



## 2008 Human Rights Report: Mozambique

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

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Mozambique is a constitutional democracy with an estimated population of 20 million. President Armando Guebuza was elected in 2004 in what national and international observers judged to be generally free and fair elections, despite some irregularities. The Front for the Liberation of Mozambique (FRELIMO) has been the ruling political party since independence in 1975, heavily influencing both policymaking and implementation. While civilian authorities generally maintained effective control of the security forces, there were some instances in which elements of the security forces acted independently.

Incidents of serious human rights abuses in some areas, including vigilante killings, increased during the year. Security forces continued to commit unlawful killings although the government took steps to prosecute perpetrators. Prison conditions improved, but remained harsh and life threatening, resulting in several deaths. Arbitrary arrest and detention as well as lengthy pretrial detention were problems. An understaffed and inadequately trained judiciary was inefficient and heavily influenced by the ruling party. Political and judicial decisions involving independent media outlets constrained press freedom. Societal problems including domestic violence, discrimination against women, abuse, exploitation, and forced labor of children, trafficking in women and children, and discrimination against persons with HIV/AIDS remained widespread.

### RESPECT FOR HUMAN RIGHTS

Section 1 Respect for Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, security forces killed several individuals.

Violence as a first resort, excessive use of force, and abuse by police remained problems. According to a report issued by Amnesty International in April, police operated "with a license to kill," and the weak police accountability systems have led to a general climate of impunity. The nongovernmental organization (NGO) Human Rights League (LDH) reported that police officers summarily executed 10 citizens during the first nine months of the year in Maputo and Matola. However, authorities terminated and, in a few cases, brought criminal charges against some officers for disciplinary offenses during the year.

Sustained high levels of crime in and around Maputo City, particularly with the return of nearly 50,000 citizens fleeing violence in South Africa, and continued violence against police by criminal gangs were likely factors in the number of unlawful killings committed by security forces during the year. An overanxious police force responded with a strong show of force and often resorted to violence.

On February 5, police fired rubber bullets, tear gas, and live ammunition at demonstrators in Maputo protesting increases in the cost of living and particularly a rise in bus fares. According to press reports and police statements, more than 100 persons were injured (including 68 persons shot by the police), and at least five persons died from their injuries. Commenting on police actions during the demonstrations, a police spokesman claimed that police carried out their duty "to guarantee public order and tranquility." No police were punished for firing into the crowd.

On February 11, police in Chokwe, Gaza Province, clashed with protesters demonstrating against the rising cost of living. While Chokwe authorities stated that one person died during the clashes, an independent media report insisted that between three and six persons died. In response to the violence, the Gaza provincial governor claimed that police had no choice but to respond with force in order to restore calm to the city.

In August the press reported that a police officer shot and killed a man in Maputo at point blank range during a personal dispute. A Maputo police spokesman indicated that an investigation, including a ballistics examination, was ongoing, and that a criminal proceeding had been filed against the officer. There were no further developments at year's end.

In April the Criminal Investigation Police (PIC) released one of two police officers being held for the December 2007 killing of August Covilas because his 90-day maximum preventive detention had expired. The two officers shot and killed Covilas after responding to a report that his house was being robbed. The investigation of the second officer was ongoing at year's end.

On July 31, the Maputo City Court sentenced three police officers to 21 years' imprisonment each and ordered them to pay 600,000 meticals (approximately \$24,000) for the April 2007 killings of Carlos Cossa, Mustafa Assene Momedede, and Francisco Antonio Nhantumbo. While an initial investigation by the PIC indicated the victims were criminals who had escaped from a police car, a separate investigation by the attorney general's office concluded that the shots fired by police were excessive and discharged at close range, demonstrating intent to kill.

In September a Maputo public prosecutor accused PIC agent Alexandre Francisco Balate of the August 2007 killing of Abranches Afonso Penicelo. There were no further developments at year's end.

There were no developments in the 2007 police killing of Juliao Macul.

There were a few reports of death resulting from police torture. Unlike in the previous year, there were no reported killings as a result of torture and other abuses by members of the Community Policing Councils (CPC), nonstatutory bodies set up by the Mozambican National Police (PRM) in many districts to prevent crime.

Mine-related accidents resulted in deaths and injuries. The government continued to cooperate with international organizations and donors as well as commercial firms to clear suspected landmine areas.

