



Comparative study and findings on the impact of
criminal, security and other exceptional laws and policies
in select Francophone and Lusophone countries

Mozambique

Tina Lorizzo, Ilidio Nhamumbo and Lourenço Sigauque

AUGUST 2025

REFORMAR
RESEARCH FOR MOZAMBIQUE

DULLAH OMAR  **INSTITUTE**
FOR CONSTITUTIONAL LAW, GOVERNANCE AND HUMAN RIGHTS



**UNIVERSITY of the
WESTERN CAPE**

© Dullah Omar Institute, 2025

This publication was made possible with the financial assistance of the Open Society Foundations. The content of this document is the sole responsibility of the Dullah Omar Institute and can under no circumstances be regarded as reflecting the position of the Open Society Foundations. Copyright in this publication is vested with the Dullah Omar Institute, University of Western Cape. No part of this publication may be reproduced in whole or in part without the express permission, in writing, of the Dullah Omar Institute.

Dullah Omar Institute
University of the Western Cape
Private Bag X17
Bellville 7535
South Africa

www.dullahomarinstitute.org.za

The Dullah Omar Institute, formerly the Community Law Centre, at the University of the Western Cape ('the Institute'), established in 1990, works to realise the democratic values and human rights enshrined in South Africa's Constitution. It is founded on the belief that our constitutional order must promote good governance, socio-economic development and the protection of the rights of vulnerable and disadvantaged groups.

Given the need for regional integration to encourage development in Africa, the Institute also seeks to advance human rights and democracy in this broader context. Based on high quality research, the Institute engages in policy development, advocacy and educational initiatives, focusing on areas critical to the realisation of human rights and democracy in South Africa and Africa in general.



Acronyms and abbreviations

AR	Assembly of the Republic (Assembleia da República)
CEP	Criminal Enforcement Code (Código de Execução das Penas)
CFJJ	Legal Training Center (Centro de Formação Jurídica e Judiciária)
CIP	Center for Public Integrity (Centro de Integridade Pública)
CNDH	National Human Rights Commission (Comissão Nacional dos Direitos Humanos)
CP	Penal Code (Código Penal)
CPP	Criminal Procedure Code (Código do Processo Penal)
CRM	Constitution of the Republic of Mozambique (Constituição da República de Moçambique)
CRPM	Constitution of the Popular Republic of Mozambique (Constituição da República Popular de Moçambique)
CSO	Community service order (Trabalho Socialmente Útil)
ESAAMLG	Eastern and Southern Africa Anti-Money Laundering Group (Grupo da África Oriental e Austral contra o Branqueamento de Capitais)
FATF/GAFI	Financial Action Task Force (Gabinete de Acção Financeira Internacional)
FGD	Focus Group Discussion (Discussão em Grupos Focais)
FRELIMO	Mozambique Liberation Front (Frente de Libertação de Moçambique)
GBV	Genderbased violence (Violência baseada no género)
GCCC	Central Office for Fight against Corruption (Gabinete Central de Combate à Corrupção)
GCCCOT	Central Office for Combating Organised and Transnational Crime (Gabinete Central de Combate à Criminalidade Organizada e Transnational)
GCPCD	Central Office for Drug Prevention and Control (Gabinete Central de Prevenção e Combate à Droga)
GCRA	Central Office for Asset Recovery (Gabinete Central de Recuperação de Activos)
GIFIM	Mozambique Financial Intelligence Office (Gabinete de Informação Financeira de Moçambique)
HSSREC	Humanities and Social Sciences Research Ethics Committee (Comité de Ética em Pesquisa em Ciências Humanas e Sociais)
IDEA	International Institute for Democratic Electoral Assistance (Instituto Internacional para a Assistência Eleitoral Democrática)
IPAJ	Legal Aid Institute (Instituto do Patrocínio e Assistência Jurídica)
MDM	Mozambique Democratic Movement (Movimento Democrático de Moçambique)
MINT	Ministry of the Interior (Ministério do Interior)

OAM	BAR Association (Ordem dos Advogados de Moçambique)
OCS	Citizen Observatory for Health (Observatório do Cidadão para a Saúde)
OM	Women's Observatory (Observatório da Mulher)
OPCAT	Optional Protocol to the Convention against Torture (Protocolo Facultativo à Convenção contra a Tortura)
PGR	Attorney General's Office (Procuradoria Geral da República)
PRM	Police of the Republic of Mozambique (Polícia da República de Moçambique)
RENAMO	Mozambique National Resistance (Resistência Nacional Moçambicana)
RPM	Popular Republic of Mozambique (República Popular de Moçambique)
SERNAP	National Correctional Service (Serviço Nacional Penitenciário)
SERNIC	Criminal Investigation Services (Serviço Nacional de Investigação Criminal)
SPT	Subcommittee on Prevention of Torture (Subcomité para a Prevenção da Tortura)
UEM	Eduardo Mondlane University (Universidade Eduardo Mondlane)
UN	United Nations (Nações Unidas)



Contents

Executive Summary	6
1. Introduction	7
2. Historical and political context	9
3. Constitutional and legislative reforms relating to criminal justice (2000-2024)	12
4. Legal framework: law enforcement and courts	17
4.1 Formal structures	17
4.2 Informal structures	19
5. Overview of select criminal, security and exceptional laws	21
5.1 Criminal laws	21
5.1.1 Drug-related legislation	21
5.1.2 Gender-based violence legislation	22
5.1.3 Child justice	24
5.2 Security laws	25
5.2.1 Counter-terrorism and the conflation with Financial Crime	25
5.2.2 Cybersecurity and Digital Rights	27
5.3 Exceptional laws	28
5.3.1 Emergency and Exceptional Legal Powers	28
5.3.2 Amnesty and Transitional Justice	29
5.3.3 Electoral Exceptionalism	30
6. Oversight Bodies, Monitoring and International Treaties	31
6.1 International and regional Treaties	31
6.2 National Oversight Bodies	32
6.2.1 National Human Rights Commission (CNDH)	32
6.2.2 Attorney General's Office (PGR)	33
6.2.3 Ombudsman	34
6.2.4 Police and Prison Oversight	34
6.2.5 Civil Society Oversight	35
7. Conclusion	36
8. Recommendations and Conclusion	37
9. Bibliography	39



Executive Summary

The Republic of Mozambique is situated in south-east Africa and gained independence from Portugal in 1975. The country adopted its most recent Constitution in 2004 and reformed its Penal Code in 2019. As a representative of lusophone Africa, Mozambique offers a compelling lens through which to examine the complex legacy of colonial legal systems and on-going struggles for democratic governance.

Key observations from this report indicate that major constitutional and legal reforms have occurred in Mozambique resulting in the current legal framework. Mozambique is party to key regional and international human rights treaties with varying degrees of compliance. Criminal, security, and exceptional laws in Mozambique are frequently vague and selectively enforced, allowing authorities to suppress dissent and restrict fundamental freedoms. Oversight mechanisms exist in Mozambique, including the National Human Rights Commission and other actors involved in prison and police oversight, but their impact is curtailed by limited resources and issues of transparency.

This report draws attention to certain criminal, security and exceptional laws that exist in Mozambique considered to be discriminatory, exclusionary and exceptional. These laws are generally incompatible with human rights principles, such as the freedom of assembly, freedom of expression and other norms entrenched in UN treaties and the African Charter on Human and Peoples' Rights. Some laws including those relating to defamation and assemblies are vague in scope, leaving room for unfettered discretion by law enforcement officials. The objective is to bring to the surface seldom heard of, deliberately ignored and/or purposefully obscured voices and perspectives with the purpose to draw attention to problematic issues within the Ivorian legal framework as well as practice. Emphasis is placed on targeted groups and the impact of these laws and their application on vulnerable groups such as women, youth, children, human rights defenders, political opposition and civil society activists. The report reflects on the situation in Mozambique and forms part of a three-country comparative study including Burundi and Côte d'Ivoire. These three countries were selected as they are from slightly different legal traditions stemming from previous colonial powers and this enriches the comparative analysis.

The study took place in Maputo, Mozambique and employed a qualitative research methodology comprising a series of focus group discussions and semi-structured interviews. Several participants partook in the study including local and national government officials, academics, civil society representatives, legal professionals and public space workers. Participants provided written consent to participate in the study and were guaranteed anonymity. This report was drafted based on an extensive literature review and insights gathered during the data collection process. To ensure accuracy of information, the findings were subsequently validated at a workshop held in Maputo, Mozambique in June 2025.

The Dullah Omar Institute expresses its sincere gratitude to our partner, *Research for Mozambique (REFORMAR)*, for co-ordinating the focus group discussions and semi-structured interviews in Maputo, Mozambique.

We also wish to acknowledge the generous support of the Open Society Foundations for making this research report possible.

1.

Introduction

The Republic of Mozambique, located in South-east Africa, gained independence from Portuguese colonial rule on 25 June 1975, following a thirteen-year armed struggle. In the immediate post-independence period, the country adopted a unitary state structure and a centrally-planned economy, reflecting its ideological alignment with socialist principles. However, the outbreak of civil war between the Mozambique Liberation Front (FRELIMO) and the Mozambique National Resistance (RENAMO) from 1977 to 1992 significantly disrupted state-building efforts.¹

The adoption of the 1990 Constitution marked a pivotal transition toward political liberalisation, introducing multi-party democracy and setting the foundation for electoral processes at national, provincial, and municipal levels.² Since the 1999 general elections, post-electoral instability has become a recurrent feature of Mozambican politics, especially in rural areas, and more recently during the 2023 municipal elections.³ These political tensions, primarily involving FRELIMO and RENAMO, have precipitated multiple constitutional amendments since 2004 and general legal reforms.⁴ Concurrently, the emergence of new security and governance challenges including terrorism in Cabo Delgado, drug trafficking, and money laundering has further catalysed the enactment of criminal and security legislation.⁵ Additional laws have addressed gender-based violence and domestic abuse, reflecting broader efforts to modernise the legal framework.⁶

This report examines the evolution and implementation of select criminal, security, and exceptional laws in Mozambique between 2000 and 2024. It assesses the extent to which these legal instruments align with constitutional guarantees and international human rights standards, including those articulated in the African Charter on Human and Peoples' Rights and United Nations conventions. The study interrogates whether these laws are implemented in ways that are discriminatory, exclusionary, or otherwise incompatible with fundamental rights such as freedom of expression, assembly, and equality before the law.

A central objective of the research is to bring to the surface perspectives and experiences that are often overlooked or marginalised in mainstream legal and policy discourse. By doing so, it aims to provide an evidence base for advocacy targeting law reform, particularly in relation to offences that disproportionately affect individuals due to poverty, activism, or social status.⁷ The ultimate aim is to contribute to a more equitable and rights-based justice system in Mozambique.

-
- 1 Ussumane Aly Dauto, *Palavras e desafios*, 1st edition (Edição do Autor, 1998), <https://books.google.co.mz/books?id=K28WAQAAIAAJ>; Brazão Mazula, A construção da democracia em África: o caso moçambicano (Ndjira, 2000), <https://books.google.co.mz/books?id=K28WAQAAIAAJ>; Bernhard Weimer, *The 'New Paradigm' of Decentralization in Mozambique A Political Economy Analysis Update Policy Paper* (Swiss Agency for Development and Cooperation, 2021).
 - 2 Club of Mozambique, "Mozambique: Parliament Waves through Constitutional Changes on Decentralisation," Mozambique, accessed August 13, 2025, <https://clubofmozambique.com/news/without-debate-approved-by-all-237-deputies-present-mozambican-parliament-waves-through-constitutional-changes-on-decentralisation-mozambique/>.
 - 3 Salvador Cadete Forquilha, *Reformas de Descentralização e Redução da Pobreza num Contexto de Estado Neo-patrimonial. Um alhar a partir dos Conselhos Locais e OIIL em Moçambique*, Caderno de Política no. CP25, Cadernos de Política (Instituto de Estudos Sociais e Económicos (IESE), 2009), https://www.iese.ac.mz/lib/publication/II_conf/CP25_2009_Farquilha.pdf?utm_source.
 - 4 Adriano Nuvunga and Eduardo Siteo, "Party Institutionalisation in Mozambique: 'The Party of the State' vs the Opposition," *Journal of African elections* 12, no. 1 (2013): 109–30, <https://doi.org/10.20940/JAE/2013/v12i1a5>.
 - 5 Gi Essinalo and Teresa Boene, *The Persistence Of Popular Protests Against The Results Of The General Elections May Increase Mozambique's Sovereign Credit Risk*, Policy Report / Analysis (Centro de Integridade Pública (CIP), 2024), <https://www.cipmoz.org/wp-content/uploads/2024/11/Post-Election-Crisis.pdf>.
 - 6 Eunice Jethá et al., "A Critical Cartography of Domestic Violence Policies in Mozambique," *Reproductive Health* 18 (August 2021): 169, <https://doi.org/10.1186/s12978-021-01215-7>.
 - 7 Decriminalise Poverty & Status Coalition, "Decriminalise Poverty & Status – Global Coalition Advocating to Repeal Laws That Target People Based on Poverty, Status or Their Activism.," 2024, <https://decrimpovertystatus.org/>.

Methodologically, the study employs a qualitative approach. Ethics clearance was obtained from the Humanities and Social Sciences Research Ethics Committee (HSSREC) of the University of the Western Cape. Data collection was conducted in collaboration with Research for Mozambique (REFORMAR), the local partner commissioned by the Dullah Omar Institute. Fieldwork included a comprehensive literature review and empirical research in Maputo. While the research expected to cover a larger number of participants, the overlap of the fieldwork with the 2024 general and provincial election campaign and post-electoral violence allowed the involvement of 27 participants only, through semi-structured interviews and focus group discussions with legal practitioners, scholars, and other stakeholders. The research captures valuable insights into the functioning and perception of Mozambique's criminal justice system.

In addition to the fieldwork, the study also benefitted from a validation workshop held in Maputo in June 2025, which had 17 participants from justice sector institutions, civil society, and academia. This event allowed for critical reflection on the preliminary findings and generated further insights that were incorporated into this final report. In total, the study involved 44 participants, including 33 men and eleven women who contributed substantively to the findings. Although less in number, the participation of women was particularly important addressing matters that are specifically related to them, including the conditions that women are subjected to in police stations and prisons, gender-based violence, infanticide, as well as their under-representation in policy design, legislation, and criminalisation of poverty. Their insights strengthened qualitative data analysis and an indepth gender-sensitive approach to criminal justice reform.

2.

Historical and political context

Mozambique's political and legal foundations were shaped by three key historical periods:

- the post-independence one-party era (1975–1990),
- the transition to multi-party democracy through the 1990 Constitution and end of civil war in 1992, and;
- the post-civil war consolidation of a decentralised state under the 2004 Constitution.

Upon gaining independence from Portugal on 25 June 1975, the FRELIMO-led government established a unitary, socialist-oriented State.⁸ The newly established Popular Republic of Mozambique sought to dismantle colonial-era laws and institutions, proclaiming a “total and complete” independence and affirming the state's commitment to sovereignty and egalitarianism.⁹ The total and complete independence approach as strengthened in the inaugural independence speech intended to dismantle the colonial discriminatory regime. Moreover, the first national anthem stated that Mozambique “[...] shall be the graveyard of capitalism and exploitation.”¹⁰

The ideological vision of the FRELIMO government explicitly aimed to eliminate capitalism and its legal foundations, including implicit nullification of colonial penal law. However, in practice, many colonial legal structures remained in force. For example, the Portuguese Penal Code of 1886 continued to govern criminal justice in Mozambique until its reform in 2014¹¹ and the Portuguese Criminal Procedure Code of 1932 was replaced only in 2019.¹² Although the Constitution implicitly stated that all discriminatory rules were automatically unconstitutional,¹³ the longevity of portuguese legislations reflects how colonial legal relics persisted in shaping the post-independence period.¹⁴ The 1990 Constitutional reform formally replaced the undemocratic principles, which laid the foundation for a new legal order aligned with democratic and human rights standards and the civil war state of the country.

The 1990 Constitution marked a paradigm shift towards the end of the civil war that followed the state-building project between the government and the RENAMO rebel movement (1977–1992) which severely destabilised the country. The introduction of a multi-party system paved the way for the 1992 Rome General Peace Agreement.¹⁵ Initially, the Peace Agreement clauses attached to the 1990 Constitution envisioned a three-tier government structure; national, provincial, and municipal districts, but amendments in 1996 limited municipalities to urban areas.¹⁶

8 Nelson Mabucanhane, “Das aflições políticas à cooperação econômica entre Moçambique – Rússia: debates, dilemas e perspectivas,” *Espaço e Economia. Revista brasileira de geografia econômica*, no. 10 (June 2017), <https://doi.org/10.4000/espacoekonomia.2899>.

9 Mabucanhane, “Das aflições políticas à cooperação econômica entre Moçambique – Rússia.”

10 Maria-Benedita Basto, “The Writings of the National Anthem in Independent Mozambique: Fictions of the Subject-People,” *Kronos*, 2013, Volume 39, Issue 1 39, no. 1 (2013): 185–203.

11 Lei n.º 35/2014, de 31 de Dezembro – Aprova o Código Penal, Pub. L. No. Lei n.º 35/2014, 35/2014 Código Penal (2014). <https://reformar.co.mz/documentos-diversos/lei-35-2014-aprova-o-codigo-penal-1.pdf/view>.

12 Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal, Pub. L. No. Lei n.º 24/2019, 24/2019 Código Penal (2019). <https://reformar.co.mz/documentos-diversos/lei-24-2019-lei-de-revisao-do-codigo-penal.pdf>.

13 Article 71 “All previous legislation that contravenes the Constitution is automatically revoked” Constituição Da República Popular de Moçambique, Constituição da República Popular de Moçambique (1978). https://www.mozambiquehistory.net/justice/constitution/19800900_constituicao.pdf.

14 David Birmingham, “Class and the Customary: The Ambiguous Legacy of the Indigenato in Mozambique | African Affairs | Oxford Academic,” *African Affairs* 99, no. 394 (2000): 5–42, <https://doi.org/10.1093/afraf/99.394.5>.

15 Georges Marion, “Mozambique: après seize ans d’une guerre dévastatrice, le gouvernement de Maputo a conclu un accord de paix avec la rébellion,” *Le Monde* (Paris, France), October 6, 1992, https://www.lemonde.fr/archives/article/1992/10/06/mozambique-apres-seize-ans-d-une-guerre-devastatrice-le-gouvernement-de-maputo-a-conclu-un-accord-de-paix-avec-la-rebellion_3899410_1819218.html.

16 André Thomashausen, “Part III Decentralisation, Local Government, and Constitutionalism, 15 The Concept and Implementation of ‘Gradual Decentralisation’ in Mozambique,” *Oxford Constitutions*, 2019, <https://oxcon.oup.com/display/10.1093/law/9780198846154.001.0001/law-9780198846154-chapter-16>; Coline Ferrant, “Understanding Decentralization in Mozambique with a Ziblatt-Mann Framework,” *E-International Relations*, October 23, 2018, <https://www.e-ir.info/2018/10/23/understanding-decentralization-in-mozambique-with-a-ziblatt-mann-framework/>.

The first multi-party elections in 1994 laid the groundwork for institutional pluralism, albeit within a politically centralised framework dominated by ruling Frelimo party. Nevertheless, the adoption of the 2004 Constitution reaffirmed Mozambique's commitment to democratic governance, expanding subnational structures to include provinces and districts. Besides these tiers of government, decentralisation defined two processes, specifically the vertical structure, the so-called deconcentration, and urban municipalities following the devolution process but designed to follow gradualism.¹⁷ In the Mozambican context, the 2004 Constitution established two distinct decentralisation processes: deconcentration for the provincial and district levels, and a gradual form of devolution for municipalities. The use of the term 'devolution' in the text refers specifically to the latter, acknowledging that municipal autonomy remains limited by central oversight and financial dependence.

Since the 2004 constitutional reform, which built on democratic state-building launched by the 1994 transition, the country has adopted laws and policies aimed at promoting inclusive governance.¹⁸ However, implementation has often contradicted these goals. For instance, the abrupt suspension of district-level elections in 2023, shortly before the general elections was widely interpreted as a politically motivated move to avoid local power-sharing and maintaining centralisation.¹⁹

Despite these legal advancements, persistent constitutional amendments and political instability, particularly following elections, have called into question the depth of Mozambique's democratic consolidation.²⁰ The 2018 constitutional reform, for instance, was framed as part of a broader peace process with RENAMO, leading to the demilitarisation and reintegration of its armed wing.²¹ In parallel, the "hidden debts" scandal came to the fore in 2019, involving over US \$2 billion in undisclosed loans contracted by state-owned companies.²² The judiciary led the prosecution, and in 2022, the Maputo City Court convicted eleven out of 19 defendants, including Armando Ndambi Guebuza, son of former President Armando Guebuza, marking a significant moment for judicial independence in Mozambique's political landscape.²³

Political contestation reached a new level following the 2023 municipal elections. Allegations of fraud, particularly in Maputo, sparked widespread protests after opposition candidate Venâncio Mondlane (then with RENAMO), claimed victory based on parallel vote counts.²⁴ Disillusioned with RENAMO, Mondlane joined the Optimistic Party for Development of Mozambique (PODEMOS)²⁵ and contested the 2024 general election, directly challenging FRELIMO's long-standing dominance. The elections were marred by irregularities and unprecedented post-electoral violence,²⁶ with reports indicating that over 300 protesters were killed by security forces.²⁷

17 Karl Kössler, "Conflict and Decentralization in Mozambique: The Challenges of Implementation," *ConstitutionNet*, 2018, <http://constitutionnet.org/news/conflict-and-decentralization-mozambique-challenges-implementation>.

