 - 2016), General Regulation of Basic Education – REGEB (2008), National Strategy for Preventing and Combating Child Marriages in Mozambique (2016-2019), and the Child National Action Plan (2013-2019).
- **Chapter 3** presents national opportunities for addressing the drivers of child marriage through advocacy for improved education. The chapter identifies available opportunities in the existing legislation, and opportunities for reviewing the laws or policies to make them more responsive to the challenges of child marriage, and opportunities for the participation of different stakeholders.
- **Chapter 4** presents the advocacy issues for the improvement of access to education, bringing out the fact that education is not just a human right, but also a dominant right. The chapter outlines specific advocacy issues that have been flagged out, stakeholders involved or affected, and the level of the impact. This is expected to contribute to increased adoption of evidence-based advocacy for improved access to education.

The study highlights that child marriage often means the end to a girl’s formal education, as girls tend to drop out of school during the preparatory time before the marriage or shortly after. There are also practical and legal obstacles on married girls’ way back to school. This report draws conclusions and makes recommendations for addressing these issues to use education policies to protect girls from child marriage.

Chapter 1 | INTRODUCTION

1.0 Background

Child marriage is a formal marriage or an in-formal union before the age of 18 years. Marriage under the consent of the parents is usually a harmful traditional practice and a form of gender-based violence shaped by cultural traditions, religious belief as well as vulnerabilities resulting from poverty conditions. Child marriage is not only a serious contravention of a children's rights but also seriously compromises the realization of a range of other social expectations. Married girls are much less likely than their unmarried peers to attend school while others are often removed from school to marry.

Recent data revealed that 18 per cent of girls aged 20–24 were married before they turned 15, with 51 per cent of them married before they turned 18. However, the proportion of girls entering into child marriages has dropped slightly since 2003. There are significant differences in the rates of child marriage between the southern, central and northern regions of Mozambique: the southern provinces of Gaza, Inhambane, Maputo and Maputo City all have a child marriage rate of below 10 per cent; the central provinces have an average rate of 20 per cent; while Niassa and Cabo Delgado in the north have rates of 24 and 30 per cent, respectively.

The reasons why child marriage is prevalent varies across the country, but the common contributing factors are lack of access to education and poverty, as well as traditional practices, particularly in rural areas. In the north, traditional practices aimed at children from 10 to 13 years contribute to child marriage by emphasizing the subordination of a girl to her husband and elders, leading a girl to assume early adulthood and potential marriage. In the south of the country, adolescent pregnancy remains one of the leading causes of child marriage.

According to the 2010 UNICEF report approximately 3.3 million of Mozambique's 4.1 million children aged 6–12 are attending primary school equivalent to net attendance rate of 81 per cent in 2008. Net attendance rate in secondary school remains low, however. Only 20 per cent of children aged 13–17 were attending secondary school in 2008. Almost half of children of that age is still attending primary school. There is no significant difference in primary and secondary school attendance between girls and boys. About 60% of Mozambican girls without education marry before they are 18 years old, in comparison with 10% of the girls with secondary education and less than 1% of girls with higher education. There are however, long-standing discrepancies in children's school attendance between urban and rural areas

as well as between the poorest and richest households have also been reduced. Although gaps remain, rural and poorer children saw a greater increase in net attendance rates in recent years than urban and better-off children, at both primary and secondary levels. The persistence of those discrepancies means that school dropout and early marriages are more likely to occur in rural and poor areas. This becomes an opportunity for children to be married early when the families are poor.

Mozambique has been demonstrating some progress concerning the adoption of legislation and policies to safeguard and promote children's rights. Amongst those regulations and policies, which content we will see later, the National Strategy for Preventing and Combating Child Marriages in Mozambique stands out. Its main goal is to reduce child marriages and implement actions in different areas conducive to improving children's access to basic health and education, strengthening of social security and the reduction of children vulnerability. However, regardless of the progresses concerning the protection and promotion of children's rights, there persists some challenges on reducing the vulnerabilities of families and the prevailing social practices such as violence, trafficking, taboos within families and communities which hinder the fulfilment of children's rights and ultimately contributes for child marriages.

According to Judith-Ann Walker (2012:10), different approaches have been used to girls' education related to the goal of ending child marriage. The development approaches have stressed the many benefits of education and have noted that ending child marriage is an important positive subsequent effect - essentially, that is, an externality of development programs. For the human rights perspective, child marriage must be addressed directly (not as an externality) through the education system and the education system must empower girls to transcend institutionalized discrimination and gender-based violence in the social structure. From these two approaches a more coherent and comprehensive strategies have been developed as per the figure below. Figure 1 shows the growing convergence between these approaches at the level of global discourse. These same global approach are very relevant in the case of Mozambique.



Figura 1: Approaches to End Child Marriage Through Education

According to the National Strategy for Preventing and Combating Child Marriages in Mozambique (2016-2019), Mozambique ranks as the tenth country in the World with regard prevalence of child marriages. It is believed that 14% of women between 20 and 24 years old got married before 15 years old and 48% were engaged before 18 years old. Poverty is one of the drivers of early marriages alongside violence and gender-based discrimination. Child marriages are intensely detected in most vulnerable communities, where there are higher levels of natality and mortality taxes and prevails low levels of education, low levels of access to health services and employment. Mozambique, alongside other countries in the region, has been experiencing some transformations in the political and legal context to accommodate laws and policies on gender, education, children's rights, and violence, to enable the attainment of universal primary education and the promotion of gender equality and women empowerment.

1.1 Rationale for the study

Panos Institute Southern Africa (PSAf), a regional Communication for Development organisation, through funding from the Hivos is implementing a communication project in Mozambique. The aim of the project is to advocate for improved access to education as a strategy to end child marriages. In order to understand the extent to which education can

be used as a strategy to end child marriage, PSAf commissioned a study which was aimed at assessing how the national education policies can address drivers of child marriage. The study would identify the opportunities and limitations that could be used to address child marriage.

1.2 The objectives of the study

The objectives of the study are:

- a) To identify the existing national educational policies in Mozambique.
- b) To examine the extent to which the national educational policies address the drivers of child marriage;
- c) To identify the gaps and opportunities of education as a strategy for ending child marriage
- d) To identify advocacy issues at national and community level.

While the opportunities provide a platform to stimulate national dialogue and debate on effective strategies to promote girls' education as a strategy to end child marriage in Mozambique. The limitations of the policies would be used to advocate for improved access to education and school retention. The discussions and dialogue will include various stakeholders (government, non-profit organisations, private sector and society), for effective strategies to prevent child marriage through improved access to education.

Chapter 2: ANALYSIS OF THE NATIONAL EDUCATION POLICIES ON ADDRESSING CHILD MARRIAGES

The right to education has been universally recognized since the Universal Declaration of Human Rights in 1948. This right has since been enshrined in various international conventions, national constitutions and development plans. However, while the vast majority of countries have signed up to, and ratified, international conventions (such as the UN Convention on the Rights of the Child), far fewer have integrated these rights into their national constitutions or provided the legislative and administrative frameworks to ensure that these rights are realised in practice. In some cases, the right exists along with the assumption that the user should pay for this right, undermining the very concept of a right. In others, the right exists in theory but there is no capacity to implement this right in practice. The lack of government support for the right to education hits the most poor and vulnerable groups. Young girls tend to be the most affected.

