



Franciscans International
A voice at the United Nations



**Denis Hurley
Peace Institute**
acting in solidarity for a just peace in Africa and the world



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NAMPULA



Universal Periodic Review of Mozambique

UPR-Info Pre-session for Mozambique

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Introduction

Franciscans International together with the Caritas Nampula, Comissão Episcopal para Migrantes, Refugiados e Deslocado (CEMIRDE), CCFD-Terre Solidaire, the Denis Hurley Peace Institute, Justiça Ambiental, World Council of Churches submitted a joint stakeholder's report for Mozambique's UPR on:

- The humanitarian situation of internally displaced in Cabo Delgado
- Countering violent extremism
- Business and human rights



Developments since the UPR 2021



1. The humanitarian situation in Cabo Delgado

UPR 2021 6 recommendations supported - 149.66 (Lebanon), 149.67 (Portugal), 149.265 (Mexico), 149.79 (Japan), 149.263 (Syrian Arab Republic) and 149.264 (Austria)

- Underreported crisis
- **1,3 million people in need of humanitarian assistance**, including housing and food assistance, in a context of funding cuts
- Reports of involuntary and government-mandated relocation
- **Fatigue among the population over repeated displacement following attacks**
- **Displaced returnees unable to recover their land**, often illegally appropriated by transnational corporations, due to lack of regulatory framework
- **Women returnees particularly vulnerable to re-traumatization** and gender-based violence
- Perpetuation of cycles of vulnerability for returning **children**, particularly girls, due to underfunded psychosocial support



2. Countering violent extremism

UPR 2021 12 recommendations supported including 149.97 (Ireland), 149.101 (Republic of Korea), 149.76 (Sweden), 149.77 (Canada), 149.80 (Portugal), 149.83 (Norway) ,149.78 (Finland), and 149.85 (Slovenia)

- **Expansion of NSAGs** into other provinces
- **Arbitrary arrests, torture, and killings of civilians falsely suspected of insurgency by Mozambican forces**
- **Absence of accountability of human rights violations by NSAGs and Mozambican forces** due to lack of functioning judiciary
- **Increase in violations against children** and child recruitment by NSAGs
- Increase in **gender-based violence** including early pregnancies, teenage pregnancies, abductions and sexual exploitation
- **Restriction on independent monitoring** and reporting in Cabo Delgado



3. Business and human rights

UPR 2021 4 recommendations supported - 149.58 (Thailand), 149.59 (Ukraine), 149.60 (Fiji) and 149.61 (Switzerland)

- **Consultations with affected communities either lacking**, such as in the Mphanda Nkuwa mega dam project, **or not transparent**
- **No proper evaluation of project impacts**, especially Mozambique' LNG project, on livelihood, land, environment and, importantly, the conflict.
- **No appropriate grievance mechanisms to report human rights abuses** by transnational corporations
- Fear of reprisal when opposing projects
- Increased violence at project sites resulting in civilian casualties including death, sexual violence, kidnapping and theft → 2021 Palma attack



Recommendations



1. The humanitarian situation in Cabo Delgado

- Adopt a **coordinated and multisectoral** approach prioritizing protection, mental health and psychosocial support, legal aid, and education to enhance the resilience of IDPs, particularly children and women.
- **Ensure that all conditions for safe, effective and dignified returns are met for internally displaced persons**, including by ensuring that individual and community rights to land and livelihoods are upheld.
- **Regulate business enterprises to ensure that they respect human rights**, including the right to a clean, healthy and sustainable environment, and provide access to justice for victims that are impacted by business activities and operations.



2. Countering violent extremism

- **Adopt all necessary measures to address the root causes of the conflict**, including socio-economic and political measures addressing structural inequalities in the Northern provinces.
- **Ensure accountability to address grave human rights violations** committed by state and non-state actors in the context of the conflict in Cabo Delgado.
- **Strengthen the judicial system in Cabo Delgado** to reestablish trust among communities, through adequate funding, staffing, and awareness raising on existing legal provisions, and ensure the effective handling of independent and transparent investigations and trials.
- **Allow unimpeded humanitarian access and human rights documentation in Cabo Delgado** to establish adequate measures in combating the NSAGs while providing sufficient humanitarian support for the civilians in the province.



3. Business and human rights

Our recommendations

- **Ensure human rights are respected by any transnational corporations operating in the country and ensure legal consequences for non-compliance** (criminal, civil and administrative), including by respecting the right to free, prior and informed consent of local communities, establish appropriate, independent and safe grievance mechanisms (that do not serve to replace judicial avenues), and ensure the right to oppose (the right to say No) any project that may have harmful impacts on the communities, environment or aggravate a conflict situation.
- **Take concrete steps to reestablish trust among communities through independent and transparent investigation processes** into all human rights violations committed in Cabo Delgado by Mozambican armed forces and ensure that private security companies or those tied to companies are held accountable.
- **Establish clear thresholds for ongoing and proposed future projects by transnational corporations to ensure the prevention of grave human rights violations, including those related to the context of an armed conflict.**
- **Halt all megaprojects being developed by transnational corporations that are or might be actively contributing to an ongoing armed conflict situation such as Cabo Delgado.**
- **Actively participate in the ongoing negotiations for a legally binding instrument on transnational corporations**



Thank you

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