18 UNDP Mozambique, "Inclusive Governance, Justice, Human Rights, Peace and Social Cohesion," United Nations Development Programme (UNDP), 2024, <https://www.undp.org/mozambique/inclusive-governance-justice-human-rights-peace-and-social-cohesion>.

19 Ivan Maússe, *Descentralização: entenda como a Frelimo forçou a revisão da Constituição para adiar eleições distritais* (Centro de Integridade Pública (CIP), 2023), <https://www.cipmoz.org/wp-content/uploads/2023/08/Descentralizacao-entenda-como-a-Frelimo-forçou-a-revisão-da-Constituição.pdf>.

20 Michael Morse, *Post-Conflict Statebuilding in Mozambique: The Challenges of Legitimacy*, vol. 110 (Oxford University Press, 2011).

21 Filipe Jacinto Nyusi and Ossufo Momade, *Peace and National Reconciliation Agreement* (Government of Mozambique, 2019), https://www.peaceagreements.org/media/documents/MZ_190806_Peace_and_National_Reconciliation_Agreement_PT.pdf.

22 Paul Fauvet, "Mozambique: Hidden Debts Ruin Anti-Poverty Strategy - AIM Report," *Club of Mozambique* (Maputo, Mozambique), June 26, 2024, <https://clubofmozambique.com/news/mozambique-hidden-debts-ruin-anti-poverty-strategy-aim-report-260472/>.

23 Al Jazeera, "Mozambique Ex-President's Son, 10 Others Jailed over Corruption | Corruption News | Al Jazeera," Al Jazeera - News, December 7, 2022, <https://www.aljazeera.com/news/2022/12/7/mozambique-ex-presidents-son-ten-others-jailed-over-corruption>.

24 Gift Essinlo and Teresa Boene, *The Persistence Of Popular Protests Against The Results Of The General Elections May Increase Mozambique's Sovereign Credit Risk*, 2024, <https://www.cipmoz.org/wp-content/uploads/2024/11/Post-Election-Crisis.pdf>.

25 Venâncio Mondlane joined the already existing PODEMOS for his intention to run as an independent candidate, but with a minimum of ten thousand supporters, as established in the 2004 Constitution.

26 European Union Election Observation Mission (EU EOM), *EU EOM Mozambique Preliminary Statement*, Preliminary Statement (European External Action Service (EEAS), 2024), <https://www.eeas.europa.eu/sites/default/files/documents/2024/EU%20EOM%20Mozambique%20PRELIMINARY%20STATEMENT%20EN.pdf>.

27 Amnesty International, "Mozambique: Authorities Must Investigate Reports of More than 300 Unlawful Killings during Post-Election Protest Crackdown," *Amnesty International*, February 27, 2025, <https://www.amnesty.org/en/latest/news/2025/02/mozambique-authorities-must-investigate-reports-of-more-than-300-unlawful-killings-during-post-election-protest-crackdown/>.

The 2024 political crisis represented a departure from the traditional FRELIMO–RENAMO polarisation, signalling a new phase of political realignment, as a new political party emerged as second more represented in the Parliament.²⁸ Observers noted that, unlike previous post-electoral tensions rooted in armed confrontation, this conflict was driven by both urban and rural mobilisation and civilian protest, marking a shift in both political dynamics and the forms of state response.²⁹

In summary, Mozambique’s historical and political trajectory reflects a complex state-building process marked by advances in democratic institutionalisation alongside structural challenges inherited from the colonial era and armed conflict. These factors continue to shape the current political context, highlighting the need to deepen reforms that strengthen democratic governance and political stability in the country.

28 Bárbara Henriques, “General Elections: Podemos Takes on Role of Largest Opposition Party in New Parliament • 360 Mozambique,” News, 360 Mozambique, January 9, 2025, <https://360mozambique.com/development/general-elections-podemos-takes-on-role-of-largest-opposition-party-in-new-parliament/>.

29 Christoph Dworschak et al., “Spotlight on Protest Dynamics in Mozambique,” *German Institute of Development and Sustainability (IDOS)*, 2024, https://www.idos-research.de/fileadmin/user_upload/pdfs/publikationen/aktuelle_kolumne/2024/German_Institute_of_Development_and_Sustainability_EN_Dworschak_Forquilha_Mross_25.11.2024.pdf?utm_source.

3. Constitutional and legislative reforms relating to criminal justice (2000–2024)

Since the early 2000s, Mozambique has undertaken a series of constitutional and legislative reforms aimed at aligning its legal system with democratic norms and international human rights standards. The reforms occurred against a backdrop of political bargaining between FRELIMO and RENAMO, as well as increased social pressure to address issues of criminal justice, political inclusion, and legal pluralism.³⁰

A milestone in this process in the adoption of the 2004 Constitution, is a clear liberal democratic framework introduced in 1990 and marked a paradigm shift from the one-party state established in the post-colonial model. It introduced a broad framework of fundamental rights including civil liberties,³¹ judicial guarantees,³² and the recognition of legal pluralism.³³ It also reaffirmed the prohibition of torture,³⁴ the principle of equality,³⁵ and the right to freedom of expression,³⁶ while enhancing judicial independence.³⁷

The 2004 Constitution laid also the groundwork for decentralised governance across three tiers: national, provincial and district, as well as devolution through municipalisation.³⁸ Decentralisation reflects a vertical delegation of administrative functions from central to provincial and district levels, while devolution, through municipalisation, entails the horizontal transfer of political, administrative, and financial authority to municipalities governed by elected local officials.³⁹ In practice, however, the central government retains substantial power—especially over financial transfers and major decision-making processes.⁴⁰ The 11 provinces and 154 district governments operate largely as extensions of central authority, with limited autonomy, while the 65 municipalities enjoy a degree of self-governance, but remain financially dependent on central allocations.⁴¹ This dual system has led to uneven power distribution and constrained local capacity, particularly in justice administration, policing, and development planning.⁴²

Throughout this period, criminal justice legislation also underwent major transformation. After decades of reliance on the 1886 colonial Penal Code (*Código Penal*, CP), Mozambique adopted a new Penal Code in 2014, through Law No. 35/2014, subsequently amended in 2019.⁴³

30 Bernhard Weimer, “Constitutional Reforms and the Shifting Architecture of Decentralisation in Mozambique,” *Journal of Southern African Studies*, 2021.

31 Article 48; Article 49; Article 52; Article 54; Article 59 Constituição da República de Moçambique, Pub. L. No. 1/2004, Lei n.º 1/2004 (2004). <https://www.masa.gov.mz/wp-content/uploads/2018/01/Constituicao-republica-mocambique.pdf>.

32 Article 59; Article 62; Constituição da República de Moçambique.

33 Article 4 Constituição da República de Moçambique.

34 Article 70 Constituição da República de Moçambique.

35 Article 35 Constituição da República de Moçambique.

36 Article 48 Constituição da República de Moçambique.

37 Article 218 Constituição da República de Moçambique.

38 Bernhard Weimer and João Carrilho, *Political Economy of Decentralization in Mozambique: Dynamics, Outcomes, Challenges*, with Instituto de Estudos Sociais e Económicos (IESE, 2017).

39 Weimer and Carrilho, *Political Economy of Decentralization in Mozambique*.

40 Weimer and Carrilho, *Political Economy of Decentralization in Mozambique*.

41 Weimer and Carrilho, *Political Economy of Decentralization in Mozambique*.

42 Bernhard Weimer, “Decentralisation in Mozambique: Institutional Progress and Political Resistance,” *Journal of Southern African Studies*, 2021.

43 Lei n.º 26/2019, de 27 de Dezembro – Código de Execução Das Penas, Pub. L. No. 26/2019, Boletim da República (2019). <https://reformar.co.mz/documentos-diversos/lei-26-2019-aprova-o-codigo-de-execucao-das-penas.pdf/view>.

These reforms introduced notable changes, including the decriminalisation of vagrancy and begging,⁴⁴ the legalization of abortion under specific conditions (such as rape, fetal malformation, or risk to the mother's life),⁴⁵ and establishing non-custodial sentence options, such as Community Service Orders (CSOs).⁴⁶ The decriminalisation of same-sex relations is often cited as a progressive step forward.⁴⁷ However, its practical and institutional impact remains limited and legally ambiguous. Mozambique is frequently highlighted as a unique example of gender equity in the region,⁴⁸ yet its legal framework remains silent on issues of sexual orientation. While the Constitution proclaims that "men and women are equal before the law in all areas of political, economic, social and cultural life,"⁴⁹ and the Family Law defines family as a "singular, stable, free and notorious union between a man and a woman,"⁵⁰ these formulations, though suggesting a formal commitment to equality, simultaneously reinforce a heteronormative legal structure that excludes other forms of union. Although no explicit legal provisions discriminate against sexual minorities, implicit exclusion is evident in the design and implementation of laws and public policies. Fieldwork participants stressed that both the Executive and Parliament have failed to adopt a clear stance on the rights of sexual minorities. An example is the case of LAMBDA, a Mozambican civil society organisation promoting LGBTQ+ rights, which has repeatedly attempted to register since 2006. Despite fulfilling all formal requirements, its legal recognition continues to be denied without official explanation.⁵¹

According to LAMBDA and allied civil society organisations, this persistent denial reflects institutionalised discrimination and political inertia.⁵² The association has documented discriminatory practices against sexual minorities, particularly in access to employment opportunities, legal recognition, and protection from abuse.⁵³ They have documented discriminatory practices against sexual minorities, particularly in employment, legal recognition, and protection from abuse. Although same-sex relations are no longer criminalised, the absence of affirmative protections and lack of political will significantly undermine the broader principle of equality before the law. In this context, decriminalisation, while symbolically important, has yet to yield substantive legal protections or ensure equal treatment.

Another significant milestone in Mozambique's criminal justice reform was the introduction of CSOs as an alternative to custodial sentences in the Penal Code, reflecting a shift toward a more restorative and rights-based penal framework.⁵⁴ This reform aligns with international standards promoting non-custodial sanctions, particularly for minor offences and socially vulnerable groups.⁵⁵ In parallel, the Criminal Enforcement Code (CEP),⁵⁶ regulates the execution of both custodial and non-custodial sentences, including CSOs. However, despite their potential, the implementation of CSOs remains inconsistent and often biased, as was stressed by the respondents.⁵⁷

44 Vagrants and beggars, and associations of evildoers; previously stated in Article 256 of the former 1886 PC.

45 Articles 166–169 Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

46 Articles 67–69, 71, 73 and 75 of the Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

47 France24 Staff, "Mozambique Scraps Colonial-Era Bans on Homosexuality, Abortion," *Africa, France 24*, June 29, 2015, Online Edition, <https://www.france24.com/en/20150629-mozambique-scraps-colonial-era-bans-homosexuality-abortion>.

48 UN Women, "Country Fact Sheet | UN Women Data Hub," UN Women Data Hub, February 2024, <https://data.unwomen.org/country/mozambique>.

49 Article 35 of the Constituição da República de Moçambique.

50 Nr. 2 of the Article 2 Lei n.º 22/2019 – Lei da Família, Boletim da República, I Série, n.º 91, 11 de Dezembro de 2019. <https://reformar.co.mz/documentos-diversos/lei-22-2019-lei-da-familia.pdf>.

51 Dêrcio Tsandzana, "Moçambique: Grupo LGBT 'Lambda' luta pela legalização há sete anos," *Global Voices em Português*, November 5, 2014, <https://pt.globalvoices.org/2014/11/05/mocambique-organizacao-lgbt-designada-lambda-luta-pela-sua-legalizacao/>.

52 Embaixada da Suécia em Moçambique, "Entrevista com a Associação LAMBDA," Sweden Abroad, 2020, <https://www.swedenabroad.se/pt/embaixada/mocambique-maputo/atualidades/noticias/entrevista-com-a-lambda>.

53 Embaixada da Suécia em Moçambique, "Entrevista com a Associação LAMBDA."

54 Article 89; Article 90; Article 102; of the Lei n.º 35/2014, de 31 de Dezembro – Aprova o Código Penal.

55 "Regras Mínimas Das Nações Unidas Para o Tratamento de Reclusos (Regras de Mandela)," File, REFORMAR – Research for Mozambique, accessed April 24, 2025, https://reformar.co.mz/documentos-diversos/nelson_mandela_rules-p-ebook.pdf/view; "Regras Das Nações Unidas Para o Tratamento de Mulheres Presas e Medidas Não Privativas de Liberdade – Regras de Bangkok," File, REFORMAR – Research for Mozambique, accessed April 24, 2025, <https://reformar.co.mz/documentos-diversos/regras-das-nacoes-unidas-para-o-tratamento-de-mulheres-presas-e-medidas-nao-privativas-de-liberdade-regras-de-bangkok.pdf/view>.

56 Lei n.º 26/2019, de 27 de Dezembro – Código de Execução Das Penas.

57 Vanja Petrovic et al., *Alternativas à prisão em Moçambique* (Dullah Omar Institute, 2020), <https://dullahomarinstitute.org.za/acjr/resource-centre/alternativas-moz-port-2020.pdf>.

The limited institutional infrastructure also hampers effective implementation. There is no systematic mechanism for monitoring compliance with CSO.⁵⁸ Convicted persons are assigned to community work without analysing their skills; CSOs also often lack formal supervision, and records of service are inconsistently maintained.⁵⁹ In some municipalities, detainees are temporarily held in prison before undertaking CSO tasks-blurring the line between custodial and non-custodial sanctions.⁶⁰

At the validation workshop, participants identified opportunities for reform, advocating or aligning CSO tasks with offenders' skills to enhance both utility and rehabilitative impact.⁶¹ For instance, qualified individuals (such as teachers or artisans) could contribute their expertise to public institutions, rather than being assigned to generic cleaning tasks.⁶² This approach could foster community reintegration and reduce prison overcrowding while respecting the principle of proportionality. However, without adequate public education, institutional support, and legal clarity, CSOs risk being underutilized or misapplied.⁶³ In sum, while the constitutional and legislative reforms introducing CSOs represent a progressive shift, their discriminatory implementation (rooted in socio-economic disparities and institutional weaknesses) limits their transformative potential. For CSOs to serve as a viable alternative to incarceration, they must be applied equitably, monitored effectively, and adapted to the socio-professional profiles of offenders.

The legal reforms extended beyond sentencing to include updates to criminal procedure. In 2019, Mozambique replaced its colonial-era Criminal Procedure Code (CPP), dating back to 1929.⁶⁴ The new code introduced modern procedural safeguards and aimed to enhance the protection of fundamental rights, including clearer time limits for pre-trial detention and strengthened adversarial procedures.⁶⁵ Nonetheless, the data validation workshop revealed an understanding that ongoing inequalities in practice (especially regarding access to bail and the widespread use of pre-trial detention as the default measure for poor and young defendants) undermine the reform's protective intent.⁶⁶

Complementing these procedural changes, the Criminal Enforcement Code (CEP),⁶⁷ enacted alongside the CPP reforms, governs the execution of sentences in Mozambique, including both custodial and non-custodial measures. It establishes the framework for prison administration, probation, and alternative sanctions such as CSOs, aiming to modernize the penal system and improve respect for human rights during sentence enforcement.

Its design was guided by international human rights standards, particularly the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), which stress dignity,⁶⁸ rehabilitation,⁶⁹ and non-discrimination.⁷⁰ Although the CEP proclaims alignment with these international norms, its implementation raises serious concerns. Notably, despite including provisions that prohibit discrimination in the execution of sentences, the law allows differentiated

58 Petrovic et al., *Alternativas à prisão em Moçambique*.

59 Petrovic et al., *Alternativas à prisão em Moçambique*.

60 Jornal Notícias, "MEDIDAS ALTERNATIVAS À PRISÃO: Reclusos rejeitados nas comunidades," *Jornal Notícias*, July 29, 2024, <https://www.jornalnoticias.co.mz/2024/07/29/medidas-alternativas-a-prisao-reclusos-rejeitados-nas-comunidades/>.

61 Penal Reform International (PRI), "Evaluation: Excellence in Training on Rehabilitation in Africa (ExTRA) Project (Mid-Term)," *Penal Reform International*, 2015, <https://www.penalreform.org/resource/evaluation-excellence-in-training-on-rehabilitation-in-africa/>.

62 Penal Reform International (PRI), "Evaluation."

63 Shelley Turner and Chris Trotter, *Best Practice Principles for the Operation of Community Service Schemes: A Systematic Review of the Literature*, Technical Report / Systematic Review (Corrections Victoria, Department of Justice, Victoria, Austrália, 2013), https://www.researchgate.net/publication/291348050_Best_practice_principles_for_the_operation_of_community_service_schemes_A_systematic_review_of_the_literature.

64 Lei n. 25/2019 - Lei de Revisão do Código do Processo Penal, Pub. L. No. 25/2019, Código do Processo Penal (2019). <https://reformar.co.mz/documentos-diversos/lei-25-2019-lei-de-revisao-do-codigo-do-processo-penal.pdf/view>.

65 Article 256 of the Lei 25/2019.

66 Lukas Muntingh and Jean Redpath, "The Socio-Economic Impact of Pre-Trial Detention in Kenya, Mozambique and Zambia," *Hague Journal on the Rule of Law* 10, no. 1 (2018): 139-64, <http://dx.doi.org/10.1007/s40803-017-0062-1>.

67 Lei n.º 26/2019, de 27 de Dezembro - Código de Execução Das Penas.

68 Rule 1 of the Regras Mínimas das Nações Unidas para o Tratamento de Reclusos, Regras de Mandela (2015). <https://reformar.co.mz/documentos-diversos/nelson-mandela-rules-p-ebook.pdf/view>.

69 Rule 4 of the Regras Mínimas das Nações Unidas para o Tratamento de Reclusos.

70 Rule 2 Regras Mínimas das Nações Unidas para o Tratamento de Reclusos.

treatment based on financial status.⁷¹ This contradiction is most evident in the rule permitting improved prison conditions upon payment, which institutionalizes a dual system of punishment.⁷²

A constitutional petition submitted by REFORMAR, supported by civil society actors, challenged the legality of this clause, arguing that it contravenes the constitutional principle of equality.⁷³ Respondents in the fieldwork argued that the norm was politically motivated rather than a national legal gain as it softened some penalizations.⁷⁴

Despite these advances, concerns persist about the implementation and impact of reforms. Socio-economic status continues to influence sentencing outcomes,⁷⁵ with civil society organisations documenting how non-custodial measures like CSO are rarely applied to wealthier or politically connected individuals, while poorer defendants are more likely to face pre-trial detention or custodial sentences.⁷⁶ Judges and legal professionals themselves have acknowledged these systemic inequalities, often attributing them to resource constraints, lack of institutional support, and corruption.⁷⁷

Other concerns about the broader legal framework persist, particularly in the field of public freedoms. Legislation on press freedom,⁷⁸ the right of assembly,⁷⁹ and offences against honour still enshrined in the Penal Code (such as defamation and insult)⁸⁰ have been criticised for enabling disproportionate restrictions on the exercise of active citizenship. Human rights organisations and press freedom watchdogs have repeatedly raised concerns about the use of these laws to stifle dissent and limit journalistic work in Mozambique.⁸¹ The frequent use of defamation charges in cases involving journalists and activists illustrates the complexities in balancing the protection of personal honour with freedom of expression.⁸² This situation underscores the challenges in clearly distinguishing between legitimate public criticism and statements that may constitute legally punishable slander, which can create a precarious environment for open and critical public debate.⁸³

Mozambique ratified the UN Convention on the Rights of Persons with Disabilities in 2012,⁸⁴ but the country had not developed a specific law on this matter.⁸⁵ Though the country had been implementing the 'policy for persons suffering from disabilities' since 1999 and the National Plan for Persons with Disabilities (2012-2019), persons with disabilities claimed for a specific law.⁸⁶

71 Nr. 2 of the Article 8 of the Lei n.º 26/2019, de 27 de Dezembro – Código de Execução Das Penas.

72 REFORMAR – Research For Mozambique and Maria Alice Mabota, *Petição Apresentada Ao Conselho Constitucional Contra as Condições Privilegiadas de Prisão Para Os Ricos*, File (REFORMAR – Research for Mozambique, 2023), <https://reformar.co.mz/publicacoes/peticao-apresentada-ao-conselho-constitucional-contra-as-condicoes-privilegiadas-de-prisao-para-os-ricos.pdf/view>.

73 REFORMAR – Research For Mozambique and Mabota, *Petição Apresentada Ao Conselho Constitucional Contra as Condições Privilegiadas de Prisão Para Os Ricos*.

74 Betuel Manassés, "Dívidas ocultas e o Acórdão do Tribunal Supremo: O seu contexto e alcance político e legal," *Análise Global*, Integrity Magazine, April 21, 2025, <https://integritymagazine.co.mz/arquivos/41630>.

75 REFORMAR – Research For Mozambique and Mabota, *Petição Apresentada Ao Conselho Constitucional Contra as Condições Privilegiadas de Prisão Para Os Ricos*.

76 Petrovic et al., *Alternativas à prisão em Moçambique*; Petersen Kristen et al., *A Comparative Study of Bail Legislation in Malawi, Mozambique and Burundi*, File (Maputo, Moçambique, 2016), <https://reformar.co.mz/publicacoes/bail-comparative.pdf/view>.

77 REFORMAR – Research for Mozambique, "Análise de Algumas Questões a Volta Da Integridade No Judiciário Em Moçambique," News Item, REFORMAR – Research for Mozambique, 2019, <https://reformar.co.mz/noticias/analise-de-algumas-questoes-a-volta-da-integridade-no-judiciario-em-mocambique>.

78 Lei n.º 18/91: Define Os Princípios Que Regem a Atividade Da Imprensa e Estabelece Os Direitos e Deveres Dos Seus Profissionais, Pub. L. No. 18/91, Lei da Imprensa (1991). <https://archive.gazettes.africa/archive/mz/1991/mz-government-gazette-series-i-supplement-no-3-dated-1991-08-10-no-32.pdf>.