Mozambique government approved and is implementing policies to improve the quality of education as a strategy to combat child marriages. The following table exhibits the relevant legislation regarding access to education that has been assessed in relation to addressing drivers of child marriages.

Legal Framework	Policies
The Constitution of Mozambique 2004	The National Education Policy 1995
The Law of the National System of Education, Law number 6/92	General Regulation of Basic Education – REGEB 2008
The Law of the Family “Law number 10/2004	The Education Strategic Plan (2012 - 2016)
The Law of Promotion and Protection of Child Rights, the Law 7/2008	The National Strategy for Preventing and Combating Child Marriages in Mozambique 2016-2019
Law 29/2009 about Domestic Violence Practiced against Woman	Child National Action Plan (2013-2019)
Law 6/2008, de 9 de July, About the Prevention and Combat against People’s Trafficking Specially Woman and Children	The National Plan for Woman Progress (2016-2020)
The Ministerial Decree 39/GM/2003	The Five Years (Quinquennial) Governing Plan (2015-2019)
	The Direct Support to Schools “ADE” 2015

Tabela 1. Relevant legislation

2.1. The Constitution of the Republic of Mozambique - 2004

The Constitution of Mozambique is the country's mother law. It is the reference law for the main principles of the Mozambican state which includes the assurance of people's rights and freedoms. Regarding to education rights, the number one of the article 88 provides that *"in Mozambique, education shall be a right and a duty for all citizens."* Concomitantly, the number two of the same article 88, stipulates that the state promotes equal access to all citizens to the education right.

The Constitution of Mozambique recognizes the importance of education as a tool for integrating individuals in the social and economic life as well as a key factor in building opportunities for development. While not confronting the specific issue of child marriage, the Constitution does, however, provide the link between access to education and prevention of child marriage. Indeed, if education is assumed as a universal right leading to peoples' intellectual and material emancipation, it is possible that universal access to education may improve the chances of preventing child marriages. The principle at work is that the more pupils are enrolled into formal education, the less exposed they will be to early marriage. School enrollment may discourage child marriage as the prospects for the future may look brighter for educated pupils than for uneducated ones. Thus, plans for marriages may be adjourned for later states.

The Constitution is also astute as it considers education not only as a right but also as a duty. By doing so, the State shares the responsibility of sending pupils to school with the parents and education sponsors. As such, awareness about the benefits of education is first imbedded with the parents and gradually transferred to the apprentices. It is this awareness of the custodians, communities and parents that may contribute to reduce social practices such as violence against child and gender-based discrimination which lead to school dropouts and early marriages.

2.1.1. Limitations or Gaps

While the Constitution defines education as a universal right which if accurately provided may help reducing child marriages, it is limited regarding the already enrolled pupils. In fact, the simple fact of being enrolled at school is not an assurance that the student will complete the education cycles. Various reasons may concur for dropouts leading to child marriage: early pregnancies, poverty and famine, traditional ritual, natural disasters and so on.

1. There is no section concerning the deterrence of early pregnancies

As it is reasonable to believe that the Constitution has no place for specific issues such as girls' pregnancies, it is also fair to consider that securing universal enrolment to formal education may not efficiently work in favor of preventing child marriages if no conventions are established to challenge early pregnancies at school. Early pregnancies between enrolled pupils are responsible for girls dropping out of school which may inevitably lead to child marriages.

2. No distinction between girls and boys in access and school attendance

While providing for equal access to education is in accordance to universal principle of non-discrimination, as it stands, the Constitutions seems to encourage sex based cultural discrimination since there is no specific section that support girls' education. Girls are the less favored to attend schools if parents, guardians and school sponsors are faced with choices between girls and boys. Besides, girls are more likely to drop out from school if pregnant while the boy responsible for the pregnancy may continue enrolled. Both realities, require a positive discrimination in favor of girls in both stages of access and attendance to reduce child marriages as the result of not being enrolled or dropout due to early pregnancy.

3. Girls' education is not a priority.

There is not a specific article referring to girls' education and it constitutes a big gap. In Mozambique girls and women are most vulnerable than boys and men because of social and cultural issues that made parents investing on boys exclusively. So, if there were specific policies that support the entitlement to education as stipulated in the constitution, this would improve chances of girls being enrolled and retained in school.

2.2 The 6/92 Law on the National System of Education – 1992

This law aims at organizing the national education system from pre-education to higher education. Given its inadequacy to the present social and economic conditions, the Law of the National Education System is being reviewed. The law follows the principles shaped in the Constitution: the universality of education and the sharing of responsibilities, for promoting access to education, between the State, Communities and families. For instance, article 1 alludes that *“Education is a right and duty to all citizens.”* Relevant to this paper is the norms on mandatory education. Specifically, article 3 in its line b) postulates that the objective of the national education system is to *“ensure basic education to all citizens according to the development of the country through the progressive introduction of the mandatory education.”* Originally fixed at grade 5, the mandatory education is today fixed up to grade 7. This is important since it means that once enrolled in the first grade, a pupil cannot be forced out of school for reasons other than disciplinary until completing the grade 7. As such, a pregnant girl

during the cycle of the mandatory education, for example, cannot be discriminated and forced out of school due to her condition of pregnancy. If the conditions exist, the maximum that can be done is to shift the student from the daylight schedule to a nocturne one. Nevertheless heavily criticized, as we will discuss later, Such arrangement allows for the pregnant girl to continue attending school while pregnant and prevent interaction with non-pregnant younger girls.

Another interesting aspect introduced by this law is the consideration of local languages as tool for education. In fact, article 4 postulates that *“the national education system must, [...], appreciate and develop national languages, promoting their progressive introduction for peoples’ education.”* This move is very effective since while Portuguese as the formal education language is not an issue in most of the urban areas, it becomes a constraining factor in rural areas where pupils engage with Portuguese language when enrolled for the first time and only within the schools’ premises. The introduction of local languages worked as an incentive for new entrants to attend classes and reduce the levels of dropouts motivated by the difficulties to speak and understand Portuguese.

Finally, with respect to education as a strategy to end child marriage there can be mentioned the issue of enrolment age. The National Education System fixes 6 years (to be completed within the enrolment year) as the minimum age for enrollment. While applauded for encouraging child formal education from early ages, such procedure meant that a successful apprentice may finish the 7 years mandatory education with exactly 13 years old. This age is a critical one for girls who, after the protection of the mandatory education, find themselves vulnerable to distant schools and open rules within the new non-mandatory levels. Besides, placement and continuation of studies may not be secured for those who might have failed once or twice in previous classes which means that they may be forced to interrupt their studies. At 13, 14 and 15 years old, girls are still not allowed to work and might be vulnerable to culturally bound early marriages.