There were no new developments regarding the investigation into the 2006 killing of leading opposition party Mozambican National Resistance (RENAMO) deputy Jose Gaspar Mascarenhas by an unknown gunman.

Killings by vigilante groups increased compared with 2007. The LDH and other civil society groups claimed these killings were related to the increased cost of living, high unemployment rates, sustained high levels of crime, lack of police presence in outlying metropolitan neighborhoods, and an ineffective justice system. Most targets of such killings were suspected muggers, thieves, sexual abusers, and drug dealers. While nationwide statistics were not available, the press and civil society reported at least 46 killings by vigilantes during the first ten months of the year, most of which occurred in and around Maputo City, Chimoio, Matola, and Beira.

For example, in February a mob in Chimoio beat and killed a group of six persons, including a woman, who the mob accused of being criminals. In April a group of men in a Maputo suburb beat and burned to death a man accused of

stealing cash and cell phones. In August a mob in Matola beat to death two brothers suspected of raping a minor. In November a mob of 300 persons lynched two individuals in Chokwe district.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

While the constitution and law prohibit such practices, police continued to commit abuses. During the year human rights advocates and the media reported occurrences of torture and other cruel treatment, including several cases involving sexual abuse of women, beatings, and prolonged detention.

The LDH reported that during prison visits conducted between January and April it did not encounter any cases of torture, compared with 161 cases reported the previous year. According to the LDH, the decrease resulted from increased training of prison guards. However, torture and other abusive treatment continued at police squadrons, according to the LDH.

There continued to be reports of abuse and violence by members of the CPC. During the February 5 demonstrations, the LDH recorded five cases where police beat protesters with batons. In September, prior to a soccer match, two police agents handcuffed several youths outside the stadium and beat them repeatedly for allegedly being criminals. In October the daily *O Pais* reported that agents of the PIC in Matola shot Justino Tembe after believing he was an armed criminal fleeing from authorities. The PIC brought Tembe to a hospital in Matola, where they kept him handcuffed for 20 days until a judge in Maputo ordered him released for lack of criminal evidence.

There were no reported developments regarding police involvement in the following 2007 torture cases: the April police beating of a British citizen at a checkpoint, and the July police beating of trainee lawyer Aguinaldo Mandlate at a police station during an interrogation.

Vigilante violence also resulted in deaths and injuries.

Prison and Detention Center Conditions

Prison conditions remained harsh and life threatening, although some improvements were noted.

The Administration for Prison Services, under the Ministry of Justice, operated 211 prisons in 10 provinces. The Ministry of Interior and the police are responsible for jails at police stations.

Overcrowding remained the most serious problem. The LDH noted that many prisons held more than three times the number of prisoners for which they were built, and that often prisoners slept in bathrooms, standing up, or in shifts. For example, the Maputo Central Prison held 2,538 prisoners in a facility designed to hold 800, and the Inhambane Provincial Prison held 339 prisoners in a facility for 75. During the first half of the year, the LDH visited 74 prisons and detention facilities, which held a total of 11,424 inmates in facilities designed to hold 5,913.

The LDH found that, based on those visits, the number of inmates held beyond the legal 90-day preventive detention period decreased to 59 from 399 during the same period in 2007, an 86 percent reduction. The LDH described 35 facilities as "physically inadequate."

In detention facilities, overcrowding did not appear to be a serious problem. During the first half of the year, the LDH visited several police station detention facilities and noted that some detainees continued to be held beyond the maximum police station preventive detention period of 48 hours.

Reports continued that most prisoners received only one meal a day. In 13 of the prisons visited, the LDH characterized the provision of food as "poor." It was customary for families to bring food to prisoners; however, there continued to be occasional reports that guards demanded bribes in exchange for delivering food to prisoners. In several prisons, inmates engaged in prostitution in exchange for food, according to the LDH.

There continued to be many reported deaths in prison, the vast majority due to illness and disease. For example, in May the director of the Chimoio Agricultural Penitentiary reported that in the first four months of the year, 22 inmates had died, mostly due to malaria, HIV/AIDS, and tuberculosis (TB). In many facilities, overcrowding, lack of sanitation, potable water, and food also led to sickness.

In a series of prison visits conducted during the year, the LDH found malaria, TB, and HIV/AIDS to be commonplace among prisoners in nearly all prisons. LDH also found other illnesses caused by malnutrition, including paralysis and blindness. Both healthy and sick prisoners regularly were kept in the same cells.