79 Lei n.º 9/91: Regula o exercício da liberdade de reunião e de manifestação, Pub. L. No. 9/91, Lei das Manifestações (1991). <https://pt.scribd.com/document/720395251/Lei-9-91-Lei-das-manifestacoes>.

80 Article 237 of the Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

81 Human Rights Watch, "Mozambique: Events of 2020," in *World Report 2021* (2020), <https://www.hrw.org/world-report/2021/country-chapters/mozambique>; Amnesty International, "Mozambique," February 27, 2025.

82 MISA Moçambique, *Relatório do Estado da Liberdade de Imprensa – 2025*, Annual Report / Relatório Anual no. 2025 (MISA Moçambique, 2025), <https://misa.org.mz/wp-content/uploads/2025/05/Relatorio-do-estado-da-Liberdade-de-Imprensa-2025.pdf>.

83 MISA Moçambique, *Cenário Geral das Liberdades de Imprensa em 2024*, Annual Report / Relatório Anual no. 2024 (MISA Moçambique, 2025), <https://misa.org.mz/o-cenario-geral-das-liberdades-de-impressao-em-2024/>.

84 Convention on the Rights of Persons with Disabilities | OHCHR (2006), <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

85 Mouzinho Rafael, "FAMOD considera um marco importante aprovação da Lei de Promoção e Protecção dos Direitos de Pessoas com Deficiência – aimnews.org," *Agência de Informação de Moçambique (AIM)* (Maputo, Moçambique), de abril de 2024, <https://aimnews.org/2024/04/25/famod-considera-um-marco-importante-aprovacao-da-lei-de-promocao-e-proteccao-dos-direitos-de-pessoas-com-deficiencia/>; Convention on the Rights of Persons with Disabilities | OHCHR.

86 Inalcídio Uamusse, "Moçambique ainda não tem lei de promoção dos direitos da pessoa com deficiência – O País – A verdade como notícia," *O País*, December 4, 2021, <https://opais.co.mz/mocambique-ainda-nao-tem-lei-de-promocao-dos-direitos-da-pessoa-com-deficiencia/>.

In this context, persons with disabilities mentioned the adoption approval of a specific law as an important legal advancement concerning the protection and respect for the fundamental rights and freedoms of persons with permanent physical, mental, or sensory disabilities.⁸⁷ However, its practical impact is limited by challenges such as the lack of disaggregated data, poor physical accessibility in courts, and the absence of sign language interpreters.^{88,89} Participants of the validation workshop also emphasized that person with disabilities rarely benefit from specific judicial protection measures and particular attention are needed.

In summary, Mozambique's constitutional and legislative reforms since 2000 represent significant progress towards establishing a rights-based criminal justice system aligned with democratic norms and international standards. Nevertheless, persistent challenges in implementation, marked by socio-economic inequalities, institutional weaknesses, and political interference, continue to undermine these legal advancements. For the reforms to achieve their full transformative potential, further efforts are required to ensure equitable application, strengthen institutional capacity, and promote accountability within the criminal justice sector.

87 Lei n.º 10/2024 – Lei de Promoção e Proteção Dos Direitos Das Pessoas Com Deficiência, Pub. L. No. 10/2024 (2024). <https://archive.gazettes.africa/archive/mz/2024/mz-government-gazette-series-i-dated-2024-06-07-no-111.pdf>.

88 United States Department of State, *2015 Country Reports on Human Rights Practices - Mozambique* (United States Department of State, 2016), <https://www.refworld.org/reference/annualreport/usdos/2016/en/109771>.

89 "2015 Country Reports on Human Rights Practices - Mozambique," Refworld, accessed July 7, 2025, <https://www.refworld.org/reference/annualreport/usdos/2016/en/109771>.

4.

Legal framework: law enforcement and courts

4.1 Formal structures

Mozambique's formal legal system comprises a hierarchy of courts and law enforcement agencies established under the 2004 Constitution and subsequent legislative reforms. This includes the Supreme Court of Justice, Higher Courts of Appeal, Provincial and District Judicial Courts,⁹⁰ the Public Prosecutor's Office (Ministério Público),⁹¹ the Police of the Republic of Mozambique (PRM),⁹² and Criminal Investigation Services (SERNIC).⁹³ These entities are tasked with safeguarding legality, delivering justice, and ensuring public security. However, structural inequalities, uneven geographic distribution, and socio-economic disparities undermine the inclusiveness and fairness of the justice system.

The court system is centralised, with the Supreme Court serving as the final appellate body and constitutional guardian. In 2017, with an estimated population of more than 28 million, Mozambique had one judge for every 80,000 people, and one prosecutor for every 60,000 people.⁹⁴ This scarcity is exacerbated by geographic inequalities. For example, the densely populated province of Nampula had fewer judges than the capital Maputo, despite having a population six times larger.⁹⁵ Research revealed that pre-trial detention is commonly imposed on low-income defendants even in cases of minor offences that legally do not warrant detention.⁹⁶ For example, in 2017, over 40% of the country's 6,000 pre-trial detainees were held in connection with summary offences that typically carry sentences of less than one year and are not intended to result in custody.⁹⁷

Moreover, despite the existence of legal provisions for bail (*caução*), judges often fail to apply it or impose it under conditions that make it inaccessible to economically disadvantaged defendants. A comparative study on bail legislation in Mozambique, Malawi, and Burundi found that Mozambican courts systematically neglect the use of bail mechanisms, resulting in unnecessary and prolonged detention.⁹⁸ This pattern reflects broader judicial trends whereby judges issue pre-trial detention orders even when legal requirements are not met, as documented in national research on judicial incarceration practices in Mozambique.⁹⁹ These decisions contribute significantly to prison overcrowding and reinforce a punitive approach that disproportionately affects economically vulnerable populations.

Judicial independence is also problematic, compromised by resource constraints and perceptions of politicization. Judges often work without adequate logistical support and are exposed to corrupt influences. While the judiciary has formally distanced itself from the one-party legacy of FRELIMO, participants reported that access to fair and impartial adjudication is still heavily conditioned by political affiliations and economic status.¹⁰⁰

90 Lei Orgânica Da Assembleia Da República, Pub. L. No. Lei n.º 16/2013(2013).; Article 24 of the Constituição da República de Moçambique.

91 Constituição da República de Moçambique; Lei n.º 4/2017 – Lei Orgânica Do Ministério Público e Estatuto Dos Magistrados, Pub. L. No. Lei n.º 4/2017 (2017). https://reformar.co.mz/documentos-diversos/lei_4_2017_pgr.pdf.

92 Lei n.º 16/2013 – Lei Da Polícia Da República de Moçambique, Pub. L. No. Lei n.º 16/2013(2013). <https://reformar.co.mz/documentos-diversos/prm-nova-lei-1.pdf/view>; Constituição da República de Moçambique.

93 Lei no 02/2017 – SERNIC | PDF | Polícia | Ministros (governo), Pub. L. No. Lei n.º 2/2017, 2/2017(2017). <https://pt.scribd.com/document/664894533/Lei-n%C2%BA-02-2017-SERNIC>.

94 Concetta Lorizzo, "Non-State Forms of Conflict Resolution: Opportunities for Improving Criminal Justice a Case Study of Community Courts in Mozambique"(2022), <http://hdl.handle.net/11427/36937>.

95 Lorizzo, "Non-State Forms of Conflict Resolution."

96 Lorizzo, "Non-State Forms of Conflict Resolution."

97 Lorizzo, "Non-State Forms of Conflict Resolution."

98 Kristen et al., *A Comparative Study of Bail Legislation in Malawi, Mozambique and Burundi*.

99 Tina Lorizzo, "Judges' Incarceration Decisions in Mozambique: The Need to Decolonise the Punitive Approach to Criminal Justice," REALIS 13, no. 3 (2023): 1–24, <https://doi.org/10.51359/2179-7501.2023.261311>.

100 Ramos Miguel, "Justiça moçambicana é lenta e politizada", dizem analistas," *Voice of America*, May 12, 2021, <https://www.voaportugues.com/a/justiça-moçambicana-é-lenta-e-politizada-dizem-analistas/5887821.html>.

Legal assistance is guaranteed under the Constitution and provided by the Legal Aid Institute (Instituto de Patrocínio e Assistência Jurídica, IPAJ), but coverage remains limited, especially outside Maputo.¹⁰¹ Legal aid is often inaccessible to rural and low-income communities, contributing to procedural delays, prolonged pretrial detention, and a de facto denial of justice to the poor.¹⁰²

Participants in the data validation workshop highlighted the persistent exclusion of local languages in formal judicial proceedings, which hinders communication between institutions and citizens who do not speak Portuguese. This is confirmed elsewhere, showing how the absence of indigenous languages in legal processes undermines understanding, access, and equitable treatment.¹⁰³ Respondents emphasized that this linguistic marginalisation fosters miscommunication, mistrust, and systemic inequities, calling for urgent reform to incorporate local languages into judicial and administrative procedures.

Law enforcement is dominated by the PRM, which operates under the Ministry of the Interior (Ministério do Interior, MINT), but also includes specialised units such as the Rapid Intervention Unit (UIR) and Border Police.¹⁰⁴ Policing in Mozambique reflects its historical legacy. Established in 1992, the PRM retains a paramilitary character reminiscent of both colonial and post-independence regimes.¹⁰⁵ Although legislatively reformed in 2013¹⁰⁶ to emphasize legality, impartiality, and human rights and the 2019 Organic Statute of the PRM which affirms the force's role in safeguarding constitutional rights and the rule of law,¹⁰⁷ the PRM continues to exhibit partisan and repressive practices.¹⁰⁸ Public trust remains low, with surveys revealing widespread perceptions of corruption and inefficacy.¹⁰⁹ Oversight of police conduct is also weak and often symbolic, with disciplinary mechanisms rarely activated in response to abuse or misconduct.¹¹⁰

Efforts to integrate community-based policing and adapt policing to democratic norms are undermined by entrenched authoritarian practices, underfunded training institutions, and a lack of interdisciplinary engagement.¹¹¹ The militarisation of the police has also intensified in response to terrorism in Cabo Delgado, reducing the focus on civilian-oriented policing.¹¹²

At the local level, it is important to distinguish between Municipal police and PRM. Municipal police in Mozambique do not handle criminal matters, it only operates based on the principle of subsidiarity.¹¹³ That is, all criminal issues identified or that occurs before the municipal police are forward to PRM or Traffic Police according to the competences of deconcentrated entities within cities and villages, following Municipal by-laws.¹¹⁴ Law enforcement mechanisms apply to PRM alldistricts including urban territories.

101 Lorizzo, "Non-State Forms of Conflict Resolution."

102 Lorizzo, "Non-State Forms of Conflict Resolution."

103 Lorizzo, "Non-State Forms of Conflict Resolution."

104 Article 12, paragraph 2, subparagraph(c) of the Lei Da PRM.

105 Tina Lorizzo and Vanja Petrovic, *Democratic Policing in Mozambique – Challenges of Training for Professionalisation* (REFORMAR – Research for Mozambique, 2022), <https://reformar.co.mz/publicacoes/democratic-policing.docx>.

106 Lei Da PRM.

107 Estatuto Orgânico da Polícia da República de Moçambique (PRM) – 2019, Pub. L. No. Lei n.º 19/92, de 31 de Dezembro (1992). <https://www.scribd.com/document/712414632/Estatuto-Organico-Prm-2019>.

108 Carta de Moçambique, *Da Polícia Na Pandemia (Crónica)*, de abril de 2021, <https://cartamz.com/politica/10262/8573-da-policia-na-pandemia-chronica/>.

109 Lorizzo and Petrovic, *Democratic Policing in Mozambique – Challenges of Training for Professionalisation*.

110 Lorizzo and Petrovic, *Democratic Policing in Mozambique – Challenges of Training for Professionalisation*.

111 Helene Maria Kyed, *The Contested Role of Community Policing: "new" Non-State Actors in the Plural Legal Landscape of Mozambique* (Danish Institute for International Studies (DIIS), 2010), <https://www.diis.dk/en/research/community-policing-in-mozambique>.

112 Lorizzo and Petrovic, *Democratic Policing in Mozambique – Challenges of Training for Professionalisation*.

113 Article 10 Lei n.º 12/2023 – Lei de bases da criação, organização e funcionamento das autarquias locais, Pub. L. No. Lei n.º 12/2023, 12/2023 (2023). <https://university.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/23%20Lei%2012-2023%20de%2026%20de%20Agosto%20-%20autarquias%20locais%20Moz-12-2023.pdf>.

114 Article 8 Decreto n.º 35/2006 – Regulamento de Criação e Funcionamento da Polícia Municipal, Pub. L. No. Decreto n.º 35/2006, 35/2006 (2006). <https://archive.gazettes.africa/archive/mz/2006/mz-government-gazette-series-i-dated-2006-09-06-no-36.pdf>.

According to the Decree,¹¹⁵ the specific responsibilities of the Municipal Police include surveillance of public spaces and areas open to the public related to municipal assets, guarding municipal buildings and equipment, and monitoring compliance with vehicle parking regulations within municipal boundaries.¹¹⁶ Additionally, the Municipal Police also monitor informal markets and street vendors, regulating where these activities are authorized to ensure orderly urban management.¹¹⁷

When situations arise that require coercive intervention or risk confrontation, the Municipal Police must request support from the PRM to ensure public order and legality of municipal operations.¹¹⁸ The law also permits the Municipal Police to detain persons caught in the act of committing crimes punishable by imprisonment, immediately handing them over to the PRM, and to draw up infraction and violation reports for breaches of municipal by-laws.

Fieldwork observations indicate, however, that in some cases municipal agents retained goods seized from street vendors for personal use, contrary to legal procedures that mandate perishable goods be delivered to social services for redistribution, and non-perishable goods properly stored for later recovery by their owners. This practice undermines legality and public trust in the institution.

Although Mozambique's legal framework articulates principles of equality, non-discrimination, and access to justice, the formal structures of courts and law enforcement operate in ways that reinforce socio-economic and political hierarchies. Judicial practices disproportionately affect low-income and rural populations, while wealth and political influence afford preferential treatment. Similarly, policing continue to reflect historical authoritarian legacies, with discriminatory enforcement undermining public trust and the legitimacy of law enforcement institutions. Addressing these disparities requires structural reform, resource redistribution, and the institutionalisation of accountability and oversight mechanisms.

4.2 Informal structures

Mozambique officially recognises legal pluralism.¹¹⁹ Community courts, formalised under Law No. 4/92, mediate civil and minor criminal disputes using customary norms. These courts resolve approximately 85% of community-level conflicts and are often preferred due to their accessibility and cultural legitimacy.¹²⁰ However, weak institutional linkages with the formal judiciary limit their integration and legal recognition remains incomplete.¹²¹

Traditional authorities (régulos) also serve as conflict mediators, particularly in land and family disputes.¹²² Although their status is not clearly codified, their authority is widely respected in rural and some urban settings.¹²³ Similarly, secretários do bairro (neighborhood secretaries) function as semi-formal actors, often issuing residency attestations and resolving minor disputes, despite political affiliations and jurisdictional overlaps with community courts.¹²⁴

In addition to community-based actors, there have also been reports of politically motivated informal groups exercising coercive functions under the guise of maintaining public order.¹²⁵

115 Regulamento da Polícia Municipal.

116 Article 7 Regulamento da Polícia Municipal.

117 Article 8 Regulamento da Polícia Municipal.

118 Article 4 Regulamento da Polícia Municipal.

119 Article 4 of the Constituição da República de Moçambique.

120 Sara Alexandre Domingues Araújo, "Ecologia de justiças a Sul e a Norte. Cartografias comparadas das justiças comunitárias em Maputo e Lisboa" (doctoralThesis, 2014), <https://estudogeral.uc.pt/handle/10316/26793>; Lorizzo, "Non-State Forms of Conflict Resolution."

121 Araújo, "Ecologia de justiças a Sul e a Norte. Cartografias comparadas das justiças comunitárias em Maputo e Lisboa"; Lorizzo, "Non-State Forms of Conflict Resolution."

122 Vitor Alexandre Lourenço, "Estado, Autoridades Tradicionais e Transição Democrática em Moçambique: Questões teóricas, dinâmicas sociais e estratégias políticas," *Cadernos de Estudos Africanos*, no. 16/17 (July 2009): 115–38, <https://doi.org/10.4000/cea.189>.

123 Maria Paula Meneses, "Poderes, direitos e cidadania: O 'retorno' das autoridades tradicionais em Moçambique," *Revista Crítica de Ciências Sociais*, no. 87 (December 2009): 9–42, <https://doi.org/10.4000/rccs.1428>.

124 Meneses, "Poderes, direitos e cidadania."

125 Joseph Hanlon, *MOZAMBIQUE News Reports & Clippings* (Open University, 2020), https://university.open.ac.uk/technology/mozambique/sites/www.open.ac.uk/technology/mozambique/files/files/Mozambique_496-26July2020_Mercenaries.pdf.

These include party-affiliated youth wings and vigilante-style formations operating particularly in peri-urban and conflict-prone areas. Though not officially recognised, these groups are sometimes tolerated by local authorities and have been implicated in harassment of political opponents, intimidation of voters, and violent enforcement of 'discipline' during election periods or times of unrest.¹²⁶ Their actions contribute to an environment of fear and further blur the lines between informal policing, political repression, and the formal justice system.

Another phenomenon that has gained visibility in Mozambique since the mid-1990s is lynching, commonly referred to as "justice by one's own hands."¹²⁷ Although not part of traditional or informal justice systems, this practice is often interpreted as a community response to the inefficacy or inaccessibility of the formal justice system and security forces.¹²⁸ Lynching typically involves public mob violence, including beatings, killings, or burning of accused individuals caught in flagrante delicto. While not legally sanctioned nor recognized by traditional authorities, these acts are sometimes tolerated, revealing a profound lack of trust in formal institutions.¹²⁹ Since the 1990s, lynching has remained a recurring phenomenon in Mozambique, reflecting the weaknesses of public security and conflict resolution mechanisms. Reports document dozens of victims between 2006 and 2009 across Maputo, Beira, Manica, and Sofala, where suspected criminals were beaten and burned by mobs as a response to rising crime rates and police inefficiency.¹³⁰

A relatively new approach within Mozambique's plural policing landscape is community policing, especially in urban peripheries. These initiatives aim to build bridges between local communities and the PRM.¹³¹ Typically informal in nature, they involve local volunteers (often young men) who assist with patrolling, surveillance, and minor dispute resolution. Although intended to enhance crime prevention and foster trust, coordination and accountability mechanisms remain inconsistent and underdeveloped.

Previous research offers in-depth analysis of Mozambique's community policing strategies. While these initiatives were introduced as participatory mechanisms to increase public trust and legitimacy of state policing, they often reproduce centralised control and authoritarian logics.¹³² In practice, community policing structures have sometimes reinforced militarised policing styles and extended state surveillance at the local level. In peri-urban areas, volunteers involved in community policing operates with minimal oversight, leading to informal coercion and exacerbating tensions with local populations.¹³³ Rather than functioning solely as bridges between citizens and the state, these actors can become instruments of informal control, especially in politically contested or unstable environments.¹³⁴

Despite constitutional support for pluralism, the relationship between formal and informal justice mechanisms remains fragmented, perpetuating systemic inequalities and excluding economically disadvantaged groups from effective access to justice. Strengthening coordination, enhancing accountability, and clarifying the roles of informal actors are essential steps towards a more inclusive and equitable justice system that respects both cultural legitimacy and fundamental rights.¹³⁵

126 Club of Mozambique, "Mozambique: Push for Mercenaries and Intervention in Cabo Delgado - By Joseph Hanlon," Mozambique, 2020, <https://clubofmozambique.com/news/mozambique-push-for-mercenaries-and-intervention-in-cabo-delgado-by-joseph-hanlon-166909/>.

127 Eleutério Fenita, "Linchamentos Substituem Justiça Em Moçambique," *BBC News - África Em Português*, July 23, 2007, https://www.bbc.co.uk/portuguese/afrika/news/story/2007/07/070723_mozlynchjd.shtml.

128 António Rocha, "Porque acontecem tantos linchamentos?," *DW África*, de outubro de 2013, <https://www.dw.com/pt-002/porque-acontecem-tantos-linchamentos/a-17148389>.

129 Rocha, "Porque acontecem tantos linchamentos?"

130 Carlos Matsinhe, "Insegurança em Gaza: Residentes montam cancelas nas estradas - DW - 30/04/2024," *DW África*, de abril de 2024, <https://www.dw.com/pt-002/inseguranca-em-gaza-residentes-montam-cancelas-nas-estradas/a-68964907>; Staff Reporter, "Mozambican Citizens Mete out Rough Justice," *Article, The Mail & Guardian*, November 8, 2006, <https://mg.co.za/article/2006-11-08-mozambican-citizens-mete-out-rough-justice/>.

131 Bjørn Enge Bertelsen, *Effervescence and Ephemerality: Popular Urban Uprisings in Mozambique*, CMI Brief, vol. 14, n.o 3 (Chr. Michelsen Institute (CMI), 2016), 25-52, <http://www.tandfonline.com/doi/full/10.1080/00141844.2014.929596>.

132 Helene Maria Kyed, "Street Authorities: Community Policing in Mozambique and Swaziland," *PoLAR: Political and Legal Anthropology Review* 41, no. S1 (2018): 19-34, <https://doi.org/10.1111/plar.12251>.