2.2.1. Limitations or Gaps

1. Students Rights and Responsibilities not clear

The Law of National Education System is short in term of defining students’ rights and duties as well as in terms of identifying right providers. The law limits itself on the structure of the National Education System and it is silent regarding the protection of the student out of the mandatory education interval. Such situation makes apprentices, their parents and education sponsors with no references in terms of the scope and content of primary and secondary students’ rights. They are, therefore vulnerable to teachers and school management definition and interpretation of the limits of their rights while enrolled or

progressing to a different level. Since the right to school placement after concluding the basic mandatory education is not safeguarded, many students are forced to dropout immediately after concluding this cycle as the result of nonplacement or placement in schools distant to their residences. Failing to register at school at the age of 13 or 14 is critical for girls since they will have no option rather than being attempted into premature engagement. However, if the rights were clear in terms of safeguarding the right to placement for continuing students or the right for placement in schools near their residences, dropouts and early marriages could be avoided.

2. No Remarks on the Quality of Education

The National Education System contemplate no sections regarding the quality of education. With regard to girls' access to education and attendance there are aspects such as the quality of infrastructures and more specifically the accessibility of toilets that may concur for girls' school attendance and prevent dropouts. Indeed, while boys may be flexible concerning to that specific factor, girls need arrangements which if included in this legislation would avoid being neglected. If defined in the policy, the parameters of such arrangements as the quality of education and learning environment would be supportive to girls' school attendance. Furthermore, reference to quality of education at both primary and secondary levels would include the quality of teachers. They would be trained to disclose social structures of gender inequalities and the construction of sexual discrimination. Trained with those tools, teacher would help empowering girls at the early stages of their education, so they could understand and learn how to circumvent and challenge such structures while continuing with their studies.

3. Discrepancies between the mandatory education and the age after mandatory education

As mentioned before, a successful student may finish the mandatory education aged between 13 to 15 years old. At this age girls lose the protection within the mandatory education while still young though desirable in the eyes of child predators. It is with satisfaction, however, that the ongoing review process extends compulsory schooling from the 1st to the 9th Grade. This is to ensure a more functional, fluid and effective education system as the compulsory classes would go beyond the primary education grade 7 to the new proposed first circle of secondary education grade 9. As such, the window of protection is extended, and girls will be able to finish the compulsory education within the acceptable range for marriage or with the minimum skills required for a basic job. However, an ideal condition would be to fix mandatory education up to Grade 12, which could signify that a successful student would finish the mandatory education cycle at the age of 18 and thus able to decide about her future with a higher decree of security and certainty.

2.3. The 10/2004 Law of Family - 2004

The law regulates familiar relations in a context where family is regarded as the nuclear foundation of the society and a factor of socialization. Amongst many duties, the law provides that it is the duty of the family to raise children giving them support and an opportunity to education. According to line d) of article 4 it is the duty of the family to “*ensure that there are no situations of discrimination, exploitation, negligence, abuse of authority and violence against its members.*” As such, it becomes a duty of the family to protect and promote the dignity and well-being of its members.

Given that education is considered as a vector for peoples’ emancipation, dignity and future wellbeing, it is a foremost duty of the family to promote conditions conducive to children access and attendance to education. Such conditions include not only school enrolment but most importantly the establishment of an appropriate household environment which is helpful for children educational progress. The principle at work is that the difficulties girls face to attend classes the more prone they will be to dropout and consequently child marriages. It means that formal education (from school) must be promoted at the family level. With respect to girls, household task must be managed in a way to provide them with sufficient time to revise and prepare for class attendance. In addition, family member should refrain from harassing young girls into forced marriage and other forms of physical and psychological violence. Both harassment, physical and psychological violence are drivers of school dropout if not dealt with accordingly. Therefore, the performance of the above family responsibilities is expected to encourage girls’ attendance to school, prevent dropouts and avoid child marriages.

An important norm also with direct impact to education as a strategy to end child marriage is the definition of marriage as a “*voluntary and singular union between man and woman*” (article 7). As such, the law protects children from forced marriage since any non-consented marriage will be null under the present law. The family law also establishes 18 years as the legal age for marriage. In fact, the number one of article 30 stipulates that “*it is not allowed marriage under the age of 18*”. This clause is reinforced by the number two of article 19 which establishes that “*is void the promise of marriage if any of the procurer is less than 18 years old.*” If properly observed the above three commandments may concur to prevent child marriage as well as to promote girls’ school attendance.

2.3.1. Limitations or gaps

1. Subjective parental powers for Child Marriage

While the exception may contribute to protect under aged pregnant girls, the fact that there is no clear definition of “public interest” nor conditions under which families may

invoke parental powers, fragilizes the application of age limits mainly in rural areas. As such, under customary norms, parents subjectively define situations of “family interest” to force their underaged children into marriage which contributes to school dropout. Such parental powers may also hide unlawful practices such as girls marketing which may concur to girls’ dropout and if noticed would definitely lead to harder punishments.

2. Flexibility of the Minimum age for Marriage

The Law creates exceptions with regard to under age marriages. Specifically, the number two of article 30 states that “a woman or man over sixteen years may exceptionally marry when circumstances of recognized public and family interest occur and there is the consent of the parents or legal representatives.” While this may accommodate situations of early pregnancies, it gives power to the parents to decide about the future of their children with regard to marriage. Such Powers are usually used arbitrary sometimes with disregard of the child’s superior interests. Frequently, under the protection of such exceptional powers, parents in the rural areas negotiate traditional marriages of their children, including those below the age of 16. As it prevails, this exception negatively affects the prospects of combating child marriages while compromising the continuation of girls in formal education.

2.4. The 7/2008 Law on the promotion and protection of the rights of the child -2008

This Law defines the principles guiding the defense and promotion of children’s rights. Accordingly, this legal device confers to the family, the state and the society, as a whole, the responsibility to secure the integrity and child protection against all forms of violence and negligence. It empowers the state to penalize all those who undertake some sort of aggression against children’s rights. The Law provides that the state shall take the necessary measures to protect children against trafficking as well as against all forms of exploitation, sexual abuse, prostitution and illicit sexual practices (articles 62 and 63). Heavy sanctions are required for those who, in the use of their relative powers, exploits children. Such people may include, but not limited to, parents, tutors, host families or any other legal representative. This legal framework is guided by the principle of the superior interests of the child.

Concerning access to education, the Law of Promotion and Protection of Child Rights, precisely defines, in its article 4, the basic child rights which include but not limited to protection of life, health, physical integrity, right to freedom, respect and integrity. It is however the article 38 which deals directly with education. Indeed, the number one of the aforementioned article provides that “*a child has right to education, leading to the complete development of skills and potentials, preparing him/her for the exercise of the citizenship and qualifying him/her for the workplace.*” As such the law ensures for equal access and permanence in school, respect from

the educator, discuss the evaluation standards as well as the right to organize and participate in students' and youth associations. These norms provide the necessary light for a proper child school engagement which may work as motivation for continued education. In order to strengthen the child education rights, the law also engages the parents and postulates that it is the right of the parents or legal representatives to get awareness of the pedagogic process, as well as taking part on the definition of the education programs.