In the first half of 2007, the most recent data available, the LDH reported 39 juveniles under the age of 16 held with adults in the general prison population.

Pretrial detainees were held with convicted prisoners.

International and domestic human rights groups had access to prisoners, although at the discretion of Ministries of Justice and Interior. Unlike the previous year, the LDH reported no problems obtaining credentials to visit prisons.

#### d. Arbitrary Arrest or Detention

While the constitution and law prohibit arbitrary arrest and detention, both practices continued to occur.

#### Role of the Police and Security Apparatus

Forces under the Ministry of Interior, including the PIC, the PRM, and the Rapid Intervention Force, are responsible for internal security. An additional security body, the State Information and Security Service, reports directly to the president. The armed forces (FADM) are responsible for external security.

The police continued to be poorly paid, despite an increase in pay during the year. Trainee-level officers reportedly received approximately 2,345 meticaais (approximately \$90) a month, while those at higher rank received approximately 3,025 meticaais (approximately \$120) a month. Corruption and extortion by police were widespread, and impunity remained a serious problem. In July a former head of the PIC stated that gangs had captured the police. He noted that due to low wages and poor conditions, some police members tipped off criminals to police operations, and in some cases, such corruption was responsible for numerous killings of police by criminals. Police regularly detained persons for arbitrary reasons and demanded identification documents solely to extort payments. Many crime victims reportedly declined to seek police assistance because of expected demands for bribes and a lack of confidence that the police would help. During April 2007-08, the Maputo City Police Command initiated disciplinary and criminal proceedings against 113 Maputo policemen, expelling 28 of these from the force. The most common reasons for disciplinary action, according to Maputo's police chief, were collaboration with criminals, extortion of goods and money, excessive alcohol consumption, and abandonment of post. During the year the Ministry of Interior brought disciplinary charges against 367 police officers which resulted in 76 criminal

cases, 52 court cases, 29 jail sentences, and the expulsion of one police officer from the force. However, the vast majority of police who committed infractions were "recycled," sent back to school, and then transferred to a new unit. In the three months preceding March, the ministry "recycled" 178 police. These included suspected criminals, thieves, and agents suspected of collaborating with criminals.

Professional training for police officers continued during the year; in August 70 PRM officers in Gaza Province completed human rights training.

Implementation of the 2003-12 strategic plan of action and modernization for the PRM continued; seven of its nine "guiding principles" reflected respect for human rights. While the plan acknowledged the problem of abuse of police powers, it made no specific provision for ensuring greater accountability for such abuses.

#### Arrest and Detention

Although the law provides that persons be arrested openly with warrants issued by a judge or prosecutor (except persons caught in the act of committing a crime), police continued to arrest and detain citizens arbitrarily. By law the maximum length of investigative detention without a warrant is 48 hours, during which time a detainee has the right to judicial review of the case. The individual may be detained another 90 days while the PIC continues its investigation. When a person is accused of a crime carrying a sentence of more than eight years, the individual may be detained up to an additional 84 days without being charged formally. With court approval, such detainees may be held for two more periods of 84 days each without charge while the police complete their investigation. The law provides that when the prescribed period for investigation has been completed and no charges have been brought, the detainee must be released. In many cases the authorities either were unaware of these regulations or ignored them, often also ignoring a detainee's constitutional right to counsel and to contact relatives or friends. The law provides that citizens have access to the courts as well as the right to representation, regardless of ability to pay for such services. However, due to a shortage of legal professionals, indigent defendants frequently had no legal representation.

The bail system remained poorly defined. Prisoners, their families, and NGOs continued to complain that police and prison officials demanded bribes for releasing prisoners.

There were reports that police harassed and arbitrarily detained persons, including journalists, during the year.

Government statistics indicated that approximately 40 percent of inmates were awaiting trial.

There continued to be reports of detainees who spent longer in pretrial detention than the length of the sentence they eventually received. By law a judge has 48 hours to validate a detention in any proceeding; however, this statute often was not enforced.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the executive branch and the ruling FRELIMO party heavily influenced an understaffed and inadequately trained judiciary, particularly in the lower tiers. The judicial system continued to suffer from a lack of transparency and often did not comply with the principles of promotion and protection of human rights.