133 Kyed, "Street Authorities."

134 Kyed, "Street Authorities"; Kyed, *Community Policing in Mozambique*.

135 Organização Internacional para as Migrações (OIM), *A OIM acolhe a Conferência de Policiamento Comunitário no Norte de Moçambique* | As Nações Unidas em Moçambique, Comunicado de imprensa (2024), <https://mozambique.un.org/pt/221411-oim-acolhe-conferencia-de-policiamento-comunitario-no-norte-de-mocambique>; Organização Internacional para as Migrações (OIM), "Building Trust between Communities and Law Enforcement: IOM Hosts Community Policing Conference in Northern Mozambique," March 2, 2023, <https://mozambique.iom.int/news/building-trust-between-communities-and-law-enforcement-iom-hosts-community-policing-conference-northern-mozambique>.

5. Overview of select criminal, security and exceptional laws

This section provides an overview of selected criminal, security and exceptional laws adopted in Mozambique from 2000 to 2024, and examines how they have applied in practice and their impact. The section commences with an analysis of criminal laws, covering drug-related offences, gender-based violence, and child justice. These subsections reflect on how the legal framework has evolved, but also how implementation has remained unequal, particularly affecting young people, women, and children in vulnerable conditions. The section then considers security laws, focusing on counterterrorism and its overlap with financial crime, as well as digital surveillance under cybersecurity regulations. These laws are analysed in light of concerns about overreach, political instrumentalisation, and limited safeguards. Finally, the section considers exceptional laws, including emergency powers, amnesty provisions and electoral practices. It explores how such legal tools, often justified under security or reconciliation arguments, have in practice enabled selective enforcement, impunity, and the restriction of civil liberties. Each of these areas is discussed with attention to their legal foundations, enforcement challenges, and structural inequalities they tend to reproduce on impacted persons, specially women and youth.

5.1 Criminal laws

5.1.1 Drug-related legislation

Mozambique's legal framework on drug offences is primarily based on which regulates the production, trafficking, and consumption of narcotics and psychotropic substances.¹³⁶ Although enacted in response to rising drug-related activity in the 1990s, this law has not been revised to reflect contemporary public health and criminal justice paradigms.¹³⁷

While the legislation covers various narcotics, psychotropic substances, precursors and preparations, critics particularly highlight its vague and punitive approach to Cannabis, as it lacks clear thresholds to distinguish consumption from trafficking.¹³⁸ Although harsher penalties apply when amounts exceed what is termed "average personal consumption for three days," this quantity is undefined, leaving room for subjective interpretation and inconsistent enforcement.¹³⁹

Participants interviewed noted that the lack of clear legal thresholds disproportionately impacts low-income youth in peripheral neighborhoods, who are often detained for possession of small amounts of drugs and charged with trafficking without evidence of intent to distribute. Although the law provides for exemptions, such as treatment for occasional users or first-time minors, these are rarely applied.¹⁴⁰ The provision on personal cultivation, punishable by up to one year of imprisonment or a fine, faces similarly inconsistent application, with enforcement varying widely and often lacking clear legal justification.¹⁴¹

136 Lei No 3/97 de 13 de Março – Criação Da Lei de Psicotrópicos e Estupefacientes, Pub. L. No. 3/97, Lei 3/97(1997). <https://reformar.co.mz/documentos-diversos/lei-3-97-de-13-de-marco-criacao-da-lei-de-psicotropicos-e-estupefacientes.pdf>.

137 Observatório do Cidadão para Saúde(OCS)and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*, Relatório(REFORMAR – Research For Mozambique, 2023), <https://reformar.co.mz/publicacoes/usuarios-de-droga.pdf/view>.

138 Observatório do Cidadão para Saúde(OCS)and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*.

139 Observatório do Cidadão para Saúde(OCS)and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*.

140 Petrovic et al., *Alternativas à prisão em Moçambique*.

141 Leafwell, "Is Marijuana Legal in Mozambique?," Leafwell, 2023, <https://leafwell.com/blog/is-marijuana-legal-in-mozambique>.

Participants highlighted a perceived double standard in enforcement. While low-income individuals are routinely detained and prosecuted, politically connected actors allegedly evade accountability.¹⁴² This selective disproportionately targets vulnerable youth in disadvantaged neighborhoods and fuels prison overcrowding. A REFORMAR study revealed that cannabis remains widely accessible and even cheaper inside prisons, undermining deterrence.¹⁴³ Some specialists, particularly clinical psychologists, argue that the country has weak institutions and lacks capacity to approve and fairly implement such a law.¹⁴⁴

The study identifies “conservatism and legal ambiguity,” citing concerns such as prolonged pre-trial detention for minor possession, undefined quantity thresholds, and discretionary enforcement harming marginalised youth. Users face discrimination and incarceration under inconsistent rules, often with procedural delays. In response, civil society organisations like UNIDOS and REFORMAR advocate decriminalisation and harm-reduction strategies to reduce stigma and overcrowding, promote treatment, and reframe drug use as a health and social issue.¹⁴⁵ Their motivations include preventing prison overcrowding, reducing stigma, encouraging treatment-seeking behaviour, and shifting the perception of drug use from criminal deviance to a health and social issue.¹⁴⁶

While debate over drug consumption has largely been led by non-state actors, the Government formally adopted in 2003 the National Strategy on Drug Prevention and Control.¹⁴⁷ This strategy is implemented by the Central Office for Drug Control and Prevention (*Gabinete Central de Prevenção e Combate à Droga* – GPCPD), staffed by specialists from the Ministries of Health, Interior, and Education, coordinating prevention, treatment, awareness, and international cooperation nationwide.

The current legal framework on drug offences in Mozambique, particularly regarding cannabis, is characterised by ambiguity, punitive measures, and inconsistent enforcement. This disproportionately affects marginalised youth in peripheral areas, often leading to criminalisation without clear legal thresholds or consistent application of exemptions. Institutional weaknesses and selective enforcement exacerbate these challenges, contributing to prison overcrowding and undermining public trust. Civil society organisations advocate for decriminalisation and harm-reduction strategies, aiming to reframe drug use as a public health issue rather than a criminal one. Meanwhile, the Government’s National Strategy on Drug Prevention and Control seeks to coordinate prevention, treatment, and awareness efforts nationwide; however, implementation remains weak and uneven.

5.1.2 Gender-based violence legislation

Mozambique’s post-independence legal trajectory has progressively incorporated protections against gender-based violence (GBV), informed by both international human rights obligations¹⁴⁸ and domestic advocacy.¹⁴⁹ While the 1975 Constitution recognised the State’s role in women’s emancipation,¹⁵⁰ it was not until the 21st century that targeted legal reforms emerged to address GBV more explicitly.

142 ENACT (Institute for Security Studies and INTERPOL, *The Organized Crime Index*) ENACT, Índice online interativo (2023), <https://africa.ocindex.net>.

143 Observatório do Cidadão para Saúde (OCS) and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*.

144 Observatório do Cidadão para Saúde (OCS) and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*.

145 Observatório do Cidadão para Saúde (OCS) and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*.

146 Observatório do Cidadão para Saúde (OCS) and REFORMAR – Research For Mozambique, *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*.

147 Resolução n.º 15/2003 – Aprova a Política e Estratégia de Prevenção e Combate à Droga, Pub. L. No. Resolução n.º 15/2003 de 14 de maio, Boletim da República – I Série. <https://archive.gazettes.africa/archive/mz/2003/mz-government-gazette-series-i-dated-2003-05-14-no-20.pdf>.

148 Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979 (1979). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>; Regras Das Nações Unidas Para o Tratamento de Mulheres Presas e Medidas Não Privativas de Liberdade Para Mulheres Infratoras, Regras de Bangkok (2010). <https://reformar.co.mz/documentos-diversos/regras-das-nacoes-unidas-para-o-tratamento-de-mulheres-presas-e-medidas-nao-privativas-de-liberdade-regras-de-bangkok.pdf/view>.

149 Lei n.º 29/2009, de 29 de Setembro – Lei Sobre a Violência Doméstica Praticada Contra a Mulher, Pub. L. No. Lei n.º 29/2009 de 29 de Setembro de 2009, Publicada no Diário Oficial – 2.º Suplemento, n.º 28, Suplemento n.º 28 Diário Oficial da República de Moçambique – 2.º Suplemento. https://www.dlapiperafrica.com/export/sites/africa/mozambique/insights/legislation-series/mozambican-bar-association/downloads/Lei_28_2009.pdf_2063069299.pdf.

150 Article 17 of the Constituição Da República Popular de Moçambique.

The 2014 and 2019 revisions of the Penal Code marked a substantial shift by recognizing forms of violence previously omitted, including moral violence and psychological abuse.¹⁵¹ However, inconsistencies persist, as there exists a provision which criminalises infanticide, adopts a punitive approach without adequately accounting for mitigating factors such as postpartum mental health or domestic abuse.¹⁵² The norm states that “the mother who kills her child during or up to fifteen days after childbirth, while still under disturbing influence, shall be punished with a prison sentence of 1 to 5 years”. However, this formulation ignores the social, psychological and mental health circumstances that may be involved in these cases, revealing the need for a more holistic and gender-sensitive approach.¹⁵³

The Code of Criminal Enforcement (*Código de Execução das Penas*, CEP) also provides for alternatives to incarceration, such as community service and fines, aligning with international standards like the Bangkok Rules, which encourage non-custodial measures for non-violent offences committed by women. In the context of women in conflict with the law, the CEP should play a crucial role in ensuring that the execution of sentences takes into account their specificities, including motherhood, socioeconomic vulnerability and exposure to situations of GBV.¹⁵⁴ However, although the CEP establishes general guidelines on the execution of sentences, it does not detail effective mechanisms for the application of alternative sentences to imprisonment, which results in an underutilization of these measures, even when recommended by the Bangkok Rules for non-violent crimes committed by women.¹⁵⁵ Consequently, incarceration remains the default sanction even in cases where it may be disproportionate or counterproductive.

Gender-sensitive criminal justice reform remains incomplete. There are no dedicated rehabilitation or reintegration programmes for women deprived of liberty, and prison conditions often fail to meet their specific needs, including maternal care and protection from GBV.¹⁵⁶ Additionally, women involved in illicit networks (often under coercion) are rarely recognised as victims, and are instead treated solely as perpetrators under the law.

Furthermore, Law No. 15/2023, establishes the Legal Framework for the Prevention, Suppression and Combating of Terrorism and the Proliferation of Weapons of Mass Destruction, and poses additional challenges for women in conflict with the law, especially in a context in which Mozambique faces terrorist threats in the north of the country. Article 15 establishes that any person who, directly or indirectly, supports terrorist acts, including financing, recruitment or facilitation of means, may be held criminally liable. This aspect raises concerns about the possibility of women, who are often victims of coercion or exploitation within these criminal networks, being prosecuted without an adequate assessment of their vulnerability.¹⁵⁷

Mozambique’s criminal justice framework has made notable progress in recognising gender-based violence and aligning with some international standards, such as the Bangkok Rules. However, implementation remains limited, and the system still fails to adequately address the specific needs and vulnerabilities of women in conflict with the law. The persistent reliance on incarceration, the absence of dedicated rehabilitation and reintegration programmes, and the punitive application of laws (such as anti-terrorism provisions) against women who are often victims of coercion, illustrate the need for deeper, gender-sensitive reforms. Ensuring compliance with human rights and gender equality principles requires not only normative alignment but also concrete institutional measures to protect and empower women throughout the criminal justice process.

151 Although the 1886 Penal Code criminalised physical aggression within familial contexts (e.g., bodily injury and parricide), it did not recognize non-physical forms of abuse, such as psychological, emotional, or moral violence. These forms were not yet conceptualized as legally punishable acts within domestic relations. Código Penal de 1886, Pub. L. No. Decreto de 16 de September 1886, Diário do Governo, 20 September 1886, 1886 Penal Code (Portugal) (1886).

152 Tina Lorizzo et al., *Desafios e Perspectivas do Encarceramento Feminino em Moçambique: Uma abordagem Jurídico-Social*, 2025.

153 Lorizzo et al., *Desafios e Perspectivas do Encarceramento Feminino em Moçambique: Uma abordagem Jurídico-Social*.

154 Lorizzo et al., *Desafios e Perspectivas do Encarceramento Feminino em Moçambique: Uma abordagem Jurídico-Social*.

155 Petrovic et al., *Alternativas à prisão em Moçambique*.

156 Lorizzo et al., *Desafios e Perspectivas do Encarceramento Feminino em Moçambique: Uma abordagem Jurídico-Social*.

157 Lorizzo et al., *Desafios e Perspectivas do Encarceramento Feminino em Moçambique: Uma abordagem Jurídico-Social*.

5.1.3 Child justice

Despite important legal advancements including the ratification of the UN Convention on the Rights of the Child¹⁵⁸ and the adoption of child protection laws,¹⁵⁹ there remains a significant gap between the legal framework and the practice on children and youth (aged 16–21) in conflict with the law. The country is committed to international standards, such as using imprisonment as a last resort,¹⁶⁰ however, the system still relies heavily on incarceration, with only one dedicated child and youth detention centre (in the district of Boane) and in all other facilities, children and youth share the same space with adults.¹⁶¹ This setup not only violates international minimum standards but also undermines efforts toward rehabilitation efforts, exposing minors to abuse, violence, and psychological trauma that severely hinder their development and reintegration prospects.¹⁶²

This situation is further exacerbated by legal and procedural vulnerabilities that disproportionately affect minors in conflict with the law. Besides poor conditions in police stations and overcrowding in degraded facilities built in the 1950s and 60s, many children also face significant legal vulnerability stemming from lack of proper birth registration and effective age verification mechanisms.¹⁶³ Mozambique does not offer forensic-age estimation services (e.g., dental or bone maturity assessments), which has led to misclassification of minors and their unlawful preventive detention or adult sentencing. This procedural gap strips them of the specific age protections guaranteed under the child justice framework and perpetuates serious rights violations.¹⁶⁴

There are approximately 22,000 prisoners in Mozambique, including more than 4,000 young offenders.¹⁶⁵ Prisons are operating at more than 200 percent of their intended capacity. As confirmed in interviews and during the validation workshop, inmates are held in dilapidated facilities built during the 1950s and 1960s, which contributes to severe overcrowding and systemic strain. Like most young inmates, children are exposed to unhealthy conditions, with a high likelihood of constant drug use, making effective rehabilitation more difficult.¹⁶⁶ In addition, this situation reflects the government's limited capacity to address crime.¹⁶⁷ Research has highlighted a punitive culture in judicial decisions towards children. It also points to the need to decolonise the State's approach to criminal justice by prioritising local knowledge, such as those applied in community courts.¹⁶⁸ This shift would put criminal justice reforms into practice, moving towards a human rights-based approach.¹⁶⁹

These structural shortcomings intersect with other forms of marginalisation, particularly for children with disabilities, who face heightened risks of exclusion and abuse. Although the Law on the Protection of Children¹⁷⁰ strengthens the principle of non-discrimination, there is no operational guidance for identifying or supporting children with physical or psychosocial impairments during

158 Mozambique has ratified the main treaties that promote and protect the rights of the child. Through the ratification of the CRC in April 1994 and the African Charter on the Rights and Welfare of the Child (ACRWC) in May 1998.

159 Lei n. 7/2008, de 9 de Julho, Pub. L. No. Lei n. 7/2008, de 9 de Julho, Suplemento n. 28 Boletim da República – I Série (2008). https://reformar.co.mz/documentos-diversos/lei_7_2008-de-promocao-e-proteccao-da-crianca-1.pdf/view; Resolução n. 65/2002, de 27 de Agosto, Pub. L. No. Resolução n. 65/2002 de 27 de Agosto, N. 65 Boletim da República – I Série (2002). https://reformar.co.mz/documentos-diversos/politica_prisional.pdf/view; Lei n. 8/2008, de 15 de Julho – Lei Da Organização Tutelar de Menores, Suplemento n. 28 Boletim da República – I Série (2008). https://reformar.co.mz/lei_8_2008_organizacao_tutelar_de_menores.pdf.

160 REFORMAR - Res. Mozamb., "Regras Mínimas Das Nações Unidas Para o Tratamento de Reclusos (Regras de Mandela)."

161 REDE DA CRIANÇA and REFORMAR – Research for Mozambique, *Crianças Em Conflito Com a Lei – Acesso à Assistência Jurídica e Programas de Reabilitação e Reinserção Social* (REDE DA CRIANÇA, 2019), https://reformar.co.mz/publicacoes/digital-criancas-em-conflito-com-a-lei_rdc.pdf.

162 REDE DA CRIANÇA and REFORMAR – Research for Mozambique, *Crianças Em Conflito Com a Lei – Acesso à Assistência Jurídica e Programas de Reabilitação e Reinserção Social*.

163 REDE DA CRIANÇA and REFORMAR – Research for Mozambique, *Crianças Em Conflito Com a Lei – Acesso à Assistência Jurídica e Programas de Reabilitação e Reinserção Social*.

164 REDE DA CRIANÇA and REFORMAR – Research for Mozambique, *Crianças Em Conflito Com a Lei – Acesso à Assistência Jurídica e Programas de Reabilitação e Reinserção Social*.

165 Club of Mozambique, "Mozambique: Magistrates Assigned to Jails to Speed up Cases, Reduce Overcrowding," Mozambique, 2022, <https://clubofmozambique.com/news/mozambique-magistrates-assigned-to-jails-to-speed-up-cases-reduce-overcrowding-223225/>.

166 Lorizzo, "Judges' Incarceration Decisions in Mozambique."

167 Tina Lorizzo, "O futuro depende de nós! O impacto da prisão e encarceramento nas crianças," *O País*, December 9, 2020, <https://opais.co.mz/o-futuro-depender-de-nos-o-impacto-da-prisao-e-encarceramento-nas-criancas/>.

168 Lorizzo, "Judges' Incarceration Decisions in Mozambique."

169 Lorizzo, "Judges' Incarceration Decisions in Mozambique."

170 Lei n. 7/2008, de 9 de Julho.

detention, trial, or reintegration. A 2019 UNICEF study on child justice in Mozambique found that police officers and judicial staff receive no training on children with disability, resulting in communication barriers, inappropriate detention decisions, and heightened risks of abuse and exclusion.¹⁷¹ This contravenes Mozambique's obligations under both the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.¹⁷²

In addition to institutional and systemic weaknesses, according to a systematic review of mental health in African prisons, children and young people in custody are particularly vulnerable to anxiety, depression, and long-term psychological harm.¹⁷³ The cumulative impact of overcrowded and unsafe detention, lack of age verification, and the systemic invisibility of children with disabilities undermines the rights and dignity of minors in conflict with the law and perpetuates cycles of marginalisation and institutional harm.¹⁷⁴

Despite Mozambique's formal commitments to international child protection standards, its juvenile justice system remains predominantly punitive and structurally fragile. The lack of dedicated children's facilities, inadequate age verification mechanisms, and poor detention conditions expose children to abuse, violence, and systemic neglect. The invisibility of children with disabilities, coupled with the absence of specialised training for justice actors, exacerbates these vulnerabilities and perpetuates marginalisation. Addressing these shortcomings requires not only institutional reform and investment in age-appropriate and rights-based facilities but also a paradigm shift towards decolonising justice practices by prioritising community-based and rehabilitative approaches over punitive measures.

5.2 Security laws

Mozambique's security laws reflect a dual imperative: responding to both conventional threats such as armed conflict and emerging challenges like terrorism, cybercrime, and financial crime. While the legal framework has evolved significantly since the end of the civil war, its implementation has raised concerns about proportionality, selectivity, and the protection of fundamental rights.

5.2.1 Counter-terrorism and the conflation with Financial Crime

In response to the insurgency in Cabo Delgado and rising concerns over transnational threats, Mozambique has expanded its counterterrorism legislation. Notably, Law No. 15/2023 of 28 August, amended by Law No. 4/2024 of March 22 establishes the legal framework for preventing and combating terrorism, including the financing and proliferation of weapons of mass destruction. This law reflects Mozambique's alignment with international obligations under instruments such as the Financial Action Task Force (FATF, also known as GAFI).¹⁷⁵

The legislation defines terrorism broadly, including both direct and indirect support, such as financing and recruitment. However, this expansive scope has raised concerns among about potential misuse with the most vulnerable people of the society such as youth and in general street vendors and people working in informal markets.¹⁷⁶ Fieldwork participants noted that the law risks criminalising individuals (particularly women and children) who may have been coerced into involvement with terrorist networks, without considering their social and economic vulnerabilities. Moreover, the law mandates preventive measures within the prison system to curb radicalisation. While well-intentioned, such measures must be balanced with safeguards to protect prisoners' rights, particularly in overcrowded and under-resourced facilities.

171 Ministry of Justice of Viet Nam and UNICEF, *Analysis Report of the Child Justice Legal Framework and Situation of Minors in Conflict with the Law in Vietnam* (2019), accessed August 14, 2025, <https://pt.scribd.com/document/753922540/1-MOJ-UNICEF-REPORT-2019>.

172 Ministry of Justice of Viet Nam and UNICEF, *Analysis Report of the Child Justice Legal Framework and Situation of Minors in Conflict with the Law in Vietnam*.

173 Ministry of Justice of Viet Nam and UNICEF, *Analysis Report of the Child Justice Legal Framework and Situation of Minors in Conflict with the Law in Vietnam*.

174 Aish Lovett et al., *Mental Health of People Detained within the Justice System in Africa: Systematic Review and Meta-Analysis* (2019), 31, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6501291/>.

