

HUMAN RIGHTS IN MOZAMBIQUE

UPR Info Pre-sessions

Situation in Mozambique – Legal Framework and Non-Discrimination (SOGIESC)

Recommendations made by Mexico, Sweden, Denmark and Iceland calling for:

- the prohibition of discrimination based on sexual orientation and gender identity;
 - the adoption of comprehensive anti-discrimination legislation;
- were noted and not implemented.

Recommendations – Legal Framework and Non-Discrimination (SOGIESC)

New developments

The Constitution (Article 35) does not explicitly prohibit discrimination based on sexual orientation or gender identity.

The Penal Code prohibits discrimination based on gender identity but omits sexual orientation, resulting in partial and unequal protection.

The 2023 Labour Law removed protections previously guaranteed under the 2007 Labour Law, representing a legal regression in employment-related protections.

New needs

Explicit legal protection against discrimination based on sexual orientation and gender identity.

Restoration of labour law protections removed in 2023.

Harmonisation of national legislation with international human rights standards.

Recommendations – Legal Framework and Non-Discrimination (SOGIESC)



- Amend the Constitution to explicitly include sexual orientation and gender identity as prohibited grounds of discrimination.
- Amend the Penal Code to include sexual orientation as a protected ground.
- Revise the 2023 Labour Law to reinstate and strengthen anti-discrimination protections.
- Adopt comprehensive anti-discrimination legislation.

Situation in Mozambique— Freedom of Association and Civil Society Space



Recommendations made by Czechia, the Netherlands, Spain and Uruguay calling for:

- the simplification of the registration of civil society organizations;
 - the removal of restrictions affecting organizations working on sexual orientation and gender identity;
- were noted and not implemented.

Recommendations – Freedom of Association and Civil Society Space

New developments

Since 2017, LAMBDA has been awaiting a response to its application for legal registration.

The continued lack of registration restricts freedom of association and prevents organizations from operating legally.

Civil society organizations working on SOGIESC face persistent administrative barriers

New needs

Transparent, non-discriminatory and timely registration procedures.

Legal certainty for organizations working on LGBTI human rights.

An enabling environment for civil society participation.

Recommendations – Freedom of Association and Civil Society Space



- Simplify and depoliticize the registration process for civil society organizations.
- Grant legal registration to LAMBDA and other organizations working on SOGIESC.
- Ensure full respect for freedom of association in line with international standards.

Situation in Mozambique— Right to Education

New developments

In 2022, the Ministry of Education removed content related to sexual orientation from school textbooks.

LGBTQIA+ students face bullying, stigma and exclusion in educational settings.

These practices undermine the right to education and contribute to marginalization and school dropout.

New needs

Inclusive education policies grounded in human rights.

Protection of LGBTQIA+ students from bullying and discrimination.

Reintegration of diversity and non-discrimination content in educational materials.

Recommendations – Right to Education



- Reintroduce content on sexual orientation and diversity into school curricula and textbooks.
- Adopt and implement anti-bullying policies that explicitly protect LGBTQIA+ students.

Thank you



From Lambda