In May the parliament passed a new judicial organization law which establishes intermediate appeals courts. While the law has yet to be implemented, it empowers district court judges to rule on criminal cases with penalties ranging between eight and 12 years, compared with up to only two years before the law. In addition alternative

measures such as work brigades, conditional release for prisoners who have completed half of their sentence, and traveling tribunals continued to be employed.

Approximately 93 of the country's 128 judicial districts had functioning courts; however, a shortage of judges and qualified staff was a major problem. In March Chief Justice Mario Mangaze reiterated that the country had only 36 percent of the judges and prosecutors needed to administer justice effectively. There were 221 judges (or approximately one per 90,500 inhabitants), 183 of whom held law degrees as required by law for all judges appointed after 2000. During the year 7 percent of the 1,429 staff employed by the courts held university degrees. Continuing problems included chronic absenteeism, unequal treatment, low salaries, corruption, deliberate delays, and omissions in handling cases.

The president appoints both the Supreme Court president and vice president. The Higher Judicial Magistrates' Council (CSMJ) prepares Supreme Court nominations and submits a list of qualified potential nominees to the president. Members of the CSMJ tended to be either FRELIMO members or FRELIMO-affiliated. The president also makes all other judicial appointments.

There were two complementary formal justice systems: the civil justice system and the military justice system. The Supreme Court administers the civil system, and the Ministry of National Defense administers military courts. The military court system was legally absorbed into the civil system during the year. Under the Supreme Court there are province and district-level courts, and each province has a court of appeal. Cases in military courts may be appealed to the Supreme Court. Civilians are not under the jurisdiction of, or tried in, the military courts.

There also are courts that exercise limited, specialized jurisdiction, such as the Administrative Court, the Customs Court, and the Maritime Court. The Constitutional Council is charged with determining the constitutionality of laws and decrees, supervising the electoral process, declaring and validating electoral results, and ruling on electoral disputes. A separate court system exists for minors 16 years of age and younger. The government may send minors to correctional, educational, or other institutions.

#### Trial Procedures

Persons accused of crimes against the government are tried publicly in regular civilian courts under standard criminal judicial procedures. Members of the media may attend trials, although space limitations excluded the general public. A judge may order a trial closed to the media in the interest of national security or to protect the privacy of the plaintiff in a sexual assault case. Article 12 of the judicial organization law "prohibits the production and public transmission of images and sounds at trials." There is no trial by jury.

In regular courts all accused persons, in principle, are presumed innocent, and have the right to legal counsel and appeal; however, authorities did not always respect these rights. Although the law specifically provides for public defenders for the accused, such assistance generally was not available in practice, particularly in rural areas. The Mozambican Legal Aid Institute, an organization under the Ministry of Justice, works to ensure that accused persons are provided with court-appointed legal counsel if requested, though due to a lack of trained lawyers, this was not always possible. The LDH reported that most citizens remained unaware of this right, and many had no access to legal counsel. Some NGOs offered limited legal counsel at little or no cost to both defendants and prisoners. Only judges or lawyers may confront or question witnesses, although all citizens have a right to self-defense, and as such are allowed to present witnesses and evidence on their own behalf, and have access to government-held evidence.

Outside the formal court system, local customary courts and traditional authority figures often adjudicated matters such as estate and divorce cases. Local arbiters with no formal training staffed customary courts.

### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

### Civil Judicial Procedures and Remedies

While the law provides for an independent and impartial judiciary in civil matters, in practice the judiciary was subject to political interference. Although in theory citizens have access to courts to bring lawsuits seeking damages for, or cessation of, human rights violations, in practice this did not occur.

### Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice. However, opposition party members alleged that government intelligence services and ruling party activists continued without warrants to monitor telephone calls and e-mails, conduct surveillance of their offices, follow opposition members, use informants, and disrupt party activities in certain areas, including in Cabo Delgado and Nampula Provinces. By law police require a warrant to enter homes and businesses.

Unlike in the previous year, there were no reports that the FADM required senior members to complete a confidential questionnaire regarding party affiliation and activities in support of the party, though advancement in the executive branch is tied directly to affiliation with the ruling party.

### Section 2 Respect for Civil Liberties, Including:

#### Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press; however, in practice there were some restrictions on these rights. While the law allows individuals to criticize the government publicly or privately without reprisal, there were a few cases during the year where such criticism resulted in punishment.