175 Also the Treaty on the Non-Proliferation of Nuclear Weapons, and the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

176 Article 11 of Lei n. 7/2008, de 9 de Julho.

The government's legal response has also blurred the lines between terrorism and financial crime. The same statutes address both phenomena, as evidenced in Law No. 11/2022 of 12 August, which targets money laundering and the financing of terrorism. Since then, the government has been developing actions and procedures, including the Mozambique Financial Intelligence Office (*Gabinete de Informação Financeira de Moçambique*, GIFiM) intervention at the Ministry of Economy and Finance.¹⁷⁷ In fact, this is a government entity responsible for tracking information on economic and financial transactions suspected of constituting acts for money laundering and terrorist financing in Mozambique. GIFiM also works in collaboration with the Central Office for Asset Recovery (*Gabinete Central de Recuperação de Activos*, GCRA) aiming at identifying, tracking, seizing and recovering assets or products related or illicit or criminal activity within the country and abroad.¹⁷⁸ In the same context, the Central Office for Combating Organised and Transnational Crime (*Gabinete Central de Combate à Criminalidade Organizada e Transnacional*, GCCCOT) was established to deal with crimes related to terrorism, money laundering, kidnapping, trafficking of persons and human organs, illegal immigration and international trafficking of drugs and weapons.¹⁷⁹ However, these offices are not fully operational and there is no clarity on how they should function.

This institutional fragility is particularly evident in the rise of kidnappings for ransom in major urban areas. In recent years, Mozambique has experienced a troubling increase in abductions targeting businesspeople, professionals, and their families in cities like Maputo, Matola, and Beira. These crimes often involve organised networks and significant ransom demands, raising suspicions of collusion between criminal groups and elements within law enforcement or judicial institutions.¹⁸⁰

Although the Central Office for Combating Organised and Transnational Crime (GCCCOT) is formally responsible for investigating such cases, stakeholders and public reports suggest its mandate is unclear and its impact minimal. Many kidnappings remain unresolved, with limited transparency or accountability in law enforcement responses.¹⁸¹ Families of victims often choose not to report cases due to fear of reprisals or lack of faith in the justice system. This environment has allowed the practice to become a profitable and persistent threat to urban security and public confidence.¹⁸²

While Mozambique's security laws aim to address complex and evolving threats, challenges related to institutional capacity, legal clarity, and respect for fundamental rights continue to undermine their effectiveness and equitable application.

177 GIFiM attributions and competencies are defined in Law nr. 2/2018 of June 18, Gabinete de Informação Financeira de Moçambique.

178 "GCRA / Órgãos Do MP / Entrada - Procuradoria Geral Da Republica," accessed July 3, 2025, <https://www.pgr.gov.mz/por/Orgaos-do-MP/GCRA>.

179 "GCCCOT / Órgãos Do MP / Entrada - Procuradoria Geral Da Republica," accessed July 3, 2025, <https://www.pgr.gov.mz/por/Orgaos-do-MP/GCCCOT>.

180 Human Rights Watch, "Mozambique" (2020); V. O. A. Português, "Moçambique: Situação humanitária piorou em 2022 e imprensa sob pressão, diz HRW," Voice of America, January 12, 2023, <https://www.voaportugues.com/a/mocambique-situacao-humanitaria-piorou-em-2022-e-imprensa-sob-pressao-diz-hrw/6915753.html>, "issued": {"date-parts": [{"2020", 12, 16}]}, "label": "page", {"id": 1763, "uris": [{"http://zotero.org/groups/4617316/items/ZLNUKEV6"}], "itemData": {"id": 1763, "type": "webpage", "abstract": "Relatório da Human Rights Watch lembra sequestros não resolvidos e repressão das forças de segurança a manifestantes pacíficos", "container-title": "Voice of America", "language": "pt", "title": "Moçambique: Situação humanitária piorou em 2022 e imprensa sob pressão, diz HRW", "title-short": "Moçambique", "URL": "https://www.voaportugues.com/a/mocambique-situacao-humanitaria-piorou-em-2022-e-imprensa-sob-pressao-diz-hrw/6915753.html", "author": [{"family": "Português", "given": "V. O. A."}], "accessed": {"date-parts": [{"2025", 8, 14}]}, "issued": {"date-parts": [{"2023", 1, 12}]}, "label": "page"}, "schema": "https://github.com/citation-style-language/schema/raw/master/csl-citation.json"

181 O. Pais, "CTA continua preocupada com falta de esclarecimento dos raptos - O Pais - A verdade como notícia," August 14, 2024, <https://opais.co.mz/cta-continua-preocupada-com-falta-de-esclarecimento-dos-raptos/>.

182 Club of Mozambique, "Mozambique: Mohammedan Community Warns Families Are Leaving from Fear of Kidnappings," Mozambique, July 31, 2024, <https://clubofmozambique.com/news/mozambique-mohammedan-community-warns-families-are-leaving-from-fear-of-kidnappings-263250/>.

5.2.2 Cybersecurity and Digital Rights

Mozambique's 2019 Penal Code introduced new provisions targeting cybercrime, including unauthorised access to data,¹⁸³ invasion of privacy,¹⁸⁴ and publication of images or messages without consent.¹⁸⁵ For example, the law criminalises insults to the President and other state officials, carrying sentences of up to two years.¹⁸⁶ Activists argue that such provisions have a chilling effect on political dissent and could be weaponised to silence criticism, especially on social media platforms increasingly used by younger, urban populations.¹⁸⁷

Likewise, the Penal Code criminalises unauthorised digital access, but lacks clear parameters for consent and legitimate public interest, raising fears of prosecutorial overreach.¹⁸⁸ While these measures respond to legitimate concerns about digital security, several legal analysts and civil society actors have raised alarms about their potential to restrict freedom of expression.¹⁸⁹ The concern has also been highlighted during the fieldwork wherein interviewees noted the lack of robust cybercrime monitoring mechanisms and institutional expertise, which undermines both the effectiveness and the legitimacy of digital governance.

In addition to the Penal Code, freedom of the press in Mozambique is governed by specific legislation, but has been criticised for vague provisions that allow government interference in media activities.¹⁹⁰ Despite constitutional guarantees of freedom of expression,¹⁹¹ journalists continue to face harassment, threats, and legal action. As a result, organisations such as the Media Institute of Southern Africa (MISA) and the Centre for Democracy and Development (CDD) have called for the decriminalisation of defamation and a revision of the Press Law to bring it in line with regional and international standards.¹⁹²

Mozambique's legal framework also includes the Electronic Communications Law (No. 4/2016), which provides the legal basis for regulating the telecommunications and internet sector. However, this law has also been used at times to suspend or restrict access to the internet and mobile services, limiting access to information and documentation of human rights violations.¹⁹³

These recent occurrences illustrate how digital security laws are often applied to reinforce socio-political inequalities. Instead of safeguarding public order and protecting digital rights in line with international standards, their enforcement tends to restrict fundamental freedoms, shield politically powerful actors, and disproportionately impact marginalised groups. Without institutional reforms and effective oversight human-rights-based oversight, Mozambique's digital governance risks perpetuating authoritarian practices incompatible with an emerging rule of law state.¹⁹⁴

183 Article 256 penalises unlawful access to computer systems or other devices with the intent to obtain private data, information, or remote control. Articles 336 to 339 further reinforce this framework by criminalizing computer-related forgery, interference with data and systems, and the use of devices or programs designed for illicit digital activity. Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

184 Invasion of privacy is addressed under Article 252, which criminalises the unauthorized recording, use, or disclosure of private images, videos, messages, or communications. Article 253 covers the violation of correspondence or private communications, while Article 254 punishes the unauthorized collection and handling of personal data through automated databases. Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

185 According to Article 252, the publication or dissemination of images, videos, or messages without the individual's consent is considered a criminal offence, particularly when it infringes on the person's intimacy, reputation, or private life. Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

186 Article 237 of the Lei n.º 35/2014, de 31 de Dezembro – Aprova o Código Penal.

187 Zitamar News, *Social Media Gives Frelimo Nightmares*, June 21, 2024, <https://www.zitamar.com/social-media-gives-frelimo-nightmares/>.

188 Article 256 of the Lei n.º 35/2014, de 31 de Dezembro – Aprova o Código Penal.

189 Liam Anderson and Dêrcio Tsandzana, "Nova lei de privacidade em Moçambique ameaça liberdade de expressão, dizem activistas," *Global Voices em Português*, January 27, 2020, <https://pt.globalvoices.org/2020/01/27/nova-lei-de-privacidade-em-mocambique-ameaca-liberdade-de-expressao-dizem-activistas/>.

190 Lei n.º 18/91: Define Os Princípios Que Regem a Atividade Da Imprensa e Estabelece Os Direitos e Deveres Dos Seus Profissionais.

191 Article 48 of the Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

192 mozambique, "Mozambique: CDD Condemns Threats to Journalists Reporting on Armed Attacks in Cabo Delgado - Carta," Mozambique, 2020, <https://clubofmozambique.com/news/mozambique-cdd-condemns-threats-to-journalists-reporting-on-armed-attacks-in-cabo-delgado-carta-152589/>; Paul Fauvet, *Misa warns of deterioration in press freedom - aimnews.org*, de maio de 2025, <https://aimnews.org/2025/05/05/misa-warns-of-deterioration-in-press-freedom/>.

193 Lei n.º 4/2016, de 3 de Junho – Lei Das Telecomunicações, Pub. L. No. Lei n.º 4/2016, 4/2016(2016). <https://arctel-cplp.org/wp-content/uploads/2022/09/Lei-n-o-4-de-3-de-junho-de-2016-Lei-das-Telecomunicacoes-institui-a-Autoridade-Reguladora-das-Comunicacoes.pdf>.

194 Declaration of Principles on Freedom of Expression and Access to Information in Africa 2019(2019), <https://achpr.au.int/en/node/902>.

Mozambique's cybersecurity and digital rights framework, while designed to address emerging technological threats, currently risks undermining fundamental freedoms and exacerbating social inequalities due to vague legal provisions, weak institutional capacity, and insufficient safeguards for freedom of expression and access to information.

5.3 Exceptional laws

Exceptional laws are legal instruments enacted to address situations deemed extraordinary or outside the bounds of regular constitutional governance. These include emergency powers, amnesties, and special legal provisions related to electoral periods, conflict resolution, and transitional justice. While these laws are often justified on the basis of public security or national unity, they have at times facilitated discriminatory enforcement and political manipulation as it will be shown in the next session.

5.3.1 Emergency and Exceptional Legal Powers

The Constitution permits the declaration of a State of Siege or Emergency,¹⁹⁵ authorising the suspension of certain constitutional rights in response to crises such as natural disasters, civil unrest, or armed aggression. However, the vague thresholds for such declarations have allowed the government to invoke exceptional measures in ways that disproportionately impact marginalised populations.

During the COVID-19 pandemic,¹⁹⁶ emergency laws were implemented to restrict movement and enforce lockdowns.¹⁹⁷ Although intended to mitigate a public health crisis, enforcement disproportionately affected low-income communities. Mass detentions for “disobedience”,¹⁹⁸ which is a broadly defined offence—were reported, primarily targeting street vendors and informal workers.¹⁹⁹ Civil society organisations publicly criticised the government for using the emergency to penalize poverty, while failing to address the systemic vulnerabilities that made compliance with lockdown measures unrealistic for many citizens.²⁰⁰

Although the offence of disobedience was later decriminalised under public pressure, the episode illustrates how exceptional laws can be leveraged to criminalise social precarity rather than address structural causes of vulnerability.²⁰¹ Moreover, the lack of oversight mechanisms and judicial review of exceptional measures compounds the problem. Once enacted, these laws often escape critical evaluation, allowing the normalisation of extraordinary powers and weakening the rule of law over time as confirmed during the validation data workshop.

Beyond arrests, local authorities and police also carried out widespread confiscation of goods belonging to informal vendors, particularly in urban markets.²⁰² These operations were often presented as part of “urban sanitation” or enforcement of COVID-19 rules and resulted in the loss of income for thousands of informal workers. Vendors reported that their goods, such as food, charcoal, or hand carts, were seized without receipts or any possibility for appeal. In many cases, confiscated items were never returned, and legal remedies were unavailable or inaccessible.²⁰³

195 Article 160 of the Constituição da República de Moçambique.

196 The first case of COVID-19 in Mozambique was detected in March 22, 2020 Cardoso Armando, *Covid-19 Avança Em Moçambique | História, Ciências, Saúde – Manguinhos*, 2020, <https://revistahcsm.coc.fiocruz.br/covid-19-avanca-em-mocambique/>.

197 Lei no 1/2020: Ratifica a Declaração do Estado de Emergência, constante no Decreto Presidencial no 11/2020, de 30 de Março, 1/2020 Lei no 1/2020 (2020). https://university.open.ac.uk/technology/mozambique/sites/www.open.ac.uk/technology/mozambique/files/files/Lei_1_2020_de_31_de_Março_BR_62_L_SÉRIE_2020_%28as_revised_by_AR%29.pdf.

198 Articles 353 and 354 of Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal.

199 Tina Lorizzo and Vanja Petrovic, *Annexure Three COVID-19 Restrictions and the Impact on Criminal Justice and Human Rights Mozambique* (Dullah Omar Institute, 2022), <https://dullahomarstitute.org.za/acjr/acjr-publications/annexure-three-mozambique-final.pdf>.

200 REFORMAR – Research For Mozambique, *Carta Aberta sobre o Impacto do Estado de Emergência no sector de justiça criminal*, File (2020), <https://reformar.co.mz/publicacoes/carta-aberta-impacto-estado-de-emergencia-1.pdf/view>.

201 Agência Lusa, “Quase quatro mil pessoas detidas por desobediência durante estado de emergência em Moçambique,” *Observador*, 2020, <https://observador.pt/2020/07/31/quase-quatro-mil-pessoas-detidas-por-desobediencia-durante-estado-de-emergencia-em-mocambique/>.

202 Club of Mozambique, “Maputo Street Vendors: Where Have All the Seized Goods Gone? – Watch,” *Mozambique*, 2020, <https://clubofmozambique.com/news/maputo-street-vendors-where-have-all-the-seized-goods-gone-watch-232509/>.

203 Club of Mozambique, “Maputo Street Vendors.”

This practice disproportionately affected women and youth in informal urban settlements, reinforcing a pattern of selective enforcement against the poor. The absence of legal safeguards or compensation mechanisms turns confiscation into a form of economic punishment, deepening existing inequalities. These practices are inconsistent with constitutional protections on human dignity,²⁰⁴ and raise questions about the legality of applying public order regulations in ways that effectively criminalise informal survival strategies.

Although Mozambique undertook substantial legislative reforms in 2014 and 2019 to eliminate outdated and vague legislation inherited from the colonial period, a process described by legal scholars as a form of legal decolonisation, fieldwork confirms that various local authorities continue to issue verbal or informal directives, particularly at municipal level.²⁰⁵ These directives, often framed as instructions for “urban order” or “public hygiene,” lack formal legal status but are enforced coercively.²⁰⁶ Interviewees in Maputo and Beira reported that municipal officials and market inspectors sometimes invoked undocumented “orders” to justify evictions, confiscations, or harassment of informal workers.²⁰⁷ These actions, while not codified in national legislation, function as de facto exceptional measures that escape judicial scrutiny and disproportionately affect vulnerable populations. The persistence of such informal governance practices suggests that exceptionalism in legal enforcement may survive beyond formal legal provisions, undermining constitutional protections and democratic accountability.

Although exceptional laws serve important functions in times of crisis, their vague formulation and discretionary application in Mozambique have often resulted in disproportionate impacts on marginalised communities, reinforcing socio-economic inequalities and undermining constitutional guarantees of human rights and the rule of law.

5.3.2 Amnesty and Transitional Justice

Mozambique has employed amnesty laws at various points in its post-conflict transitions, particularly following peace agreements with RENAMO.²⁰⁸ These laws are designed to promote reconciliation and social stability by suspending criminal liability for political or war-related offences. However, they have also drawn criticism for reinforcing impunity, particularly for high-level political and military actors.²⁰⁹

Amnesty provisions, while politically expedient, have often marginalised victims’ rights to truth, justice, and reparations. In some cases, they have curtailed criminal investigations into serious human rights violations committed during the civil war and subsequent episodes of political violence.²¹⁰ This trend perpetuates a cycle in which elite actors are shielded from accountability under the guise of national unity, while victims (many of whom are rural and economically disadvantaged) remain excluded from justice processes.

While amnesty laws in Mozambique have been instrumental in facilitating political transitions and peacebuilding, their application has frequently compromised victims’ access to justice and accountability, thereby perpetuating impunity and undermining the prospects for genuine reconciliation.

204 Kössler, “Conflict and Decentralization in Mozambique.”

205 Kössler, “Conflict and Decentralization in Mozambique.”

206 Club of Mozambique, “Maputo Council Gives Baixa Street Vendors an Ultimatum: ‘Move to the Markets!’,” Mozambique, 2020, <https://clubofmozambique.com/news/maputo-council-gives-baixa-street-vendors-an-ultimatum-move-to-the-markets-150762/>; Club of Mozambique, “Maputo Street Vendors,”

207 Nilifer Anaç et al., *The Impact of COVID-19 on Urban Informal Workers in Maputo*, Working Paper no. 2022/173 (WIDER Working Paper, 2022), <https://doi.org/10.35188/UNU-WIDER/2022/306-2>. Working Paper no. 2022/173 (WIDER Working Paper, 2022)

208 Lei n.º 10/2019, de 29 de Agosto – Lei de Amnistia, Pub. L. No. Lei 10/2019, 10/2019 (2019), <https://archive.gazettes.africa/archive/mz/2019/mz-government-gazette-series-i-dated-2019-08-29-no-168.pdf>.

209 Human Rights Watch, *Amnistia em Moçambique Provavelmente Incentiva Futuros Abusos* | Human Rights Watch, July 30, 2019, <https://www.hrw.org/pt/news/2019/07/30/332572>. o grupo rebelde que se transformou na oposição, pelos crimes cometidos entre 2014 e 2016.”, “language”: “pt”, “title”: “Amnistia em Moçambique Provavelmente Incentiva Futuros Abusos | Human Rights Watch”, “URL”: “https://www.hrw.org/pt/news/2019/07/30/332572”, “author”: “[{“family”: “Human Rights Watch”, “given”: “”}], “accessed”: “[“date-parts”: [[“2025”, 8, 14]]], “issued”: “[“date-parts”: [[“2019”, 7, 30]]]]”, “schema”: “https://github.com/citation-style-language/schema/raw/master/csl-citation.json”]

210 Amnesty International, “Mozambique,” February 27, 2025.

5.3.3 Electoral Exceptionalism

Electoral periods in Mozambique have often seen the informal suspension of ordinary legal protections. Reports of violence, arbitrary arrests, and harassment of opposition figures and journalists are frequently documented during election seasons.²¹¹ While not always codified in law, these practices form part of a broader pattern of de facto exceptionalism, wherein the state apparatus—including the police, judiciary, and media regulators—operates outside normal legal constraints to protect ruling party interests, as highlighted during the fieldwork.

Media reports and civil society organisations documented allegations of police violence against protesters, the detention of activists, and suppression of independent election monitoring.²¹² Such practices, though not always authorised through explicit legal provisions, are carried out with a degree of impunity that mirrors the legal logic of exceptionalism: the suspension of ordinary rights in moments of perceived political threat.

The 2024 general elections reinforced this pattern. It was characterised by allegations of fraud, the repression of protests, and the excessive use of force by security forces, reportedly resulting in over 300 deaths among civilian demonstrators. National and international observers denounced an environment systematic intimidation and a lack of transparency in vote tallying, further deepening public distrust in electoral and judicial institutions.²¹³

While exceptional laws in Mozambique are formally grounded in constitutional provisions and policies, their practical application often reflects deeper structural inequalities and political interests. Instead of serving as temporary safeguards for public order or reconciliation, they have, in several instances, functioned as tools for repression, impunity, and exclusion. A rights-based approach to exceptional legal measures—grounded in transparency, accountability, and equality—remains essential to prevent their misuse and to ensure that they do not undermine democratic governance and the rule of law.

211 Al Jazeera, "EU Observers Say 'Unjustified Alteration' of Mozambique Election Results | Elections News|," 2024, <https://www.aljazeera.com/news/2024/10/22/eu-observers-say-unjustified-alteration-of-mozambique-election-results>.

212 DW, "Feridos e detidos em marcha de contestação em Moçambique," dw.com, 2023, <https://www.dw.com/pt-002/moçambique-três-feridos-e-13-detidos-em-marcha-de-contestação-de-resultados/a-67673049>.

213 Amnesty International, "Mozambique: More than 30 Killed in One Week as Protest Death Toll Reaches 110," *Amnesty International*, December 11, 2024, <https://www.amnesty.org/en/latest/news/2024/12/mozambique-more-than-30-killed-in-one-week-as-protest-death-toll-reaches-110/>.

6. Oversight Bodies, Monitoring and International Treaties

The accountability of Mozambique's criminal justice and security systems is formally underpinned by both national oversight institutions and the country's participation in international and regional human rights frameworks. However, despite a relatively robust normative foundation, significant implementation gaps persist. These gaps undermine the capacity of oversight bodies to act effectively and independently, and limit the protective impact of international legal commitments on marginalised populations.

6.1 International and regional Treaties

Mozambique is party to several international and regional human rights treaties.²¹⁴ These include the African Charter on Human and Peoples' Rights (ACHPR), the International Covenant on Civil and Political Rights (ICCPR), and the UN Convention against Torture (UNCAT), along with its Optional Protocol (OPCAT).²¹⁵ Through these instruments, the State has committed itself to protecting fundamental rights, including the prohibition of torture, non-discrimination, access to justice, and fair trial guarantees.

Regionally, Mozambique is a member of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG)²¹⁶ and adheres to the standards of the Financial Action Task Force (FATF),²¹⁷ particularly in relation to counter-terrorism financing and money laundering. These commitments have shaped domestic legal reforms, including recent security legislation, but have also raised concerns about disproportionate surveillance and restrictions on civil liberties.

Despite formal adherence, implementation of international obligations is often weak. Mozambique has not consistently submitted periodic reports to treaty-monitoring bodies, and recommendations from UN and African human rights mechanisms are rarely implemented in full.²¹⁸ The participants of the validation workshop also pointed to limited public awareness of these instruments, weakening their potential as tools for rights-based advocacy and accountability.