Last, but not least, this law also establishes the principle of non-discrimination. As postulated in number three of article 38, *"No child shall be excluded from the school network due to their gender, religion, social and physical condition or health state."* This means that pregnancy and poverty (difficulties to pay fees and other expenses) should not be used to discriminate pupils or force dropout. Given there is a significant number of girls getting pregnant while at school, this rule may work in their favor and concur to avoid school dropouts due to early undesired pregnancy.

In addition to codifying children's rights, the Law of Promotion and Protection of Child Rights also establishes state duties to ensure that children enjoy their rights. Concerning access to education, the law estipulate in its article 40 that it is the duty of the state to ensure the mandatory and free basic education, inclusive to older pupils who for different reasons were not able to enroll at the minimal age of 6 years. It also extends mandatory and gratis education to secondary level. By allowing older pupils to enroll for the first time as well as extending the mandatory and free of charge education to upper levels it helps to include those who for different reason were not able to enroll in the appropriate age (six years). If taken into consideration that poverty is one of the drivers for lack of attendance and school dropout, removing the financial barriers may reduces the costs with education which in turn may work as an encouragement for student enrolment and in school retention. Combined, such factors may prevent child marriage as the result of easy access to education.

2.4.1. Limitations or Gaps

1. No corresponding sanctions concerning parental responsibilities on Child Education

The law of Promotion and Protection of Child Rights represents an interesting progress as it creates a unique legislation pertinent to the protection and promotion of child's rights. However, it is still dependent on the substantive legislation with regard to the qualification of practices as crime and respective sanctions. It means that what is not defined as crime in substantive and specific legislation will not be sanctioned. Therefore, while issues of violence against children, child trafficking and sexual abuse may be accommodated in terms of sanctions in the substantive legislation, there are issues relevant to Child's rights in education, for instance, that have no corresponding sanctions nor corresponding substantive legislation. For instance, if a parent or a guardian decides to forbid his own

pupils from attending school due to religious or economic reasons, no sanction can be subjected to him. Only moral appeals and sensitization can be expected with less effectiveness. It means that a proper sanction is established in order to discourage parents and guardians from removing the pupils from school.

2.5. The 29/2009 law on domestic violence practiced against women 2009

The Law about domestic violence practiced against women was approved on September 2009 and aims at combating violence against woman within domestic and familiar relations which does not result in the victim's death (if death is registered the penal law is applied instead). According to article 3, the law protects the physical, moral, psychological, patrimonial and sexual integrity of woman against her partner and other family members. In its article 17, the Law subscribes that those who force woman, with whom they share parental ties, cohabitation or other forms of kinship, for unwanted sexual intercourse will be sentenced for six months to two years of effective prison followed by the corresponding forfeit.

Taking into the consideration that article 17 is also applied to girls forced to marriage and to sexual intercourse with their prearranged husbands as well as to situations of girls forced to sexual intercourse with their parents, uncles or grandfathers, it may protect girls from early marriage and school dropout. As previously mentioned, early and forced marriages is frequently the local solution for sexual violence resulting in undesired pregnancies and consequently school dropout.

Another positive feature of this law is the fact that article 21 qualifies domestic violence as a public crime. This stipulation means that third parties (family members, neighbors, health workers or school teachers) may denounce situations of domestic violence against woman. Once placed, a denounce of this matter cannot be removed. Concerning to this report, such prerogatives may reinforce the protection of girls' victims of domestic violence and with the participation of school teachers, early indications may be noticed and acted upon to prevent early pregnancies, marriages and school dropout.

2.5.1. Limitations or Gaps

1. No Reference to Children Victim of Domestic Violence

Though the law makes room for it to be appeale for man in equal circumstances as a response to gender equality, it is silent regarding age differentiation. It is not clear with regard to treatment of children (under 18) since it only refers to women (who were once girls/children themselves) and not directly to children who given their age and social

condition are equally or considerably vulnerable to acts of domestic violence. No reference to girls and children makes them a lesser priority when it comes to implementation of this law. As such, the law of domestic Violence may fail to capture the very conditions of domestic violence against children which in turn cause child pregnancy, early marriage and ultimately school dropout.

2. The implementation of the law envisages the safeguard of the family

According to the article 37, the application of the law 29/2009 must always safeguard the family interests. It means that cases of moral, psychological and, sometimes, physical and sexual violence against woman and children may be overlooked and not properly penalized in order to safeguard the family. While the such prerogative aims at preventing single mother families and promote reconciliation, it may be seen by the violators and an opportunity to harass their partners or children with no penalty. Such perception may contribute to the perpetuation of the conditions leading to early marriages and school dropout. Concerning to the present analysis, it is proposed that the law should safeguard the superior interests of woman and girls in order to protect young girls and give them the necessary moral and psychological conditions to continue studding and avoid early marriages.

2.6. The Ministerial Decree 39/GM/2003 - 2003

In response to the growing cases of violence and sexual abuse against girls in schools, the Ministry of education issued an order determining the actions to be taken against pregnant girls in schools as well as forbidding any sort of sexual intercourse between school teachers and young students. This order determines that if a girl gets pregnant while studying on a daytime schedule, she must be transferred to the night period to continue with her studies. It also determines that a teacher who is caught up having sexual intersection with a school girl must be expelled from the profession. With these measures, the Ministry of education aimed at reducing the number of pregnancies between school girls and consequently contain the levels of pregnancy-driven dropouts as well as establish an appropriate learning environment. It also aimed at eliminating teachers' discriminatory use of power to sexually harass and force young girls to sexual relations.

2.6.1. Limitations or gaps

1. Stigmatization against Pregnant Girls

While the measure was considered progressive since before its adoption any pregnant girl would be expected to be expelled from school and forced to interrupt her studies,

the order had the effect of double penalization of young girls. In fact, the situation of pregnancy was by itself a burden for the girl to which was being added her transference to much harder night studding conditions. As such, it seemed that the girl was the only one to blame for her pregnancy. Consequently, the measure did not help preventing dropouts due to pregnancy. On the contrary, it promoted dropouts of girls who could not afford studying at night while pregnant. Besides, in areas where there are no night classes, the pregnant girl would simple be expelled from school while no punishment was reserved to her partner if also a student.

2. Limited Scope Regarding Teacher's Punishment

The order discourages sexual intercourse between teachers and girls in the same school. However, it is absolutely silent concerning the intercourse that may occur between a teacher from one school and a student in another school. As such, the measure does not properly tackle all the factor leading to early pregnancy and consequently school dropouts.

2.7. The National Education Policy 1995

The National Education Policy establishes the political framework of the National Education System in which the basic education and adult education were identified has primary priorities. The promotion of girl's education is another priority to which measures such as the "the creation of a school environment sensible to gender through the identification and organization of educational process and renewal of teachers training programs" were defined. Alternative education for girls required the agreements with non-governmental organizations and religious confessions as partners to deliver informal education. The policy also specified the need to provide financial support to vulnerable girls, so they could manage to pay for learning materials. Another interesting measure was the need for sensitization of parents, guardians and communities as a whole in order to reduce girls' domestic workload. Such initiative intended to give enough time for girls to prepare and be ready for class attendance in equal circumstances with the boy mates.