There were occasional reports that police and local officials harassed journalists, and journalists admitted that self-censorship was common. The NGO Media Institute of Southern Africa (MISA) noted in its annual report that although the independent media continued to rapidly expand and diversify, in general the media faced increasing harassment from the courts, prosecutors, and district administrators, particularly outside of Maputo Province. In addition court rulings on libel cases involving several independent media outlets during the year constrained press freedom.

The independent media were active and expressed a wide variety of views. The government maintained majority ownership in Noticias, the main newspaper and one of three daily papers with nationwide distribution. Noticias, the daily Diario de Mocambique, and the weekly Domingo largely reflected the views of the government and provided marginal, often critical coverage of RENAMO but also demonstrated a willingness to examine government actions. In some cases, media support of the government was more overt; for example, prior to the municipal election in November the daily Noticias Maputo edition carried a picture of the FRELIMO candidate for mayor and the party emblem in the title banner of the paper, a space not normally reserved for political advertisements. The government-run news agency, Agencia de Informacao de Mocambique, often printed stories critical of the performance of government ministries or agencies.

International media were allowed to operate freely.

There were numerous private community and regional radio stations that operated throughout the country. Radio Mocambique, which received 60 percent of its operating budget from the government, was the most influential media service with the largest audience. Although it broadcast debates on important issues, Radio Mocambique tended to invite participants that were less critical of the government.

MISA noted that the process for obtaining a radio operating license was often long, convoluted, and politically biased. According to MISA, a new law was needed which would clearly delineate the difference between commercial and public radio.

The government supplied 80 percent of the operating budget for Televisao de Mocambique (TVM), the television station with the largest viewership. TVM's news coverage was moderately balanced, but still retained a government and FRELIMO bias.

Security forces harassed and arbitrarily detained local journalists during the year. In April the Mozambican National Union of Journalists reported that two local FRELIMO members confiscated the equipment of and made threats against community radio reporter Pedro Rafael in Cabo Delgado Province. The FRELIMO members released Rafael on the same day. The local district administrator condemned the actions as a violation of press freedom. In February MISA and the NGO Center for Public Integrity issued a press statement asserting that lack of coverage by media outlets funded mostly by the government (TVM, Noticias, and Radio Mocambique) concerning the February 5 demonstrations violated freedom of expression, media, and information, and confirmed the existence of government censorship of the media. The press release noted that despite its being the biggest news event of the year, TVM, Noticias, and Radio Mocambique provided extremely limited coverage, and that the limited coverage provided was edited to distort the truth.

In August a Maputo court sentenced journalists Fernando Veloso, Alvarito de Carvalho, and Luis Nhachote of the independent weekly Zambeze to six months' imprisonment (converted to a fine) for libeling Prime Minister Luisa Diogo by suggesting that Diogo might not be a citizen. Although she never brought a libel suit against Zambeze, the court filed charges and ruled that the journalists violated state security by "offending the honor and image of the prime minister." The lawyer for the journalists appealed the decision and the appeal was pending at year's end.

Defamation of the president is prohibited; no one was charged with the offense during the year.

Newsprint and other printing supplies must be imported from South Africa, and the government did not exempt these supplies from import duties. Some newspapers found it more cost-effective to print in South Africa and import the final product. Other journals were only published in electronic versions, severely limiting their readership. Journals printed on paper had restricted readership beyond Maputo, due to high transportation costs.

#### Internet Freedom

Although there were no government restrictions on access to the Internet, opposition party members reported that government intelligence agents monitored e-mail. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. While public access to the Internet continued to expand, particularly in the larger cities, lack of infrastructure in rural areas and installation costs limited overall use.

#### Academic Freedom and Cultural Events

While the government generally did not restrict academic freedom, there were reports that teachers at the university, secondary, and primary school level felt pressure to align themselves with FRELIMO, particularly in the central and northern provinces.

In April the attorney general's office summoned musician Edson da Luz for questioning concerning the lyrics of a song he wrote about violence stemming from the February demonstrations in Maputo. The LDH and numerous press editorials viewed the interrogation as a form of intimidation and musical censorship.

#### Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The constitution and law provide for freedom of assembly; however, there was one instance in which police briefly detained demonstrators during the year. While the law regulates public demonstrations, it does not apply to private gatherings held indoors and by individual invitation, nor does it affect religious gatherings or election campaigning.