Despite Mozambique's formal commitments to international and regional human rights treaties, persistent implementation gaps and limited public awareness significantly undermine their effectiveness in promoting accountability and protecting the rights of marginalised populations.

214 African Commission on Human and Peoples' Rights (ACHPR), "Welcome," African Commission on Human and Peoples' Rights, August 14, 2025, <https://achpr.au.int/en>, "plainCitation": "African Commission on Human and Peoples' Rights (ACHPR)"

215 United Nations, "Mozambique: Some Progress in Torture Prevention, but Significant Challenges Remain – UN Experts," OHCHR, 2016, <https://www.ohchr.org/en/press-releases/2016/09/mozambique-some-progress-torture-prevention-significant-challenges-remain-un>.

216 Jornal Notícias, "Reconhecidos avanços na luta contra lavagem de dinheiro," *Jornal Notícias*, September 5, 2024, <https://www.jornalnoticias.co.mz/2024/09/05/reconhecidos-avancos-na-luta-contr-lavagem-de-dinheiro/>.

217 Diário Económico, "Branqueamento de Capitais: Moçambique Pode Falhar Saida Da Lista Cinzenta Do GAFI No Prazo Previsto, Alerta CIP," 2025, <https://www.diarioeconomico.co.mz/2025/02/10/economia/financas/branqueamento-de-capitais-mocambique-pode-falhar-saida-da-lista-cinzena-do-gafi-no-prazo-previsto-alerta-cip/>.

218 Centre for Civil and Political Rights (CCPR Centre), *Mozambique: UN Experts Dismayed by the Lack of Investigation and Accountability for Civil and Political Rights Violations* (Centre for Civil and Political Rights (CCPR Centre), 2022), https://ccprcentre.org/page/109th-session-in-brief/mozambique-un-experts-dismayed-by-the-lack-of-investigation-and-accountability-for-civil-and-political-rights-violations?utm_source.

6.2 National Oversight Bodies

Mozambique's national oversight architecture includes institutions such as the National Human Rights Commission (Comissão Nacional dos Direitos Humanos, CNDH), the Attorney General's Office (Procuradoria Geral da República, PGR), and sectoral oversight bodies responsible for monitoring police and prison practices.

6.2.1 National Human Rights Commission (CNDH)

Established in 2009, the CNDH is mandated to monitor the human rights situation in the country, investigate violations, and make recommendations to state institutions.²¹⁹ While the Commission is a step toward institutionalising domestic oversight, it suffers from chronic underfunding, limited independence, and weak enforcement powers.²²⁰ The CNDH's capacity to respond to systemic abuses—such as those related to arbitrary detention, excessive police force, or prison conditions—is thus constrained.²²¹

In accordance with OPCAT, Mozambique designated the National Human Rights Commission (CNDH) as the National Preventive Mechanism (NPM), tasked with monitoring all places of detention including police stations and prisons and making recommendations to prevent torture and other ill-treatment.²²² However, its effectiveness in this role has been questioned.²²³ Although inspection missions have occurred, research and fieldwork indicate that the NPM faces bureaucratic hurdles, as visits require prior approval from the Ministry of Justice and the Ministry of Interior. This undermines the principle of independent, unannounced visits and fails to meet international standards of regular preventive monitoring.

Furthermore, the CNDH has not published findings or recommendations resulting from its NPM activities, limiting transparency and follow-up. Participants at the validation workshop noted that during its first five-year mandate, the Commission was unable to respond adequately to complaints of illegal detention and other ill-treatment. The internal structure of the CNDH may also constrain its independence and efficiency. Its complex composition includes members from various legal and institutional backgrounds (such as experts from the executive, the Bar Association, and civil society) selected based on recognised competence, merit, and experience, and appointed for five-year terms.²²⁴

Despite its important mandate, the National Human Rights Commission faces significant challenges, including limited independence, underfunding, and bureaucratic constraints that undermine its effectiveness as a National Preventive Mechanism and its capacity to hold state institutions accountable for human rights violations.

219 Training and advocacy on criminal justice and human rights in Lusophone Africa Research Assembleia da República de Moçambique, "Lei n. 33/2009, de 22 de Dezembro Lei Que Cria a Comissão Nacional Dos Direitos Humanos," 2009, https://reformar.co.mz/documentos-diversos/cndh_estatuto.pdf/view.

220 Tina Lorizzo and Vanja Petrovic, *Developments in Addressing Torture in Mozambique* (2018), <https://reformar.co.mz/publicacoes/tortureacj-22-3-2018.pdf/view>. "plainCitation": "Tina Lorizzo and Vanja Petrovic, *Developments in Addressing Torture in Mozambique* (2018)

221 Lorizzo and Petrovic, *Developments in Addressing Torture in Mozambique*. Acts of torture and other cruel, inhuman and degrading treatment and punishment are still perpetrated by members of the security forces, especially police officials, often with impunity. The culture of impunity for such serious offences is a direct threat to human rights and the rule of law in the country and seriously compromises the country's public integrity. Two issues are of deep concern and require more efforts by the state, namely: a

222 Assembleia da República de Moçambique, "Lei n. 33/2009, de 22 de Dezembro Lei Que Cria a Comissão Nacional Dos Direitos Humanos."

223 Lorizzo and Petrovic, *Developments in Addressing Torture in Mozambique*. Acts of torture and other cruel, inhuman and degrading treatment and punishment are still perpetrated by members of the security forces, especially police officials, often with impunity. The culture of impunity for such serious offences is a direct threat to human rights and the rule of law in the country and seriously compromises the country's public integrity. Two issues are of deep concern and require more efforts by the state, namely: a

224 Lorizzo and Petrovic, *Developments in Addressing Torture in Mozambique*. Acts of torture and other cruel, inhuman and degrading treatment and punishment are still perpetrated by members of the security forces, especially police officials, often with impunity. The culture of impunity for such serious offences is a direct threat to human rights and the rule of law in the country and seriously compromises the country's public integrity. Two issues are of deep concern and require more efforts by the state, namely: a

6.2.2 Attorney General's Office (PGR)

The Procuradoria Geral da República (PGR) holds constitutional responsibility for ensuring legality in public administration and investigating criminal conduct, including that committed by state agents.²²⁵ However, the institution is often perceived as politically aligned with the ruling party and reluctant to pursue cases involving senior officials or politically sensitive issues.²²⁶ While the PGR has led some high-profile anti-corruption prosecutions, these efforts remain isolated and have not translated into broader systemic reform.²²⁷

Participants at the validation workshop emphasised that the PGR has, in practice, played a largely discursive and symbolic role in the Mozambican justice system. Representatives from the Ombudsman's Office and civil society organisations, such as the Centre for Public Integrity (CIP), reported that the PGR has frequently failed to observe procedural deadlines, particularly in cases involving prolonged pre-trial detention.

In some instances, individuals were held for over a year and later acquitted due to a lack of evidence. Despite this, prosecutors maintained charges with minimal scrutiny or follow-up, contributing to overcrowding and arbitrary detention.

Moreover, these shortcomings in observing procedural deadlines and case follow-ups extend to broader issues of accountability within the justice system, particularly concerning law enforcement agents. Further concerns were raised about the absence of criminal accountability of police officers. Workshop participants noted that prosecutors are unlikely to file criminal charges against police officers, often perceiving them as institutional colleagues. This dynamic fosters a culture of impunity and significantly undermines the credibility of prosecutorial oversight.²²⁸

Although the PGR holds constitutional powers to supervise legality in police conduct and detention practices, its effectiveness in exercising this authority remains limited. Participants reported that inspections of police conduct and pre-trial detention procedures are infrequent, and when they do occur, they rarely lead to criminal accountability or meaningful policy change. In many cases, interventions by the PGR result only in internal disciplinary measures, reinforcing the perception that it acts more as a legitimising institution than as an autonomous enforcer of the law.²²⁹

Despite the Attorney General's Office's constitutional mandate to oversee legality and combat crime, its practical role remains limited and largely symbolic, reflecting a persistent lack of effective accountability-particularly regarding police conduct-which undermines public trust in Mozambique's justice system.

225 According to Article 236(1) and Article 237(a) and (c) of the Constitution of the Republic of Mozambique (2018), the Office of the Attorney-General is responsible for ensuring legality in public administration, defending public interests, exercising criminal prosecution, and investigating crimes, including those committed by state agents. Constituição da República de Moçambique.

226 Club of Mozambique, "Mozambique Elections: NGO Accuses Public Prosecutor of Being Selective in Initiating Cases," Mozambique, 2024, <https://clubofmozambique.com/news/mozambique-elections-ngo-accuses-public-prosecutor-of-being-selective-in-initiating-cases-271222/>.

227 LUSA, "Mozambique: No Effect from Changes to Anti-Corruption Laws; More Needed - NGO," International, *Macau Business*, March 23, 2021, <https://www.macaubusiness.com/mozambique-no-effect-from-changes-to-anti-corruption-laws-more-needed-ngo/>.

228 Bureau of Democracy et al., *Mozambique - United States Department of State* (U.S. Department of State, 2023), <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/mozambique/>; Human Rights Watch, "Mozambique: No Arrests in Post-Election Political Killings | Human Rights Watch," 2025, <https://www.hrw.org/news/2025/04/13/mozambique-no-arrests-post-election-political-killings>.

229 Bureau of Democracy et al., *Mozambique - United States Department of State*.

6.2.3 Ombudsman

The Ombudsman²³⁰ is responsible for guaranteeing the rights of citizens and defend legality and justice in public administration.²³¹ Although it has no decision-making competencies, the Ombudsman can conduct investigations, based on reported, observed, or submitted complaints of injustice, and issue recommendations.²³² The Ombudsman plays a role against injustice, errors or mistakes, irregularities, serious violations of human rights and recommend entities for repairs either at the central or sub-national levels. However, since the Ombudsman's office is still based in Maputo city, it functions more as a monitoring and persuasive body than as an effective oversight mechanism. Interviewees confirmed that any public administration that refuses to comply with recommendations is merely invited to provide an explanation in Parliament.²³³

Insights from the 2025 validation workshop further highlighted enduring structural and operational challenges within the Ombudsman's Office. Courts often restrict their review to procedural formalities without engaging with substantive legality or human rights issues, which hampers the Ombudsman's ability to advocate for meaningful corrective measures. Moreover, the lack of regional offices outside the capital significantly curtails the Ombudsman's reach, especially in rural and conflict-affected areas. The reliance on parliamentary follow-up to enforce recommendations means oversight remains weak, and the institution's influence is mostly persuasive rather than corrective.²³⁴

While the Ombudsman is a crucial institution for promoting citizen rights and accountability, its current limitations considerably reduce its effectiveness in achieving tangible justice and systemic reform across Mozambique.

6.2.4 Police and Prison Oversight

Formal oversight of law enforcement and correctional services is minimal. The Internal Affairs Department within the police is tasked with handling misconduct but often lack transparency and independence. Interviewees reported that investigations into abuses are rare and typically result in internal disciplinary action rather than criminal accountability. Although PGR has the power to oversee the legality of police intervention²³⁵ in police stations, research participants highlighted that police oversight is, in practice, absent. The National Correctional Service (SERNAP) is similarly limited in its capacity to monitor compliance with human rights standards.²³⁶ As highlighted by participants, overcrowding, lack of access to healthcare, and discriminatory conditions (especially those affecting women and juveniles) persist with little public scrutiny or remedial action. The Parliamentary Commission (Commission for Constitutional, Human Rights and Legality Affairs), visits prisons biannually. Participants revealed that while oversight and monitoring occur yearly, this national body is ineffective. Although it holds oversight power, in practice, only reports are presented in Parliament, and no substantial actions are taken.

230 The Ombudsman was introduced in the 2004 CRM, Constituição da República de Moçambique.

231 Lei n.º 7/2006, de 16 de Agosto – Estabelece o âmbito de atuação, Estatuto, competências e processo de funcionamento do Provedor de Justiça, Pub. L. No. Lei n.º 7/2006, No 33 I Série – Boletim da República. <https://archive.gazettes.africa/archive/mz/2006/mz-government-gazette-series-i-dated-2006-08-16-no-33.pdf>; Lei n.º 10/2023, de 21 de Julho – Revisão da Lei n.º 7/2006, de 16 de Agosto que aprova o estatuto, as competências e o processo de funcionamento do Provedor de Justiça e revoga a Lei n.º 7/2006, de 16 de Agosto e toda a legislação que contrarie a presente Lei., Pub. L. No. Lei n.º 10/2023, No 140, Suplemento I Série – Government Gazette (Boletim da República) (2023). <https://archive.gazettes.africa/archive/mz/2023/mz-government-gazette-series-i-dated-2023-07-21-no-140.pdf>.

232 Article 16 of the Lei n.º 10/2023, de 21 de Julho – Revisão da Lei n.º 7/2006, de 16 de Agosto que aprova o estatuto, as competências e o processo de funcionamento do Provedor de Justiça e revoga a Lei n.º 7/2006, de 16 de Agosto e toda a legislação que contrarie a presente Lei.

233 Zelio Tembe, "Provedoria de Justiça em processo de criar de delegações provinciais – aimnews.org," *Agência de Informação de Moçambique (AIM)*, March 23, 2024, <https://aimnews.org/2024/03/23/provedoria-de-justica-em-processo-de-criar-de-delegacoes-provincias/>.

234 Working Group on Arbitrary Detention, *Report of the Working Group on Arbitrary Detention on its visit to Maldives (A/HRC/51/29/Add.1)* (2022), <https://documents.un.org/doc/undoc/gen/g22/400/81/pdf/g2240081.pdf>; Human Rights Watch, "Mozambique: Events of 2023," in *World Report 2024* (2023), <https://www.hrw.org/world-report/2024/country-chapters/mozambique>.

235 Article 4 of the Assembleia da República de Moçambique, "Lei n.º 1/2022, de 12 de Janeiro 2022 Lei Orgânica Do Ministério Público e o Estatuto Dos Magistrados Do Ministério Público," accessed August 14, 2025, https://reforma.co.mz/documentos-diversos/lei_1-2022__organica_ministerio_publico_estatuto_magistrados_ministerio_publico_revoga_lei_n_4-2017.pdf/view.

236 Marcio Américo Vieira Pessôa, *A intervenção da sociedade civil no sistema prisional em Moçambique*, no. 34 (2020): 226–57.

Prisons should also be regularly visited by public prosecutors,²³⁷ but no further actions are taken beyond these visits. Overcrowding is an on-going issue, with no improvements in sight. Interviewees highlighted that the PGR has played a largely discursive role, offering communications and similar recommendations without significant follow-up or impact.

Overcrowding, poor prison conditions, and procedural obstacles to alternative sentencing illustrate the consequences of insufficient oversight and ineffective enforcement by the responsible institutions. During the data validation workshop, one participant noted that the country has an official prison capacity of only 8,833 inmates, yet currently holds nearly 20,000, including 4,546 minors and more than 550 women. It was highlighted that building new infrastructure is not enough, and that efforts should focus on expanding the use of alternative sentences. However, such sentences face practical obstacles, such as the requirement that the defendant be a first-time offender, have an identity document, and difficulties in verifying addresses – factors that discourage courts from using non-custodial options.²³⁸

Several participants in the workshop denounced the degrading conditions in prisons, confirming the fieldwork data which indicated that the Inhambane penitentiary housed 350 inmates in a space with a capacity for only 75, while the Gaza facility held more than 1,000 inmates under completely inadequate conditions. Additionally, participants highlighted the recurring practice of debt collection in police stations, which have effectively been transformed into “loan shark courts”.²³⁹

These issues of overcrowding, inadequate prison conditions, and procedural obstacles to alternative sentencing illustrate the severe consequences of insufficient oversight and ineffective enforcement by responsible institutions.

6.2.5 Civil Society Oversight

Civil society organisations such as the Observatorio das Mulheres, the Centre for Public Integrity (CIP), REFORMAR and various legal aid entities have emerged as critical actors in documenting abuses and advocating for reform.²⁴⁰ However, these organisations operate in an increasingly restrictive environment, marked by limited funding, political hostility, and bureaucratic hurdles.²⁴¹

Although civil society initiatives have succeeded in influencing some reforms-(including the decriminalisation of certain offences or petitions to the Constitutional Council)-their capacity to engage consistently with state oversight bodies remains fragile.²⁴² Moreover, civil society interventions often lack the institutional support necessary to ensure long-term follow-up and implementation.²⁴³

237 Article 4 of the Assembleia da República de Moçambique, “Lei n.1/2022, de 12 de Janeiro 2022 Lei Orgânica Do Ministério Público e o Estatuto Dos Magistrados Do Ministério Público.”

238 Assembleia da República de Moçambique, “Lei n.1/2022, de 12 de Janeiro 2022 Lei Orgânica Do Ministério Público e o Estatuto Dos Magistrados Do Ministério Público.”

239 Assembleia da República de Moçambique, “Lei n.1/2022, de 12 de Janeiro 2022 Lei Orgânica Do Ministério Público e o Estatuto Dos Magistrados Do Ministério Público.”

240 Observatório do Cidadão para Saúde, “Observatório do Cidadão para Saúde,” accessed August 14, 2025, <https://www.observatoriodesaude.org/>.

241 Human Rights Watch, “Mozambique: Draft Law Threatens Civil Society Groups | Human Rights Watch,” 2023, <https://www.hrw.org/news/2023/02/10/mozambique-draft-law-threatens-civil-society-groups>.

242 Human Rights Watch, “Mozambique: Draft Law Threatens Civil Society Groups | Human Rights Watch.”

243 Ludovico Alcorta et al., “Collaborative Practice Pathways Improve Accountability and Governance,” *Institute of Development Studies*, 2025, <https://www.ids.ac.uk/publications/collaborative-practice-pathways-improve-accountability-and-governance/>.

7.

Conclusion

Mozambique's criminal justice and security framework has undergone significant legal transformation between 2000 and 2024, with notable constitutional amendments, new penal and procedural codes, and expanded security legislation. These reforms demonstrate a normative shift toward human rights protection, legal pluralism, and the modernization of state institutions. However, the implementation of these laws reveals deep structural challenges that continue to undermine the principles of legality, equality, and accountability.

The formal justice system remains marked by serious socio-economic disparities. Access to courts and legal representation is uneven, and the judiciary's limited capacity (both in terms of human resources and geographic distribution) reinforces exclusion, particularly for rural and impoverished populations. Alternatives to imprisonment and Community Service Orders in particular, while promising in principle, are inconsistently applied and often reinforced rather than mitigate socio-economic bias.

Law enforcement institutions, particularly the PRM, continue to reflect a legacy of authoritarian and militarised policing. Despite legislative efforts to professionalise the police and affirm democratic accountability, practices of arbitrary detention, excessive force, and impunity persist, often with clear political overtones. These issues are compounded by the weakness of oversight bodies, limited transparency, and a lack of institutional accountability.

Security and exceptional laws, including those addressing terrorism, cybercrime, and states of emergency, have increasingly expanded state power without corresponding safeguards. These laws have often been applied discriminatorily, targeting the poor, opposition supporters, and civil society actors, while shielding powerful individuals from scrutiny.

While Mozambique has ratified key international and regional human rights treaties, and has established domestic oversight institutions, their protective impact remains minimal in the absence of enforcement and institutional independence. The result is a legal system that, despite reform, remains prone to exclusion, politicization, and systemic discrimination.

8. Recommendations and Conclusion

To strengthen the rule of law and ensure that the criminal justice system aligns with constitutional guarantees and international human rights standards, the following recommendations are presented, organized by the institutions responsible for their implementation. This division aims to clarify responsibilities and promote coordinated action for justice system reform in Mozambique.

Courts and Judiciary

Courts play a central role in ensuring access to justice and the fair application of sentences, and must ensure their services are available and equitable for all citizens.

- Expand the presence of district courts and legal aid offices in underserved regions, especially rural areas.
- Ensure that alternative sentencing mechanisms, such as Community Service Orders, are applied fairly and tailored to offenders' socio-economic profiles and professional skills.

Institute for the Promotion and Legal Assistance (IPAJ)

IPAJ is fundamental in providing legal services to vulnerable populations and promoting access to justice.

- Increase funding and training for IPAJ paralegals.
- Implement transparent oversight mechanisms to prevent corruption and improve service quality.

Mozambique Republic Police (PRM)

To guarantee public security while respecting human rights, a comprehensive police reform is necessary.

- Reform police training and operations, emphasizing democratic policing, human rights, and community engagement.
- Reform the PRM's institutional structure to prioritize crime prevention and public trust, particularly in contexts of political protests and social unrest.

Independent Police Oversight Body

Establishing an independent oversight body is essential for police transparency and accountability.

- Create an independent entity with investigatory powers to supervise police conduct.
- Ensure public access to policing data, including complaints and disciplinary outcomes.

Legislators and Security Agencies

Security-related legislation must protect fundamental rights and provide adequate oversight mechanisms.

- Review and revise counterterrorism and cybercrime laws to ensure clarity, proportionality, and protection of civil liberties, particularly freedom of expression and association.
- Limit the discretionary use of states of emergency by setting stricter legal thresholds and embedding parliamentary and judicial oversight mechanisms.

- Establish clear guidelines for differentiating criminal responsibility in cases involving coerced or vulnerable actors, especially in terrorism-related offenses.
- Revise narcotics and psychotropic substances laws to ensure non-abusive use of custodial and non-custodial sentences.

National Human Rights Commission

Strengthening the National Human Rights Commission is crucial for promoting and protecting human rights nationwide.

- Enhance the Commission's operational independence, public reporting obligations, and budget.

Prison Inspection Bodies

Effective oversight of detention conditions is fundamental to safeguarding detainees' rights.