The above measures suggest that there has always been a governmental concern with girls' education. Different mechanisms to promote girls access to education as well as the creation of a secure learning environment meant that the government regarded girls education as a priority in policy design. The question, however, is how much of those policies were realistically implemented. It means that the limitations and gaps regarding the National Education Policy are more vertical, between the policy and implementation rather than within the policy itself.

2.8. General Regulation of Basic Education – 2008

It is a normative document which regulates the operation of the schools and the respective evaluation as part of the learning process. It defines basic education as ranging from grade 1 to grade 7. One of the important features of this regulation is that it establishes school councils which includes parents and school tutors' representatives, alongside the school board, teachers, students and community representatives. It is the highest decision-making body which decides about the internal regulations, school calendars and many other issues. By bringing together different stakeholders into one body, it is expected that emerging problems affecting the learning environment will be immediately identified and acted upon. For instance, in case of disruption to the school calendar due to natural disasters such as flooding or drought, the school council may decide about changes in the school calendar according to article 12. Taking into consideration that Mozambique is progressively suffering from cyclical natural disasters, this prerogative may discourage dropouts due to such calamities. In addition, if a misbehaved (sexual harassment) teacher is identified, the council may resolve the issue in due time which would give a sense of protection and stability to school girls.

Another important element which encourages child access to education is the fact that article 36 stipulates that *“the frequency of pupils in primary education in public schools in Mozambique is free”*. It means that every child is exempted from paying any fees or taxes. As such, no child would be denied access to school because of an inability to pay. This supports the notion that government has effectively made education as a right and a duty for every citizen. Free education is a massive opportunity for girls' education and can concur to combating child marriage even within the poor families.

2.8.1. Limitations and gaps

1. Limited Powers to Decide about the School Calendar

Though the regulation entitles the school councils to decide about the school calendar in the case of natural disasters, it is practically difficult to use those powers since the process of calendarization is centralized and takes place at the Ministerial level with no regard to the local conditions of resilience against natural calamities. As such, many pupils in vulnerable regions tend to exhibit low levels of school attendance which eventually leads to dropout as the result of inundations or droughts.

2. Exemption of fees not enough for Free Education

While the regulation provides for free basic education, it only exempts pupils from fees and books which are freely distributed for the first cycle of primary education (grade 1 and

grade 2). As the students' progress to the upper classes they must incur expenses with books (which if free are not usually available) and other complementary learning material including the mandatory uniforms. Therefore, as more money is needed to sustain school attendance, parents decide to discourage their pupils from continuing with their studies. At best, they discourage girls from studying in favor of their brothers.

2.9. The Education Strategic Plan (2012 - 2016)

The Education Strategic Plan is founded in three main priorities: securing inclusion and equity in access to education and student retention; Improving quality and learning environment; and, promoting good governance of the education system. These pillars are believed to convey enough power to place education as the central factor in the combat against poverty and development promotion. It is a long-term vision that promotes education as a human right and an effective instrument for the affirmation and integration of an individual in social, economic and political spheres of life. As such, it is indispensable for the country's development and in combating poverty. The strategy ensures that primary education guarantees that all children acquire basic skills in reading, writing, and in other basic subject preparing them to pursue their studies at the next level. From the perspective of the right to basic education, the sector continues its efforts to expand literacy programmes, mobilising different partners at both Government and non-Government level.

The strategy reinforces and prioritizes the principle of basic education for all children. The idea of education for all is relevant for girls as it challenges cultural prioritization of boys instead of girls for formal education. Education for all means that, in principle, no child will be left out of school regardless of gender, religion or other form of discrimination. Considering that the quality of learning, particularly in primary education, is directly linked to children's physical and cognitive development at the time of entering school, greater attention will be given to early childhood development, from the perspective of integrating pre-primary education in the National Education System and encouraging a holistic and integrated approach at Government level, aimed at the development of children in the pre-school age (0-5 years). The sector will continue to improve the quality and relevance of post-primary education to strengthen its role in the economic, social and political development of our society.

The focus is on improving the teaching-learning processes as well as the learning environment. Special attention will be paid to the relevance and diversification of the curricula and programmes offered, in terms of their capacity to address the needs of the economy and, in particular, of emerging industries.

The strategy also predicted attributing scholarship for merited students to support their studies beyond the mandatory basic education. This support may encourage students to

continue their studies since they may find sustainable ways to support further expenses with their studies. In addition, the direct support to schools aimed at providing snacks to pupils at school is an important measure for securing higher rates of retention of both girls and boys since in situations of absolute poverty, starvation tends to be a constraining factor for school attendance and a driving factor for dropouts.

2.9.1 Limitations or gaps

1. Discrepancies between education expansion and quality of Education

While the policy's diagnosis of the education system raises concerns regarding quality of education, it lacks clear indicators about the quality of education and how to achieve the targets. For instance, the massification of education has been implemented against the quality since even with measures such as training of teachers, free learning materials, improved resources to schools, there are no signs of improvement of the quality of education. Therefore, girls concluding basic education may find themselves vulnerable as they did not acquire the necessary skills for life or independent continuing education. The more difficulties they face, the more prone they will be for challenges out of the education system which include early marriages.

2. Inability to guarantee inclusion and equity in access to and retention in school

The strategy is founded on inclusiveness and accessibility. However, lack of gender sensitiveness amongst teachers, instructors and governing bodies hinders the perception of girls' needs at school which in turn promotes low levels of attendance and ultimately dropouts.

2.10. The National Strategy for Preventing and Combating Child Marriages in Mozambique 2016-2019

The National Strategy for Preventing and Combating Child Marriage takes a holistic approach to children and girls and their rights, for articulated and coordinated action, with a view to creating a favorable environment for child protection. The strategy aims to promote a socio-economic and cultural framework that supports the prevention, combating, reducing and phasing out of early marriages in Mozambique. The Mozambique government, with this strategy aims to create a favorable environment to progressive reduction and combat of child marriages and ensure its prevention and mitigation. The strategy includes communication and social mobilization, access to quality education and retention, empowerment of young girls, sexual and reproductive health, legal and political framework, research and monitoring, and multi-sectorial coordination and advocacy.

The strategy mentions that the families living in rural zones in North and Center of the country and the poorest families are those who present more vulnerability to child marriage. The strategy considers also that the political environment in Mozambique is favorable to the combat of child marriage, because the government is open to the contributions from all the country structures (local communities' members, CSO, civil society platforms, political parties, etc.) including the fact that all the ministries are frequently recommended to engage on combating of child marriages. So, these actions should be very important not only to end child marriages but also to promote more access to girls' education.