Police beat demonstrators with batons during a February 5 demonstration.

In June police cancelled a legal demonstration in Maputo organized by the LDH and the Center for Mozambican and International Studies in solidarity with the people of Zimbabwe. According to press reports, police cancelled the demonstration because they did not have enough officers to provide adequate security.

In September a strong police presence prevented a legal demonstration organized by the National Forum of Demobilized Veterans (AMODEG) which, according to press reports, resulted in the arrest of 19 forum members. Police spokesmen called the demonstration illegal, although AMODEG claimed it had notified Maputo municipal authorities well in advance of the planned date.

##### Freedom of Association

The constitution and law generally provide for freedom of association, although the government imposed some limits on this right. According to the law a political party is required to demonstrate that it has no regional, racial, ethnic, or religious exclusiveness and must secure at least 2,000 signatures to be recognized. There were approximately 50 registered political parties.

In July police in Maputo City detained a member of the small political party Together for the City (JPC) while he was collecting signatures to support a candidate for the November municipal elections. Some press reports indicated that FRELIMO party leaders had incited the police to arrest the JPC member. The police released him the same day.

A government decree regulates the registration and activities of foreign NGOs. The registration process for foreign NGOs and religious groups reportedly involved significant discretion on the part of government officials and regularly took several months.

##### Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice.

The constitution and the law governing political parties specifically forbid political parties from directly affiliating with a religion or church and from sponsoring religious propaganda as threats to national unity.

#### Societal Abuses and Discrimination

Relations among various religions groups were generally amicable.

Three persons arrested in the burning of three mosques in August 2007 were released for lack of sufficient evidence.

There is a very small Jewish population, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2008 International Religious Freedom Report at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

While the law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, the government sometimes infringed upon these rights in practice.

Traffic checkpoints are legal and under the jurisdiction of traffic police. Checkpoints occasionally affected freedom of movement, and according to press reports, authorities sometimes abused and demanded bribes from citizens at checkpoints. Police sometimes stopped foreigners and ordered them to present original passports or resident papers, refused to accept notarized copies, and fined or detained those who failed to show proper documents. Police, including members of CPCs, also routinely harassed, detained, and extorted bribes from local citizens for failure to carry identity papers.

The law prohibits forced exile, and the government did not use it.

#### Protection of Refugees

The laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. The government cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

The government worked closely with the UNHCR to implement a local integration program with longer term refugees, primarily from the Great Lakes region, at the Marratane Camp in Nampula Province.

Unlike in previous years, there were no reports of attacks against Burundian and Congolese refugees in Nampula Province. The government is now willing to offer limited temporary protection to some Zimbabweans filing for asylum claims. There were numerous reports during the year of Zimbabwean women being sexually exploited in exchange for food.

The government continued to limit refugee movement within the country. Refugees must request authorization to move outside the geographic region in which they have been registered. In addition refugees residing within the Marratane camp in Nampula Province must request authorization to leave its boundaries, which has perpetuated officials extracting bribes.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

#### Elections and Political Participation

International observers described the November municipal elections as well-run and transparent. Nonetheless, opposition parties accused FRELIMO once again of using state funds and resources for campaign purposes, in violation of electoral law, and RENAMO issued complaints of election fraud. Preceding the election, the National Election Commission rejected three RENAMO mayoral candidates on technicalities in the registration process. The Constitutional Council subsequently reinstated the candidates, stating that their exclusion was illegal.

During the run-up to the elections, police shot two persons for tearing down FRELIMO campaign posters in Beira and arrested seven others, including a candidate. In October the RENAMO mayor of Manjacase was arrested, and later released, for alleged forgery. In November two persons were injured when rival motorcades for FRELIMO and RENAMO parties crossed paths in Dondo.

In 2004 citizens elected Armando Guebuza of the ruling FRELIMO party as president in the country's third multiparty general elections. While domestic and international observers noted that voting day procedures generally followed international norms, they also documented irregularities during the campaign and in the vote count. FRELIMO used significant state funds and resources for campaign purposes, in violation of election law. In municipal elections during the year, observers found that both major parties used state resources for campaign purposes, and noted that the election was transparent, with some irregularities. RENAMO issued complaints of election fraud to several agencies.

Political parties could generally operate with some restriction or outside interference, including unlawful arrest, unlawful disqualification of candidates, and other interference by the government.