- Establish an independent prison inspectorate with a mandate to monitor detention conditions, report publicly, and recommend reforms.
- Monitor prisons to control overcrowding, particularly due to excessive use of preventive detention.

Office of the Attorney General

To ensure justice and accountability, the Attorney General's Office must operate independently and free from external interference.

- Guarantee the Attorney General's Office functions without political interference.
- Promote accountability for State-led abuses.

Government and Bodies Responsible for International Obligations

Implementing international commitments is essential for improving the justice system and protecting human rights.

- Fulfil reporting obligations under UN and African human rights treaties.
- Establish a multi-stakeholder mechanism to monitor the implementation of international recommendations.
- Incorporate international treaty standards into domestic law, especially regarding women, children, detainees, and marginalised groups.
- Facilitate civil society participation in monitoring and implementing treaty obligations and legal reforms.

Educational and Communication Institutions

Raising awareness and knowledge of rights are key to strengthening the rule of law.

- Promote legal literacy campaigns in local languages to enhance public understanding of rights, procedures, and remedies.
- Integrate human rights and constitutional education into school curricula and community programs, particularly in conflict-affected and high-risk areas.

8.

Bibliography

African Commission on Human and Peoples' Rights (ACHPR). "Welcome." African Commission on Human and Peoples' Rights, August 14, 2025. <https://achpr.au.int/en>.

Al Jazeera. "EU Observers Say 'Unjustified Alteration' of Mozambique Election Results | Elections News |." 2024. <https://www.aljazeera.com/news/2024/10/22/eu-observers-say-unjustified-alteration-of-mozambique-election-results>.

Al Jazeera. "Mozambique Ex-President's Son, 10 Others Jailed over Corruption | Corruption News | Al Jazeera." *Al Jazeera - News*, December 7, 2022. <https://www.aljazeera.com/news/2022/12/7/mozambique-ex-presidents-son-ten-others-jailed-over-corruption>.

Alcorta, Ludovico, Alexander Karim, Cecília Robertson Dos Santos, Cathy Shutt, and Alex Shankland. "Collaborative Practice Pathways Improve Accountability and Governance." *Institute of Development Studies*, 2025. <https://www.ids.ac.uk/publications/collaborative-practice-pathways-improve-accountability-and-governance/>.

Amnesty International. "Mozambique: Authorities Must Investigate Reports of More than 300 Unlawful Killings during Post-Election Protest Crackdown." *Amnesty International*, February 27, 2025. <https://www.amnesty.org/en/latest/news/2025/02/mozambique-authorities-must-investigate-reports-of-more-than-300-unlawful-killings-during-post-election-protest-crackdown/>.

Amnesty International. "Mozambique: More than 30 Killed in One Week as Protest Death Toll Reaches 110." *Amnesty International*, December 11, 2024. <https://www.amnesty.org/en/latest/news/2024/12/mozambique-more-than-30-killed-in-one-week-as-protest-death-toll-reaches-110/>.

Anaç, Nilifer, Eva-Maria Egger, Sam Jones, Ricardo Santos, and Alex Warren-Rodriguez. *The Impact of COVID-19 on Urban Informal Workers in Maputo*. Working Paper No. 2022/173. WIDER Working Paper, 2022. <https://doi.org/10.35188/UNU-WIDER/2022/306-2>.

Anderson, Liam, and Dércio Tsandzana. "Nova lei de privacidade em Moçambique ameaça liberdade de expressão, dizem ativistas." *Global Voices em Português*, January 27, 2020. <https://pt.globalvoices.org/2020/01/27/nova-lei-de-privacidade-em-mocambique-ameaca-liberdade-de-expressao-dizem-ativistas/>.

Araújo, Sara Alexandre Domingues. "Ecologia de justiças a Sul e a Norte. Cartografias comparadas das justiças comunitárias em Maputo e Lisboa." doctoralThesis, 2014. <https://estudogeral.uc.pt/handle/10316/26793>.

Armando, Cardoso. *Covid-19 Avança Em Moçambique | História, Ciências, Saúde - Manguinhos*. 2020. <https://revistahcsm.coc.fiocruz.br/covid-19-avanca-em-mocambique/>.

Assembleia da República de Moçambique. "Lei n. 33/2009, de 22 de Dezembro Lei Que Cria a Comissão Nacional Dos Direitos Humanos." 2009. https://reformat.co.mz/documentos-diversos/cndh_estatuto.pdf/view.

Assembleia da República de Moçambique. "Lei n.1/2022, de 12 de Janeiro 2022 Lei Orgânica Do Ministério Público e o Estatuto Dos Magistrados Do Ministério Público." Accessed August 14, 2025. https://reformat.co.mz/documentos-diversos/lei_1-2022__organica_ministerio_publico_estatuto_magistrados_ministerio_publico_revoga_lei_n_4-2017.pdf/view.

Basto, Maria-Benedita. "The Writings of the National Anthem in Independent Mozambique: Fictions of the Subject-People." *Kronos*, 2013, Volume 39, Issue 139, no. 1 (2013): 185-203.

Bertelsen, Bjørn Enge. *Effervescence and Ephemerality: Popular Urban Uprisings in Mozambique*. CMI Brief, vol. 14, n.o 3. Chr. Michelsen Institute (CMI), 2016. <http://www.tandfonline.com/doi/full/10.1080/00141844.2014.929596>.

Birmingham, David. "Class and the Customary: The Ambiguous Legacy of the Indigenato in Mozambique | African Affairs | Oxford Academic." *African Affairs* 99, no. 394 (2000): 5–42. <https://doi.org/10.1093/afraf/99.394.5>.

Bureau of Democracy, Human Rights, and U.S. Department of State. *Mozambique - United States Department of State*. U.S. Department of State, 2023. <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/mozambique/>.

Carta de Moçambique. *Da Polícia Na Pandemia (Crónica)*. de abril de 2021. <https://cartamz.com/politica/10262/8573-da-policia-na-pandemia-cronica/>.

Centre for Civil and Political Rights (CCPR Centre). *Mozambique: UN Experts Dismayed by the Lack of Investigation and Accountability for Civil and Political Rights Violations*. Centre for Civil and Political Rights (CCPR Centre), 2022. https://ccprcentre.org/page/109th-session-in-brief/mozambique-un-experts-dismayed-by-the-lack-of-investigation-and-accountability-for-civil-and-political-rights-violations?utm_source.

Club of Mozambique. "Maputo Council Gives Baixa Street Vendors an Ultimatum: 'Move to the Markets!'" Mozambique, 2020. <https://clubofmozambique.com/news/maputo-council-gives-baixa-street-vendors-an-ultimatum-move-to-the-markets-150762/>.

Club of Mozambique. "Maputo Street Vendors: Where Have All the Seized Goods Gone? - Watch." Mozambique, 2020. <https://clubofmozambique.com/news/maputo-street-vendors-where-have-all-the-seized-goods-gone-watch-232509/>.

Club of Mozambique. "Mozambique Elections: NGO Accuses Public Prosecutor of Being Selective in Initiating Cases." Mozambique, 2024. <https://clubofmozambique.com/news/mozambique-elections-ngo-accuses-public-prosecutor-of-being-selective-in-initiating-cases-271222/>.

Club of Mozambique. "Mozambique: Magistrates Assigned to Jails to Speed up Cases, Reduce Overcrowding." Mozambique, 2022. <https://clubofmozambique.com/news/mozambique-magistrates-assigned-to-jails-to-speed-up-cases-reduce-overcrowding-223225/>.

Club of Mozambique. "Mozambique: Mohammedan Community Warns Families Are Leaving from Fear of Kidnappings." Mozambique, July 31, 2024. <https://clubofmozambique.com/news/mozambique-mohammedan-community-warns-families-are-leaving-from-fear-of-kidnappings-263250/>.

Club of Mozambique. "Mozambique: Parliament Waves through Constitutional Changes on Decentralisation." Mozambique. Accessed August 13, 2025. <https://clubofmozambique.com/news/without-debate-approved-by-all-237-deputies-present-mozambican-parliament-waves-through-constitutional-changes-on-decentralisation-mozambique/>.

Club of Mozambique. "Mozambique: Push for Mercenaries and Intervention in Cabo Delgado - By Joseph Hanlon." Mozambique, 2020. <https://clubofmozambique.com/news/mozambique-push-for-mercenaries-and-intervention-in-cabo-delgado-by-joseph-hanlon-166909/>.

Código Penal de 1886, Pub. L. No. Decreto de 16 de September 1886, Diário do Governo, 20 September 1886, 1886 Penal Code (Portugal)(1886).

Constituição da República de Moçambique, Pub. L. No. 1/2004, Lei n.o 1/2004 (2004). https://www.masa.gov.mz/wp-content/uploads/2018/01/Constituicao_republica_mocambique.pdf.

Constituição da República de Moçambique.

Constituição Da República Popular de Moçambique, Constituição da República Popular de Moçambique (1978). https://www.mozambiquehistory.net/justice/constitution/19800900_constituicao.pdf.

Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979 (1979). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

Convention on the Rights of Persons with Disabilities | OHCHR (2006). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

Dauto, Ussumane Aly. *Palavras e desafios*. 1st edition. Edição do Autor, 1998. <https://books.google.co.mz/books?id=K28WAQAAIAAJ>.

Declaration of Principles on Freedom of Expression and Access to Information in Africa 2019 (2019). <https://achpr.au.int/en/node/902>.

Decreto n.o 35/2006 – Regulamento de Criação e Funcionamento da Polícia Municipal, Pub. L. No. Decreto n.o 35/2006, 35/2006 (2006). <https://archive.gazettes.africa/archive/mz/2006/mz-government-gazette-series-i-dated-2006-09-06-no-36.pdf>.

Decriminalise Poverty & Status Coalition. “Decriminalise Poverty & Status – Global Coalition Advocating to Repeal Laws That Target People Based on Poverty, Status or Their Activism.” 2024. <https://decrimpovertystatus.org/>.

Diário Económico. “Branqueamento de Capitais: Moçambique Pode Falhar Saída Da Lista Cinzenta Do GAFI No Prazo Previsto, Alerta CIP.” 2025. <https://www.diarioeconomico.co.mz/2025/02/10/economia/financas/branqueamento-de-capitais-mocambique-pode-falhar-saida-da-lista-cinzenta-do-gafi-no-prazo-previsto-alerta-cip/>.

DW. “Feridos e detidos em marcha de contestação em Moçambique.” dw.com, 2023. <https://www.dw.com/pt-002/mo%C3%A7ambique-tr%C3%AAs-feridos-e-13-detidos-em-marcha-de-contesta%C3%A7%C3%A3o-de-resultados/a-67673049>.

Dworschak, Christoph, Salvador Forquilha, and Karina Mross. “Spotlight on Protest Dynamics in Mozambique.” *German Institute of Development and Sustainability (IDOS)*, 2024. https://www.idos-research.de/fileadmin/user_upload/pdfs/publikationen/aktuelle_kolumne/2024/German_Institute_of_Development_and_Sustainability_EN-Dworschak_Forquilha_Mross_25.11.2024.pdf?utm_source.

Embaixada da Suécia em Moçambique. “Entrevista com a Associação LAMBDA.” Sweden Abroad, 2020. <https://www.swedenabroad.se/pt/embaixada/mocambique-maputo/atualidades/noticias/entrevista-com-a-lambda>.

ENACT (Institute for Security Studies, and INTERPOL. *The Organized Crime Index* | ENACT. Índice online interativo. 2023. <https://africa.ocindex.net>.

Essinalo, Gi, and Teresa Boene. *The Persistence Of Popular Protests Against The Results Of The General Elections May Increase Mozambique’s Sovereign Credit Risk*. Policy Report / Analysis. Centro de Integridade Pública (CIP), 2024. <https://www.cipmoz.org/wp-content/uploads/2024/11/Post-Election-Crisis.pdf>.

Essinalo, Gift, and Teresa Boene. *The Persistence Of Popular Protests Against The Results Of The General Elections May Increase Mozambique’s Sovereign Credit Risk*. 2024. <https://www.cipmoz.org/wp-content/uploads/2024/11/Post-Election-Crisis.pdf>.

Estatuto Orgânico da Polícia da República de Moçambique (PRM) – 2019, Pub. L. No. Lei n.o 19/92, de 31 de Dezembro (1992). <https://www.scribd.com/document/712414632/Estatuto-Organico-Prm-2019>.

European Union Election Observation Mission (EU EOM). *EU EOM Mozambique Preliminary Statement*. Preliminary Statement. European External Action Service (EEAS), 2024. <https://www.eeas.europa.eu/sites/default/files/documents/2024/EU%20EOM%20Mozambique%20PRELIMINARY%20STATEMENT%20EN.pdf>.

Fauvet, Paul. *Misa warns of deterioration in press freedom* – [aimnews.org](https://aimnews.org/2025/05/05/misa-warns-of-deterioration-in-press-freedom/). de maio de 2025. <https://aimnews.org/2025/05/05/misa-warns-of-deterioration-in-press-freedom/>.

Fauvet, Paul. “Mozambique: Hidden Debts Ruin Anti-Poverty Strategy – AIM Report.” *Club of Mozambique* (Maputo, Mozambique), June 26, 2024. <https://clubofmozambique.com/news/mozambique-hidden-debts-ruin-anti-poverty-strategy-aim-report-260472/>.

Fenita, Eleutério. “Linchamentos Substituem Justiça Em Moçambique.” *BBC News – África Em Português*, July 23, 2007. https://www.bbc.co.uk/portuguese/afrika/news/story/2007/07/070723_mozlynchjd.shtml.

Ferrant, Coline. “Understanding Decentralization in Mozambique with a Ziblatt-Mann Framework.” *E-International Relations*, October 23, 2018. <https://www.e-ir.info/2018/10/23/understanding-decentralization-in-mozambique-with-a-ziblatt-mann-framework/>.

Forquilha, Salvador Cadete. *Reformas de Descentralização e Redução da Pobreza num Contexto de Estado Neo-patrimonial. Um olhar a partir dos Conselhos Locais e OIII em Moçambique*. Caderno de Política No. CP25. Cadernos de Política. Instituto de Estudos Sociais e Económicos (IESE), 2009. https://www.iese.ac.mz/lib/publication/II_conf/CP25_2009_Forquilha.pdf?utm_source.

France24 Staff. “Mozambique Scraps Colonial-Era Bans on Homosexuality, Abortion.” *Africa. France 24*, June 29, 2015. Online Edition. <https://www.france24.com/en/20150629-mozambique-scraps-colonial-era-bans-homosexuality-abortion>.

“GCCCOT / Órgãos Do MP / Entrada - Procuradoria Geral Da Republica.” Accessed July 3, 2025. <https://www.pgr.gov.mz/por/Orgaos-do-MP/GCCCOT>.

“GCRA / Órgãos Do MP / Entrada - Procuradoria Geral Da Republica.” Accessed July 3, 2025. <https://www.pgr.gov.mz/por/Orgaos-do-MP/GCRA>.

Hanlon, Joseph. *MOZAMBIQUE News Reports & Clippings*. Open University, 2020. https://university.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Mozambique_496-26July2020_Mercenaries.pdf.

Henriques, Bárbara. “General Elections: Podemos Takes on Role of Largest Opposition Party in New Parliament • 360 Mozambique.” *News. 360 Mozambique*, January 9, 2025. <https://360mozambique.com/development/general-elections-podemos-takes-on-role-of-largest-opposition-party-in-new-parliament/>.

Human Rights Watch. *Amnistia em Moçambique Provavelmente Incentiva Futuros Abusos* | Human Rights Watch. July 30, 2019. <https://www.hrw.org/pt/news/2019/07/30/332572>.

Human Rights Watch. “Mozambique: Draft Law Threatens Civil Society Groups | Human Rights Watch.” 2023. <https://www.hrw.org/news/2023/02/10/mozambique-draft-law-threatens-civil-society-groups>.

Human Rights Watch. “Mozambique: Events of 2020.” In *World Report 2021*. 2020. <https://www.hrw.org/world-report/2021/country-chapters/mozambique>.

Human Rights Watch. “Mozambique: Events of 2023.” In *World Report 2024*. 2023. <https://www.hrw.org/world-report/2024/country-chapters/mozambique>.

Human Rights Watch. “Mozambique: No Arrests in Post-Election Political Killings | Human Rights Watch.” 2025. <https://www.hrw.org/news/2025/04/13/mozambique-no-arrests-post-election-political-killings>.

Jethá, Eunice, Ines Keygnaert, Mohamed Seedat, Joaquim Nhampoca, Mohsin Sidat, and Kristien Roelens. “A Critical Cartography of Domestic Violence Policies in Mozambique.” *Reproductive Health* 18 (August 2021): 169. <https://doi.org/10.1186/s12978-021-01215-7>.

Kössler, Karl. "Conflict and Decentralization in Mozambique: The Challenges of Implementation." *ConstitutionNet*, 2018. <http://constitutionnet.org/news/conflict-and-decentralization-mozambique-challenges-implementation>.

Kristen, Petersen, Pacharo Kayira, and Tina Lorizzo. *A Comparative Study of Bail Legislation in Malawi, Mozambique and Burundi*. File. Maputo, Moçambique, 2016. <https://reformar.co.mz/publicacoes/bail-comparative.pdf/view>.

Kyed, Helene Maria. "Street Authorities: Community Policing in Mozambique and Swaziland." *PoLAR: Political and Legal Anthropology Review* 41, no. S1(2018): 19–34. <https://doi.org/10.1111/plar.12251>.

Kyed, Helene Maria. *The Contested Role of Community Policing: "new" Non-State Actors in the Plural Legal Landscape of Mozambique*. Danish Institute for International Studies (DIIS), 2010. <https://www.diis.dk/en/research/community-policing-in-mozambique>.

Leafwell. "Is Marijuana Legal in Mozambique?" Leafwell, 2023. <https://leafwell.com/blog/is-marijuana-legal-in-mozambique>.

Lei n. 7/2008, de 9 de Julho, Pub. L. No. Lei n.º 7/2008, de 9 de Julho, Suplemento n.º 28 Boletim da República – I Série (2008). https://reformar.co.mz/documentos-diversos/lei_7_2008-de-promocao-e-proteccao-da-crianca-1.pdf/view.

Lei n. 25/2019 – Lei de Revisão do Código do Processo Penal, Pub. L. No. 25/2019, Código do Processo Penal (2019). <https://reformar.co.mz/documentos-diversos/lei-25-2019-lei-de-revisao-do-codigo-do-processo-penal.pdf/view>.

Lei no 1/2020: Ratifica a Declaração do Estado de Emergência, constante no Decreto Presidencial no 11/2020, de 30 de Março, 1/2020 Lei no 1/2020 (2020). https://university.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Lei_1_2020_de_31_de_Marc%CC%A7o_BR_62_I_SE%CC%81RIE_2020_%28as_revised_by_AR%29.pdf.

Lei no 02 2017 – SERNIC | PDF | Polícia | Ministros (governo), Pub. L. No. Lei n.º 2/2017, 2/2017 (2017). <https://pt.scribd.com/document/664894533/Lei-n%C2%BA-02-2017-SERNIC>.

Lei No 3/97 de 13 de Março – Criação Da Lei de Psicotrópicos e Estupefacientes, Pub. L. No. 3/97, Lei 3/97 (1997). <https://reformar.co.mz/documentos-diversos/lei-3-97-de-13-de-marco-criacao-da-lei-de-psicotropicos-e-estupefacientes.pdf>.

Lei n.º 4/2016, de 3 de Junho – Lei Das Telecomunicações, Pub. L. No. Lei n.º 4/2016, 4/2016 (2016). <https://arctel-cplp.org/wp-content/uploads/2022/09/Lei-n.o-4-de-3-de-junho-de-2016-Lei-das-Telecomunicacoes-institui-a-Autoridade-Reguladora-das-Comunicacoes.pdf>.

Lei n.º 4/2017 – Lei Orgânica Do Ministério Público e Estatuto Dos Magistrados, Pub. L. No. Lei n.º 4/2017 (2017). https://reformar.co.mz/documentos-diversos/lei_4_2017_pgr.pdf.

Lei n.º 7/2006, de 16 de Agosto – Estabelece o âmbito de atuação, Estatuto, competências e processo de funcionamento do Provedor de Justiça, Pub. L. No. Lei n.º 7/2006, No 33 I Série – Boletim da República. <https://archive.gazettes.africa/archive/mz/2006/mz-government-gazette-series-i-dated-2006-08-16-no-33.pdf>.

Lei n.º 8/2008, de 15 de Julho – Lei Da Organização Tutelar de Menores, Suplemento n.º 28 Boletim da República – I Série (2008). https://reformar.co.mz/lei_8_2008_organizacao_tutelar_de_menores.pdf.

Lei n.º 9/91: Regula o exercício da liberdade de reunião e de manifestação, Pub. L. No. 9/91, Lei das Manifestações (1991). <https://pt.scribd.com/document/720395251/Lei-9-91-Lei-das-manifestacoes>.

Lei n.º 10/2019, de 29 de Agosto – Lei de Amnistia, Pub. L. No. Lei 10/2019, 10/2019 (2019). <https://archive.gazettes.africa/archive/mz/2019/mz-government-gazette-series-i-dated-2019-08-29-no-168.pdf>.

Lei n.º 10/2023, de 21 de Julho – Revisão da Lei n.º 7/2006, de 16 de Agosto que aprova o estatuto, as competências e o processo de funcionamento do Provedor de Justiça e revoga a Lei n.º 7/2006, de 16 de Agosto e toda a legislação que contrarie a presente Lei., Pub. L. No. Lei n.º 10/2023, No 140, Suplemento I Série – Government Gazette (Boletim da República)(2023). <https://archive.gazettes.africa/archive/mz/2023/mz-government-gazette-series-i-dated-2023-07-21-no-140.pdf>.