2.10.1. Limitations or gaps

1. The strategy defends marriages with 16 years under the allowance the parents

The strategy has been based on the Law of the Family “law number 10/2004 of August 25”, meaning that it reproduces the very same problem it aims to combat by accepting the already challenged possibility of child marriage under the age of 18 years old. Therefore, the direct linkage with the Law of the Family constitutes a big gap/barrier to the effectiveness of the current strategy. The direct linkage with the Law of the Family constitutes a big gap/barrier to the effectiveness of the current strategy, attending that these laws allow marriage with the age of sixteen years old.

2. 2. Lack of budget allocation to promote actions of child marriages

The government in Mozambique has not a known fund that is specific to develop activities related to child marriage combating. We believe that even if the government approve a good strategy, if doesn't allocate a fund for the implementation of the strategy it will be impossible to achieve the aimed goal.

2.11. Child National Action Plan (2013-2019)

The child national plan is based on the principle of “child in the first place” and reiterated the governmental compromise to safeguard children's right up to 18 years old. The plan is founded in the multisectoral plans regarding child's wellbeing and identifies key areas, objectives and the main actions promoting its implementation through a multisectoral approach, coordinated with the involvement of families, communities, civil society and the children themselves. The plan defines four priority areas for action namely: child survival, child development, child protection and child participation.

Concerning the present analysis, the issue of access to education as a strategy for ending child marriage is dealt with within the sections of child development and child protection. However, given that the plan itself is based on the principles and rights established in the

Constitution of the Republic, the Law of the National System of Education, (Law number 6/92) and the Law of Promotion and Protection of Child Rights (Law 7/2008), it may inevitably transport the limitations and gaps contained in those legal instruments.

Concerning to access to education, the Child National Action Plan reiterates the principle of universal access to free basic education (please see 2.1.1 and 2.2.1 for our concern regarding to this matter). Though the plan mentions the need to improve access, retention and the quality of child education it is still not clear about the meaning of quality of education. For instance, it refers to the need for adopting measures for securing access and retention in school of children in difficult situation but makes no reference to such measures. As such, vulnerable children may remain out of the formal education or opt out of school as the difficulties increases.

The same concerns emerge with regard to child protection. The objective is to protect children from violence, abuse, exploitation, trafficking, and negligence. If clearly defined and coordinated, such aims would perhaps help preventing early child marriage as well as promoting girls access and retention to education.

2.11.1. Limitations and Gaps

1. No clear actions for implementation

While the intentions are clear, there is no clear reference to the implementation plan. Actions are not clear in terms of indicators, measurement and timing. These gaps make the action plan very loose and dependent on the relevant sectors own pace rather than imposing the necessary pace to the sectors.

2.12. The National Plan for Woman's Progress (2016-2020)

The National Plan for Woman Progress aims at enhancing gender equality in all areas of governance. It adopts a transversal approach becoming an important instrument of intersectoral coordination for securing an effective woman empowerment, gender equality and non-discrimination in both the public and private sectors. Access to education falls into second priority of the plan which has to do with Human and social capital development. Its main concern is not basic education. Instead it looks beyond basic education to include secondary education, technical and university education. As mentioned in previous sections, the critical phase for dropout and early pregnancies is between 14 and 17 years old when

the girls are preparing for secondary education or already there. Enlightening them through sensitization about the benefits of school progress to higher levels may help them to prioritize their life and avoid early pregnancies and dropout so that they can enter university or technical education. It is a valuable approach concerning the issue of education as a strategy to end child marriage.

2.12.1. Limitations and Gaps

1. No provisions for school retention beyond basic education level

The main challenge is lack of provisions that support and stimulate girls to continue with their studies beyond basic education to secondary education, technical training and university. It also recognizes that securing girls' retention, progress and success in secondary school is not sufficient.

2.13. The Five Years (Quinquennial) Governing Plan (2015-2019)

The 2015-2019 government's quinquennial plan introduces the priorities for the country's economic and social development for five years. The program constitutes the governments' compromise for solutions against the current challenges for development. It is, in fact, the result of the electoral manifest upon which the incumbent government was elected. As such the plan is very broad and attends to almost every single sector of life and production in Mozambique. The plan defines five major priorities for governmental action: i) the consolidation of national unity, peace and sovereignty, ii) development of human and social capital, iii) Promotion of employment, productivity and competitiveness, iv) development of social and economic infrastructures and v) sustainable and transparent management of natural resources and environment.

While each of those priorities may have indirect impact on the degree of access, retention, progress and educational success, it is within the second priority of human and social capital development where education is given a specific strategic treatment. In fact, concerning education as a strategic priority, the plan aims to promote an inclusive, effective and efficient education system which safeguards the acquisition of competences required for knowledge, abilities and management as well as attitudes that responds to human development necessities. This vague account includes almost everything and difficult to monitor. However, the plan has its values as a reference documented for sectoral policy formulation. Concerning to education it refers that the primary education should provide pupils with reading and writing skills as well as training teachers to respond to the challenging needs of basic and secondary education.

Given that one of the problems that hinders access to information about children's rights is lack of reading skills, massive approach to reading and writing at the early stages of formal

education may empower young girls with the necessary tool to appropriate themselves about their rights and entitles them to design and promote their own aspirations. Such transformative education to young girls as well as literacy for adults may help fostering an environment conducive to retention and positive rates of education progress.

2.13.1. Limitations and gaps

1. There is no established timelines for implementation of the provisions

The plan is just a vague reference document dependent on the annual social and economic plans for its materialization. Due to its electoral nature, it enlists almost everything do be done with no established timing for implementation. Due to its electoral attachment it tends to overlook non-salient sectors or issues such as girls' education to concentrate on much more propagandistic aspects such as employment, economic performance and transport for instance. As such, though mentioning access to education as a strategic target, it is not a reliable source from which to understand the very issue of concern to this analysis.

2.14. The Direct Support to Schools

Both direct and indirect costs affect access and attendance to education. Direct costs for education alone make it difficult for very poor families to send more than one or two children to school. If parents are faced with the choice, they tend to choose the boy in detriment of the girl. Therefore, the government introduced the Direct Support to Schools program in primary education, and by granting scholarships in post-primary education to students demonstrating merit with priority given to younger students and girls. The fund therefore is to support vulnerable people living in poverty situation to address minimize the challenges towards education through procurement and supply of some of the school supplies such as school bag, mosquito net, cantilever and gallon of water, footwear (shoe or slippers), school uniform / clothing and individual hygiene kit. This policy promotes access to education to all people. So, even those girls who are living in poverty have the opportunity to go to school supported by that fund and it increases the access to education for children thereby delaying child marriages. Taking into the consideration that poverty is one of the drivers of child marriage, the fund removes the vulnerability of girls from poverty and increases the likelihood of their continuation of studies.

2.14.1. Limitations or gaps

1. No established schedule for fund disbursement

The government determined that this fund is for supporting the schools and the communities on all items locally deemed priority. However, the absence of a specific date for disbursement affects negatively the local learning and pupils' preparations. For instance, while classes usually start mid-January, there are many schools reporting that are receiving the budget from June to December. These delays affect the implementation of the planned activities on the one side, and may concur to dropouts of the vulnerable children, on the other. Therefore, lack of a mandatory timeframe for disbursement constitutes a barrier in the promotion of girls' access to education.