There were 93 women in the 250-seat National Assembly. The prime minister was a woman, and women held six of the 24 ministerial positions and four of the 18 vice ministerial positions. Women held 30 percent of the seats on FRELIMO's 160-member Central Committee and six seats on its 17-member Political Commission.

Members of many ethnic groups held key positions in both the legislative and executive branches. There was no evidence that specific ethnic groups were excluded.

#### Government Corruption and Transparency

While the law provides criminal penalties for official corruption, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There are no laws against conflict of interests for government officials. No corruption cases involving high-profile individuals have been brought to trial during the Guebuza administration; however, during the year several senior current and former government officials, including the former ministers of interior and transportation, were arrested on charges of corruption. Their cases were pending at year's end.

In October an office in the Ministry of Finance that was investigating a corruption case, erupted in fire, which the deputy attorney general described as arson in December.

Despite the government's strong anticorruption rhetoric, corruption in the executive and legislative branches was widely perceived to be endemic. The World Bank's Worldwide Governance Indicators reflected that corruption was a serious problem, with no change in ranking from the previous year. For the first time in five years, the country dropped in Transparency International's 2008 Corruption Perception Index, indicating that corruption was rampant. Petty corruption by low-level government officials to supplement low incomes, and high-level corruption by a small group of politically and economically connected elites continued to be the norm. Corruption largely resulted from a lack of checks and balances, minimal accountability, and a culture of impunity. Local NGOs, such as the Center for Public Integrity, and media groups continued to be the main civic forces fighting corruption, reporting and

investigating numerous corruption cases. The law requires that all members of the government declare and deposit their assets with the Constitutional Council, but does not require that such information be made available to the general public.

The Central Office for the Combat of Corruption (GCCC) functions as an autonomous unit under the attorney general's office with its own state budget. According to the GCCC, from January to October prosecutors received 429 allegations of corruption, carried out 187 investigations, submitted 132 cases to the attorney general's office, terminated 49 cases for lack of evidence, and tried 56 cases of corruption with a further eight cases having scheduled trial dates involving 98 suspects. The Ministry of Civil Service reported that between January and June authorities investigated 2,415 government employees, terminated 813 public servants, fined 380, and demoted 247 for various irregularities, including corruption and theft, which in some cases will be followed by criminal proceedings.

Several new cases of corruption were reported. In June a commission of inquiry established by the Ministry of Labor announced that 192 million meticaais (approximately \$7.6 million) had been stolen from the National Institute of Social Security (INSS) since 2002. The commission found that the theft involved a variety of fraudulent operations, including over-invoicing, double payments, kickbacks, and preferred direct tenders. According to the commission, the fraudulent operations occurred in six of the 11 provinces and were masterminded by the former director of the INSS, Armando Pedro. The attorney general's office initiated criminal proceedings against Pedro, and police arrested him in September in connection with the case. There were no further updates at year's end.

In July a court in Niassa Province sentenced the former provincial administrator for youth and sports to 16 years' imprisonment for the 2007 theft of 1.2 million meticaais (approximately \$47,000).

In September police, under orders from the Maputo City attorney's office, arrested former minister of interior Almerino Manhenje in connection with the theft of approximately 211 million meticaais (approximately \$8.3 million) from the Ministry of Interior. Authorities charged Manhenje with payment of illegal salaries and embezzlement of state money. He remained in prison awaiting trial at year's end.

In October police arrested the head of the Mozambique Airports Company Diodino Cambaza for misuse of funds. According to press reports, Cambaza used company money to pay for expensive houses, luxury cars, and travel. He remained in prison awaiting trial at year's end.

In December the minister of interior announced that approximately 400 passports had been fraudulently issued by corrupt immigration officials, who were neither arrested nor charged.

There were no further developments in the 2007 investigations into alleged corruption by Deputy Director of the Maputo Central Prison Arminda Parruque and six health service administrators in Cabo Delgado Province.

There were no laws providing for public access to government information, and in practice the government restricted citizens' and noncitizens' access to government information.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Although at times slow, government officials were generally cooperative and responsive to their views. Registration procedures for NGOs often were lengthy.

UN agencies, the International Committee of the Red Cross, and international NGOs are resident in the country and have access to investigate human rights abuses.