Lei n.º 10/2024 – Lei de Promoção e Proteção Dos Direitos Das Pessoas Com Deficiência, Pub. L. No. 10/2024 (2024). <https://archive.gazettes.africa/archive/mz/2024/mz-government-gazette-series-i-dated-2024-06-07-no-111.pdf>.

Lei n.º 12/2023 – Lei de bases da criação, organização e funcionamento das autarquias locais, Pub. L. No. Lei n.º 12/2023, 12/2023 (2023). <https://university.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/23%20Lei%2012-2023%20de%2026%20de%20Agosto%20-%20autarquias%20loais%20Moz-12-2023.pdf>.

Lei n.º 16/2013 – Lei Da Polícia Da República de Moçambique, Pub. L. No. Lei n.º 16/2013 (2013). <https://reformar.co.mz/documentos-diversos/prm-nova-lei-1.pdf/view>.

Lei n.º 18/91: Define Os Princípios Que Regem a Atividade Da Imprensa e Estabelece Os Direitos e Deveres Dos Seus Profissionais, Pub. L. No. 18/91, Lei da Imprensa (1991). <https://archive.gazettes.africa/archive/mz/1991/mz-government-gazette-series-i-supplement-no-3-dated-1991-08-10-no-32.pdf>.

Lei n.º 22/2019 – Lei da Família, Boletim da República, I Série, n.º 91, 11 de Dezembro de 2019. <https://reformar.co.mz/documentos-diversos/lei-22-2019-lei-da-familia.pdf>.

Lei n.º 24/2019, de 24 de Dezembro – Lei de Revisão Do Código Penal, Pub. L. No. Lei n.º 24/2019, 24/2019 Código Penal (2019). <https://reformar.co.mz/documentos-diversos/lei-24-2019-lei-de-revisao-do-codigo-penal.pdf>.

Lei n.º 26/2019, de 27 de Dezembro – Código de Execução Das Penas, Pub. L. No. Law No. 26/2019, Boletim da República (2019). <https://reformar.co.mz/documentos-diversos/lei-26-2019-aprova-o-codigo-de-execucao-das-penas.pdf/view>.

Lei n.º 29/2009, de 29 de Setembro – Lei Sobre a Violência Doméstica Praticada Contra a Mulher, Pub. L. No. Lei n.º 29/2009 de 29 de Setembro de 2009, Publicada no Diário Oficial – 2.º Suplemento, n.º 28, Suplemento n.º 28 Diário Oficial da República de Moçambique – 2.º Suplemento. https://www.dlapiperafrica.com/export/sites/africa/mozambique/insights/legislation-series/mozambican-bar-association/downloads/Lei_28_2009.pdf_2063069299.pdf.

Lei n.º 35/2014, de 31 de Dezembro – Aprova o Código Penal, Pub. L. No. Lei n.º 35/2014, 35/2014 Código Penal (2014). <https://reformar.co.mz/documentos-diversos/lei-35-2014-aprova-o-codigo-penal-1.pdf/view>.

Lei Orgânica Da Assembleia Da República, Pub. L. No. Lei n.º 16/2013 (2013).

Lorizzo, Concetta. “Non-State Forms of Conflict Resolution: Opportunities for Improving Criminal Justice a Case Study of Community Courts in Mozambique.” 2022. <http://hdl.handle.net/11427/36937>.

Lorizzo, Tina. “Judges’ Incarceration Decisions in Mozambique: The Need to Decolonise the Punitive Approach to Criminal Justice.” *REALIS* 13, no. 3 (2023): 1-24. <https://doi.org/10.51359/2179-7501.2023.261311>.

Lorizzo, Tina. “O futuro depende de nós! O impacto da prisão e encarceramento nas crianças.” *O País*, December 9, 2020. <https://opais.co.mz/o-futuro-depender-nos-o-impacto-da-prisao-e-encarceramento-nas-criancas/>.

Lorizzo, Tina, Ilídio Nhamitanga, and Lourenço Sigaúque. *Desafios e Perspectivas do Encarceramento Feminino em Moçambique: Uma abordagem Jurídico-Social*. n.d., 2025.

- Lorizzo, Tina, and Vanja Petrovic. *Annexure Three COVID-19 Restrictions and the Impact on Criminal Justice and Human Rights Mozambique*. Dullah Omar Institute, 2022. <https://dullahomarinstitute.org.za/acjr/acjr-publications/annexure-three-mozambique-final.pdf>.
- Lorizzo, Tina, and Vanja Petrovic. *Democratic Policing in Mozambique – Challenges of Training for Professionalisation*. REFORMAR – Research for Mozambique, 2022. <https://reformar.co.mz/publicacoes/democratic-policing.docx>.
- Lorizzo, Tina, and Vanja Petrovic. *Developments in Addressing Torture in Mozambique*. 2018. <https://reformar.co.mz/publicacoes/tortureacj-22-3-2018.pdf/view>.
- Lourenço, Vitor Alexandre. “Estado, Autoridades Tradicionais e Transição Democrática em Moçambique: Questões teóricas, dinâmicas sociais e estratégias políticas.” *Cadernos de Estudos Africanos*, no. 16/17 (July 2009): 115–38. <https://doi.org/10.4000/cea.189>.
- Lovett, Aish, Hye Rim Kwon, Khameer Kidia, et al. *Mental Health of People Detained within the Justice System in Africa: Systematic Review and Meta-Analysis*. 2019. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6501291/>.
- LUSA. “Mozambique: No Effect from Changes to Anti-Corruption Laws; More Needed – NGO.” *International. Macau Business*, March 23, 2021. <https://www.macaubusiness.com/mozambique-no-effect-from-changes-to-anti-corruption-laws-more-needed-ngo/>.
- Lusa, Agência. “Quase quatro mil pessoas detidas por desobediência durante estado de emergência em Moçambique.” *Observador*, 2020. <https://observador.pt/2020/07/31/quase-quatro-mil-pessoas-detidas-por-desobediencia-durante-estado-de-emergencia-em-mocambique/>.
- Mabucanhane, Nelson. “Das aflições políticas à cooperação econômica entre Moçambique – Rússia: debates, dilemas e perspectivas.” *Espaço e Economia. Revista brasileira de geografia econômica*, no. 10 (June 2017). <https://doi.org/10.4000/espacoeconomia.2899>.
- Manassés, Betuel. “Dívidas ocultas e o Acórdão do Tribunal Supremo: O seu contexto e alcance político e legal.” *Análise Global. Integrity Magazine*, April 21, 2025. <https://integritymagazine.co.mz/arquivos/41630>.
- Marion, Georges. “Mozambique: après seize ans d’une guerre dévastatrice, le gouvernement de Maputo a conclu un accord de paix avec la rébellion.” *Le Monde* (Paris, France), October 6, 1992. https://www.lemonde.fr/archives/article/1992/10/06/mozambique-apres-seize-ans-d-une-guerre-devastatrice-le-gouvernement-de-maputo-a-conclu-un-accord-de-paix-avec-la-rebellion_3899410_1819218.html.
- Matsinhe, Carlos. “Insegurança em Gaza: Residentes montam cancelas nas estradas – DW – 30/04/2024.” *DW África*, de abril de 2024. <https://www.dw.com/pt-002/inseguran%C3%A7a-em-gaza-residentes-montam-cancelas-nas-estradas/a-68964907>.
- Maússe, Ivan. *Descentralização: entenda como a Frelimo forçou a revisão da Constituição para adiar eleições distritais*. Centro de Integridade Pública (CIP), 2023. <https://www.cipmoz.org/wp-content/uploads/2023/08/Descentralizacao-entenda-como-a-Frelimo-forcou-a-revisao-da-Constituicao-.pdf>.
- Mazula, Brazão. *A construção da democracia em África: o caso moçambicano*. Ndjira, 2000. <https://books.google.co.mz/books?id=K28WAQAAIAAJ>.
- Meneses, Maria Paula. “Poderes, direitos e cidadania: O ‘retorno’ das autoridades tradicionais em Moçambique.” *Revista Crítica de Ciências Sociais*, no. 87 (December 2009): 9–42. <https://doi.org/10.4000/rccs.1428>.
- Miguel, Ramos. “Justiça moçambicana é ‘lenta e politizada’, dizem analistas.” *Voice of America*, May 12, 2021. <https://www.voaportugues.com/a/justica-mocambicana-e-lenta-e-politizada-dizem-analistas/5887821.html>.

Ministry of Justice of Viet Nam, and UNICEF. *Analysis Report of the Child Justice Legal Framework and Situation of Minors in Conflict with the Law in Vietnam*. 2019, n.d. Accessed August 14, 2025. <https://pt.scribd.com/document/753922540/1-MOJ-UNICEF-REPORT-2019>.

MISA Moçambique. *Cenário Geral das Liberdades de Imprensa em 2024*. Annual Report / Relatório Anual No. 2024. MISA Moçambique, 2025. <https://misa.org.mz/o-cenario-geral-das-liberdades-de-impressao-em-2024/>.

MISA Moçambique. *Relatório do Estado da Liberdade de Imprensa – 2025*. Annual Report / Relatório Anual No. 2025. MISA Moçambique, 2025. <https://misa.org.mz/wp-content/uploads/2025/05/Relatorio-do-estado-da-Liberdade-de-Imprensa-2025.pdf>.

Morse, Michael. *Post-Conflict Statebuilding in Mozambique: The Challenges of Legitimacy*. Vol. 110. Oxford University Press, 2011.

mozambique. "Mozambique: CDD Condemns Threats to Journalists Reporting on Armed Attacks in Cabo Delgado – Carta." Mozambique, 2020. <https://clubofmozambique.com/news/mozambique-cdd-condemns-threats-to-journalists-reporting-on-armed-attacks-in-cabo-delgado-carta-152589/>.

Muntingh, Lukas, and Jean Redpath. "The Socio-Economic Impact of Pre-Trial Detention in Kenya, Mozambique and Zambia." *Hague Journal on the Rule of Law* 10, no. 1 (2018): 139–64. <https://doi.org/10.1007/s40803-017-0062-1>.

Notícias, Jornal. "MEDIDAS ALTERNATIVAS À PRISÃO: Reclusos rejeitados nas comunidades." *Jornal Notícias*, July 29, 2024. <https://www.jornalnoticias.co.mz/2024/07/29/medidas-alternativas-a-prisao-reclusos-rejeitados-nas-comunidades/>.

Notícias, Jornal. "Reconhecidos avanços na luta contra lavagem de dinheiro." *Jornal Notícias*, September 5, 2024. <https://www.jornalnoticias.co.mz/2024/09/05/reconhecidos-avancos-na-luta-contralavagem-de-dinheiro/>.

Nuvunga, Adriano, and Eduardo Siteo. "Party Institutionalisation in Mozambique: 'The Party of the State' vs the Opposition." *Journal of African elections* 12, no. 1 (2013): 109–30. <https://doi.org/10.20940/JAE/2013/v12i1a5>.

Nyusi, Filipe Jacinto, and Ossufo Momade. *Peace and National Reconciliation Agreement*. Government of Mozambique, 2019. https://www.peaceagreements.org/media/documents/MZ_190806_Peace_and_National_Reconciliation_Agreement_PT.pdf.

Observatório do Cidadão para Saúde. "Observatório do Cidadão para Saúde." Accessed August 14, 2025. <https://www.observatoriodesaude.org/>.

Observatório do Cidadão para Saúde (OCS), and REFORMAR – Research For Mozambique. *As Problemáticas Da Responsabilização Criminal de Pessoas Que Usam Droga Ilícita Em Moçambique No Âmbito Da Lei 3/1997 de 13 de Março*. Relatório. REFORMAR – Research For Mozambique, 2023. <https://reformar.co.mz/publicacoes/usuarios-de-droga.pdf/view>.

Organização Internacional para as Migrações (OIM). *A OIM acolhe a Conferência de Policiamento Comunitário no Norte de Moçambique | As Nações Unidas em Moçambique*. Comunicado de imprensa. 2024. <https://mozambique.un.org/pt/221411-oim-acolhe-confer%C3%Aancia-de-policiamento-comunit%C3%A1rio-no-norte-de-mo%C3%A7ambique>, <https://mozambique.un.org/pt/221411-oim-acolhe-confer%C3%Aancia-de-policiamento-comunit%C3%A1rio-no-norte-de-mo%C3%A7ambique>.

Organização Internacional para as Migrações (OIM). "Building Trust between Communities and Law Enforcement: IOM Hosts Community Policing Conference in Northern Mozambique." March 2, 2023. <https://mozambique.iom.int/news/building-trust-between-communities-and-law-enforcement-iom-hosts-community-policing-conference-northern-mozambique>.

País, O. "CTA continua preocupada com falta de esclarecimento dos raptos - O País - A verdade como notícia." August 14, 2024. <https://opais.co.mz/cta-continua-preocupada-com-falta-de-esclarecimento-dos-raptos/>.

Penal Reform International (PRI). "Evaluation: Excellence in Training on Rehabilitation in Africa (ExTRA) Project (Mid-Term)." *Penal Reform International*, 2015. <https://www.penalreform.org/resource/evaluation-excellence-in-training-on-rehabilitation-in-africa/>.

Pessoa, Marcio Américo Vieira. *A intervenção da sociedade civil no sistema prisional em Moçambique*. no. 34 (2020): 226-57.

Petrovic, Vanja, Tina Lorrizzo, and Lukas Muntingh. *Alternativas à prisão em Moçambique*. Dullah Omar Institute, 2020. <https://dullahomarinstitute.org.za/acjr/resource-centre/alternativas-moz-port-2020.pdf>.

Português, V. O. A. "Moçambique: Situação humanitária piorou em 2022 e imprensa sob pressão, diz HRW." *Voice of America*, January 12, 2023. <https://www.voaportugues.com/a/moçambique-situação-humanitária-piorou-em-2022-e-imprensa-sob-pressão-diz-hrw/6915753.html>.

Rafael, Mouzinho. "FAMOD considera um marco importante aprovação da Lei de Promoção e Protecção dos Direitos de Pessoas com Deficiência - aimnews.org." *Agência de Informação de Moçambique (AIM)* (Maputo, Moçambique), de abril de 2024. <https://aimnews.org/2024/04/25/famod-considera-um-marco-importante-aprovacao-da-lei-de-promocao-e-proteccao-dos-direitos-de-pessoas-com-deficiencia/>.

REDE DA CRIANÇA, and REFORMAR - Research for Mozambique. *Crianças Em Conflito Com a Lei - Acesso à Assistência Jurídica e Programas de Reabilitação e Reinserção Social*. REDE DA CRIANÇA, 2019. https://reformat.co.mz/publicacoes/digital-criancas-em-conflito-com-a-lei_rdc.pdf.

REFORMAR - Research for Mozambique. "Análise de Algumas Questões a Volta Da Integridade No Judiciário Em Moçambique." *News Item*. REFORMAR - Research for Mozambique, 2019. <https://reformat.co.mz/noticias/analise-de-algumas-questoes-a-volta-da-integridade-no-judiciario-em-mocambique>.

REFORMAR - Research For Mozambique. *Carta Aberta sobre o Impacto do Estado de Emergência no sector de justiça criminal*. File. 2020. <https://reformat.co.mz/publicacoes/carta-aberta-impacto-estado-de-emergencia-1.pdf/view>.

REFORMAR - Research for Mozambique. "Regras Das Nações Unidas Para o Tratamento de Mulheres Presas e Medidas Não Privativas de Liberdade - Regras de Bangkok." File. Accessed April 24, 2025. <https://reformat.co.mz/documentos-diversos/regras-das-nacoes-unidas-para-o-tratamento-de-mulheres-presas-e-medidas-nao-privativas-de-liberdade-regras-de-bangkok.pdf/view>.

REFORMAR - Research for Mozambique. "Regras Mínimas Das Nações Unidas Para o Tratamento de Reclusos (Regras de Mandela)." File. Accessed April 24, 2025. https://reformat.co.mz/documentos-diversos/nelson_mandela_rules-p-ebook.pdf/view.

REFORMAR - Research For Mozambique, and Maria Alice Mabota. *Petição Apresentada Ao Conselho Constitucional Contra as Condições Privilegiadas de Prisão Para Os Ricos*. File. REFORMAR - Research for Mozambique, 2023. <https://reformat.co.mz/publicacoes/peticao-apresentada-ao-conselho-constitucional-contra-as-condicoes-privilegiadas-de-prisao-para-os-ricos.pdf/view>.

Refworld. "2015 Country Reports on Human Rights Practices - Mozambique." Accessed July 7, 2025. <https://www.refworld.org/reference/annualreport/usdos/2016/en/109771>.

Regras Das Nações Unidas Para o Tratamento de Mulheres Presas e Medidas Não Privativas de Liberdade Para Mulheres Infratoras, Regras de Bangkok (2010). <https://reformar.co.mz/documentos-diversos/regras-das-nacoes-unidas-para-o-tratamento-de-mulheres-presas-e-medidas-nao-privativas-de-liberdade-regras-de-bangkok.pdf/view>.

Regras Mínimas das Nações Unidas para o Tratamento de Reclusos, Regras de Mandela (2015). https://reformar.co.mz/documentos-diversos/nelson_mandela_rules-p-ebook.pdf/view.

Reporter, Staff. "Mozambican Citizens Mete out Rough Justice." Article. *The Mail & Guardian*, November 8, 2006. <https://mg.co.za/article/2006-11-08-mozambican-citizens-mete-out-rough-justice/>.

Resolução n. 65/2002, de 27 de Agosto, Pub. L. No. Resolução n.º 65/2002 de 27 de Agosto, N.º 65 Boletim da República – I Série (2002). https://reformar.co.mz/documentos-diversos/politica_prisional.pdf/view.

Resolução n.º 15/2003 – Aprova a Política e Estratégia de Prevenção e Combate à Droga, Pub. L. No. Resolução n.º 15/2003 de 14 de maio, Boletim da República – I Série. <https://archive.gazettes.africa/archive/mz/2003/mz-government-gazette-series-i-dated-2003-05-14-no-20.pdf>.

Rocha, António. "Porque acontecem tantos linchamentos?" *DW África*, de outubro de 2013. <https://www.dw.com/pt-002/porque-acontecem-tantos-linchamentos/a-17148389>.

Tembe, Zelio. "Provedoria de Justiça em processo de criar de delegações provinciais – aimnews.org." *Agência de Informação de Moçambique (AIM)*, March 23, 2024. <https://aimnews.org/2024/03/23/provedoria-de-justica-em-processo-de-criar-de-delegacoes-provincias/>.

Thomashausen, André. "Part III Decentralisation, Local Government, and Constitutionalism, 15 The Concept and Implementation of 'Gradual Decentralisation' in Mozambique." Oxford Constitutions, 2019. <https://oxcon.ouplaw.com/display/10.1093/law/9780198846154.001.0001/law-9780198846154-chapter-16>.

Tsandzana, Dércio. "Moçambique: Grupo LGBT 'Lambda' luta pela legalização há sete anos." *Global Voices em Português*, November 5, 2014. <https://pt.globalvoices.org/2014/11/05/mocambique-organizacao-lgbt-designada-lambda-luta-pela-sua-legalizacao/>.

Turner, Shelley, and Chris Trotter. *Best Practice Principles for the Operation of Community Service Schemes: A Systematic Review of the Literature*. Technical Report / Systematic Review. Corrections Victoria, Department of Justice, Victoria, Austrália, 2013. https://www.researchgate.net/publication/291348050_Best_practice_principles_for_the_operation_of_community_service_schemes_A_systematic_review_of_the_literature.

Uamusse, Inalcídio. "Moçambique ainda não tem lei de promoção dos direitos da pessoa com deficiência - O País - A verdade como notícia." *O País*, December 4, 2021. <https://opais.co.mz/mocambique-ainda-nao-tem-lei-de-promocao-dos-direitos-da-pessoa-com-deficiencia/>.

UN Women. "Country Fact Sheet | UN Women Data Hub." UN Women Data Hub, February 2024. <https://data.unwomen.org/country/mozambique>.

UNDP Mozambique. "Inclusive Governance, Justice, Human Rights, Peace and Social Cohesion." United Nations Development Programme (UNDP), 2024. <https://www.undp.org/mozambique/inclusive-governance-justice-human-rights-peace-and-social-cohesion>.

United Nations. "Mozambique: Some Progress in Torture Prevention, but Significant Challenges Remain – UN Experts." OHCHR, 2016. <https://www.ohchr.org/en/press-releases/2016/09/mozambique-some-progress-torture-prevention-significant-challenges-remain-un>.

United States Department of State. *2015 Country Reports on Human Rights Practices - Mozambique*. United States Department of State, 2016. <https://www.refworld.org/reference/annualreport/usdos/2016/en/109771>.

Weimer, Bernhard. "Constitutional Reforms and the Shifting Architecture of Decentralisation in Mozambique." *Journal of Southern African Studies*, 2021.

Weimer, Bernhard. "Decentralisation in Mozambique: Institutional Progress and Political Resistance." *Journal of Southern African Studies*, 2021.

Weimer, Bernhard. *The 'New Paradigm' of Decentralization in Mozambique A Political Economy Analysis Update Policy Paper*. Swiss Agency for Development and Cooperation, 2021.

Weimer, Bernhard, and João Carrilho. *Political Economy of Decentralization in Mozambique: Dynamics, Outcomes, Challenges*. With Instituto de Estudos Sociais e Económicos. IESE, 2017.

Working Group on Arbitrary Detention. *Report of the Working Group on Arbitrary Detention on its visit to Maldives (A/HRC/51/29/Add.1)*. 2022. <https://documents.un.org/doc/undoc/gen/g22/400/81/pdf/g2240081.pdf>.

Zitamar News. *Social Media Gives Frelimo Nightmares*. June 21, 2024. <https://www.zitamar.com/social-media-gives-frelimo-nightmares/>.