2. Lack of guidelines for accountability

Further to the insufficiency of the fund to cover all the vulnerable children, there are many communities reporting corruption on the management. In many meetings with teachers and local communities there are even cases where they called this fund "Apoio aos Directores e suas Esposas - ADE", anything like "Support to the Directors and Wives". So, if this fund is not well managed will not benefit vulnerably girls to access to education and so child marriages will not end. The government is well informed about the corruption on the ADE management, but nothing is being done to combat it.

Chapter 3

NATIONAL OPPORTUNITIES TO ADDRESS DRIVERS OF CHILD MARRIAGE THROUGH ADVOCACY FOR IMPROVED EDUCATION

Mozambique possesses a disperse legal framework and policies conducive to the promotion of access to education as a strategy to avert child marriages. However, some of the legislation and policies lack consistency and, if consistent, is not effectively publicized or implemented. Therefore, despite the existing of these policies, the combat against child marriages in Mozambique is still an undone task with a long way cultivate. On the other side, despite considering education as a right and duty for every citizen, it lacks and unified and coordinated strategy of implementation. Meanwhile, the dispersion of policies concerning the combat against child marriage results in some policy contradictions which in turn negatively affects the process of child (girl) access, attendance and retention in formal education. However, the main concerns in terms of gaps emerges when we look at the relation between the policy content and real implementation. Unfortunately, such level was not this paper's object of analysis.

There is a growing understanding that investing in girls' education may ensure that they avoid undesired pregnancy and delay plans for marriage to later stages, when they are adults and have completed at least the secondary education if not high school. As such girls might have been empowered not only to take care of their own families but also to actively participate in professional works as well as contributing to the family income and country development. The coordination and communication between the Ministry of Education and the ministries that affect education of girls, such as Ministry of Gender, Women and Child, is very important to allow that many of the stakeholders are participating and engaged on girls' education development and successful combat against child marriage.

In summary, the policy analysis found that while some policies are quite progressive, policies adopted and Implemented in Mozambique on education, girls' education and child marriage need to be reviewed urgently given the existing discrepancies. Meanwhile, this policy paper found that there are some windows of opportunities to be used to drive advocacy towards improved access to education. Such opportunities may be framed as the following:

- 1. Increased Awareness on the Need to Promote and Protect Children's Rights.**

Both government's relevant institutions, at the central and local levels, International Organizations and national Civil Society Organizations have been establishing a portfolio

of activities towards promoting children's rights for long. The justice system has already established mechanisms for responding to criminal related concerns of vulnerable people such as women, children and elderly. On the other side, Civil Society Organizations are joining efforts with International Organizations in the promotion of and community-based organizations for promoting social children's rights. The problem with the existing efforts is that they tend to concentrate on criminal related issues such as child trafficking, sexual violence and domestic violence. Few efforts are devoted to promoting ethical and moral issues such as access, attendance and retention in education as a strategy to avert early marriages. Therefore, there is a massive window of opportunity to avail the existing platforms and increasing clamor against the abuse children to advance a specific agenda on access to education.

- 2. Engagement and collaboration of CSO and the relevant ministries. In resume,** the Mozambique government is open to the contributions of Civil Society Organizations. The Ministry of Education annually realize a RAR "Annual Meeting for Revision" where participate all the CSO working on education. The CSO also invite the Ministry of Education to various meeting and normally participate. This fact is an opportunity to present all the issues related to girls' access to education and end child marriages. The existence of the different laws mentioned in the analyse is also an opportunity to end child marriage.
- 3. The Ongoing Process of Review of the The Law of the National System of Education.** It is a prime opportunity to influence individual members of parliament or specific working committees so that the camming legislation includes elements conducive to a realistic and sustainable promotion of girl's access to education.
- 4. The Expanding Private Primary and Secondary Education.** The primary education has not been a coveted sector by the private sector for long. However, the expansion of the private sector to Primary and secondary education lately has the merit of freeing public resources and spaces in public schools which can be filled up by many of those pupils with lesser conditions to pay for a private education. As such, the prospects of a young girl being placed in a school near the residence is higher than in situations of enormous pressure. If girls are placed near their residences they continue with their studies for longer, even if they are to attend classes during the nightshift.

Chapter 4

ADVOCACY ISSUES FOR THE IMPROVEMENT OF ACCESS TO EDUCATION

Education is not just a human right, but also a dominant right. According to a number of human rights instruments including the UDHR and the CEDAW at the international level; the African Charter on Human and Peoples' Rights, and the Maputo Protocol and the Protocol 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms at the regional level, the right to education is a fundamental human right guaranteed to all regardless of age, gender and other factors by a range of international and regional human rights instruments. Parson et al. (2015) observe that the poorest countries have the highest child marriage rates and it occurs more commonly among the poor who have less resources and prospects to invest in alternative options for the girl child. Education can be described as the process of becoming aware of one's environment for better and informed decision making. It presents the greatest tool to affect change in the protection of children against child marriage in Africa.

UNICEF (2005:1) argues that education is the bedrock of sustainable development and serves as the pivot around which socio-economic and political developments as well as cultural transformation of a society revolve. Ending Child Marriage is also a target under the United Nations Sustainable Development Goals. One of the best ways to end child marriage is to keep girls in school. This is because by keeping girls in school, they would have had a better chance for safety and security, to health and education, and to make their own life choices and decisions.

As discussed in the analysis, Mozambique is signatory to several international and regional human rights instruments which should ensure the right to education for children especially girls are protected and respected. Even through the implementation of domestic policies, education seems to be an important right to ensure ending child marriages. However, there are advocacy issues around the policy gaps that have been flagged out for discussion from the community to the national level. Taking into consideration the policy limitations and gaps previously identified as well as the opportunities above mentioned, it is recommended that communities will adopt an evidence-based advocacy for improved access to education as tabulated below.

Issue or problem identified	Advocacy Issue	Advocacy level and stakeholders
No distinction between girls and boys in access and school attendance	Advocate for positive discrimination in favor of girls' access and attendance to school	Level: National (central) Targets: Ministry of Education, Ministry of Gender, Parliament Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
No reference to Quality of Education	Campaign for policy references on the quality of education in primary and secondary schools	Level: National (central) Targets: Ministry of Education Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
Student's Rights and Responsibilities not clear	Advocate for the clear definition of primary and secondary school students' rights in relevance legislation and policies.	Level: National (central) Targets: Ministry of Education, Parliament Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
Policies' inefficient deterrence of early pregnancies	Disseminate information on reproductive health	Level: Local Targets: Students Coalition: CSOs, CBOs, Religious congregations, MPs, Community leaders, Media, other students
Discrepancies between the mandatory education and the age after mandatory education	Advocate to make mandatory education up to grade 12	Level: National (central) Targets: Ministry of Education, Parliament Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
Subjective parental powers for Child Marriage	Campaign against the parental consent alongside an objective definition of <i>public interest</i> regarding child marriage	Level: National and local Targets: Ministry of Justice, Ministry of Gender, Parliament, Parents and Custodians Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students

Issue or problem identified	Advocacy Issue	Advocacy level and stakeholders
Flexibility on age limit for marriage	Advocate for a fixed 18 years old as the minimum age for marriage	<p>Level: National (central)</p> <p>Targets: Ministry of Justice, Ministry of Gender, Parliament</p> <p>Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students</p>
Sanctions not clear concerning parental responsibilities on Child Education	Advocate for the inclusion of sanctions against parents who intentionally remove their children from the mandatory education cycle	<p>Level: National (central)</p> <p>Targets: Ministry of Justice, Parliament</p> <p>Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students</p>
No Reference to Children Victim of Domestic Violence	Advocate for the inclusion of children in the law about domestic violence practiced against woman	<p>Level: National (central)</p> <p>Targets: Ministry of Justice, Parliament</p> <p>Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students</p>
The implementation of the law should always envisage the safeguard of the family	Campaign in order to make sure that the implementation of the law 29/2009 should safeguard the superior interests of woman and girls	<p>Level: National (central)</p> <p>Targets: Ministry of Justice, Parliament</p> <p>Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students</p>
Stigmatization against Pregnant Girls	Campaign against the stigmatization of pregnant girls in schools;	<p>Level: Local</p> <p>Targets: School Teachers, Boards and other students</p> <p>Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, other students</p>
	Campaign for the review of the Decree 39/GM/203	<p>Level: National (Central)</p> <p>Targets: Ministry of Education</p> <p>Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students</p>

Issue or problem identified	Advocacy Issue	Advocacy level and stakeholders
Limited Scope Regarding Teacher's Punishment	Campaign for the review of the Decree 39/GM/203	Level: National (Central) Targets: Ministry of Education Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
Limited Powers to Decide about the School Calendar	Advocate for school calendars adaptable to the conditions in natural disaster risk zones	Level: National (Central) Targets: Ministry of Education Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
Exemption of fees not enough for Free Education	Extend in school material assistance to poor and vulnerable children to their household	Level: National (central) Targets: Ministry of Gender, Ministry of Education Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students
	Promote and support rent generating activities within rural households, so they can improve the household income and reduce pressure over young girls as income sources.	Level: local Targets: Household Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media
Discrepancies between education expansion and quality of Education	Campaign for policy references on the quality of education in primary and secondary schools	Level: National (central) Targets: Ministry of Education Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media, students

Issue or problem identified	Advocacy Issue	Advocacy level and stakeholders
<p>Inability to guarantee inclusion and equity in access to and retention in school</p>	<p>Sensitize community leaders, religious leaders, parents and guardians, teachers, teenagers about the existing legislation on child marriage;</p>	<p>Level: Local Targets: Sensitize community leaders, religious leaders, parents and guardians, teachers, teenagers Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, other Community leaders, Media, other students</p>
	<p>Campaign for the redefinition of the age and the message conveyed in the initiation rituals so that such practices may contribute for the empowerment of girls;</p>	<p>Level: Local Targets: Community leaders, Parents and custodians Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, other Community leaders, Media, students</p>
	<p>Training teachers, parents and juveniles with abilities to deconstruct social structures and discourse of inequality and gender-based discrimination</p>	<p>Level: Local Targets: Teachers and students Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Community leaders, Media</p>
	<p>Support youth associations in schools and communities to promote gender equality</p>	<p>Level: Local Targets: Students Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, Media</p>
<p>No established schedule for fund disbursement</p>	<p>Campaign for fixed dates for direct support to schools' fund disbursement</p>	<p>Level: National (central) Targets: Ministry of Education Coalition: CSOs, Community Based Organizations (CBO), Religious congregations, other Community leaders, Media</p>

Relevant Legislation and Policies

Legislation	Year
Declaração dos Direitos de Criança de Moçambique	1979
Lei 6/92 sobre o Sistema Nacional de Educação	1992
Despacho Ministerial N. 39/GM/2003	2003
Constituição da República de Moçambique	2004
Lei da Família (Lei 10/2004 de 10 de Agosto)	2004
Lei 6/2008, de 9 de Julho, sobre a prevenção e combate ao tráfico de pessoas, especialmente Mulheres e Crianças	2008
Lei 7/2008 de 9 de Julho, sobre a promoção e protecção dos direitos da criança	2008
Lei 29/2009 sobre a violência domestica praticada contra a Mulher	
Policies and Programs	Year
Política Nacional de Educação	1995
Plano Nacional para o Avanço da Mulher	2016
Regulamento geral de Educação Básica	2008
Plano Nacional de Acção para a Criança 2013-2019	2012
Programa Quinquenal do Governo 2015-2019	2015
Plano estratégico de Educação (2012-2016)	2012
Apoio Directo as Escolas	2015
Estratégia Nacional de Prevenção e Eliminação de casamentos Prematuros (2016-2019)	2016

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United Nations International Children's Emergency Fund (UNICEF), 'Early Marriage: A harmful traditional practice. A statistical exploration', UNICEF 2005, p. 1.



Communication for Empowerment

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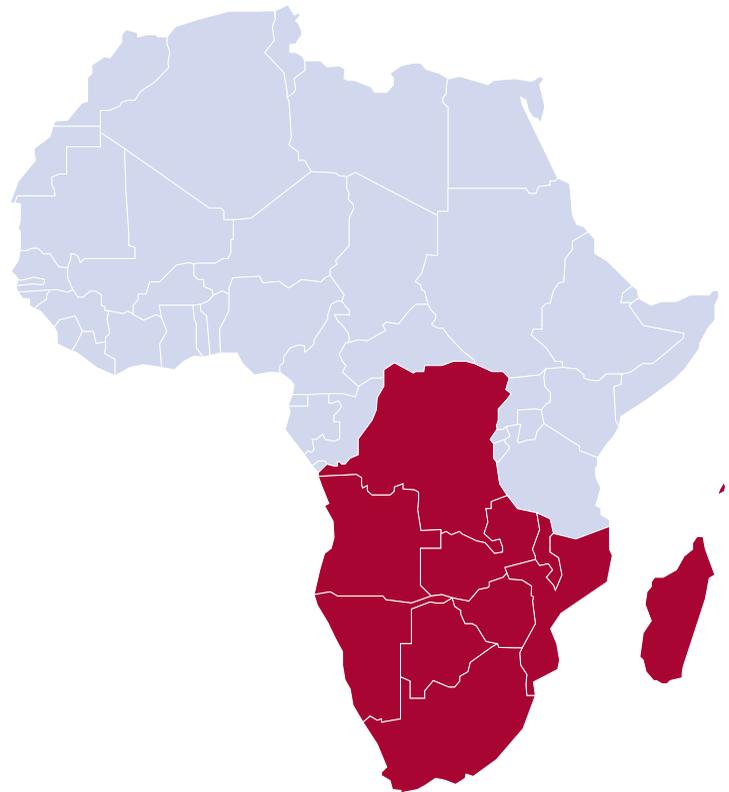
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Vision: A Southern African community
that drives its own development