While an independent ombudsman position to investigate allegations of abuses, including human rights violations, by state officials was created by constitutional amendment in 2005, an ombudsman had not been named by year's end.

In December parliament passed a law to create a human rights commission.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but in practice discrimination persisted against women, persons with disabilities, and persons with HIV/AIDS.

##### Women

The law prohibits rape (excluding spousal rape) but was not effectively enforced. Penalties range from two to eight years' imprisonment if the victim is 12 years of age or older, and eight to 12 years' imprisonment if the victim is under the age of 12. While there were no official estimates as to the extent of spousal rape, it was regarded as a common problem. According to NGO reports, many families preferred to settle such matters privately through financial remuneration rather than through the formal judicial system. There were no reports of rape cases prosecuted during the year.

Reports indicated that domestic violence against women, particularly spousal rape and beatings, was widespread, and the PRM received 6,406 reports of violence against women through June, a nearly 30 percent increase compared with the previous year. There is no law that defines domestic violence as a crime, but laws prohibiting rape, battery, and assault could be used to prosecute domestic violence. Many women believed it was acceptable for their husbands to beat them. Cultural pressures discouraged women from taking legal action against abusive spouses. A 15-month survey released in 2006 revealed that 54 percent of women respondents admitted suffering an act of physical or sexual violence perpetrated by a man at some point in their lives, 37 percent in the last five years, and 21 percent during the past year.

The government and NGOs often worked together to combat domestic violence. The PRM operated special women and children's units in police squadrons that received cases of domestic violence, sexual assault, and violence against children; the units provided assistance to victims and their families. All 30 police squadrons in Maputo had women and children's centers. In addition all police squadrons in the country installed a "green line" (a free telephone line) to receive complaints of violence against women and children. It was not fully operational by year's end.

Kukuyana, a national network of women living with HIV/AIDS, reported that many women were expelled from their homes and/or abandoned by their husbands and relatives because they were HIV positive. It also reported that some women who were widowed by HIV/AIDS were accused of being witches who purposely killed their husbands to acquire belongings, and in retribution were deprived of all possessions.

Prostitution is legal, although it is governed by several laws against indecency and immoral behavior and restricted to certain areas. The practice was particularly prevalent along major transportation corridors and in border towns where long-distance truckers stop overnight. Young women without means of support were at the greatest risk for being drawn into prostitution.

Sexual harassment is illegal; however, it was pervasive in business, government, and education. Although no

formal data existed, the media reported numerous instances of harassment during the year. The law is based on the Portuguese penal code from the 1920s; sexual harassment charges are usually regarded as acts of "indecentcy" with a maximum penalty of two years.

Forced marriage of girls and women was a problem.

"Purification," whereby a widowed woman is obligated to have unprotected sex with a member of her husband's family, continued to be practiced, particularly in rural areas.

With the exception of some ethnic and religious groups, the groom's family provided a dowry to the bride's family, usually in the form of money, livestock, or other goods. Among Muslims, the bride's family usually paid for the wedding and provided gifts. Some believed that these exchanges contributed to violence against women and other inequalities, due to the perception that the women subsequently were "owned" by their husbands.

The Family Law, which took effect in 2005, sets the age of marriage for both genders at 18 for those with parental consent, and 21 for those without parental consent. The law also eliminates husbands' de facto status as heads of family, and legalizes civil, religious, and common law unions. While the law does not recognize new cases of polygyny, it grants women already in polygynous marriages full marital and inheritance rights. The law more precisely defines women's legal rights with regard to property, child custody, and other issues. However, nearly four years after taking effect, a survey conducted by the NGO MULEIDE found that approximately 63 percent of women remained uninformed about the law. A Save the Children report on inheritance practices released in June 2007 noted that 60 percent of women cited discrimination in inheritance process and highlighted cases in which women lost inheritance rights for not being "purified" following the death of their husbands.

Customary law was still practiced in many areas. In some regions, particularly the northern provinces, women had limited access to the formal judicial system for enforcement of rights provided under the civil code and instead relied on customary law to settle disputes. Under customary law, women have no rights to inherit land.

Women continued to experience economic discrimination, were three times less likely than men to be represented in the public and formal private sectors, and often received lower pay than men for the same work.

#### Children

While the government continued to stress the importance of children's rights and welfare, significant problems remained. In April the National Assembly passed a law on child protection. The law contains sections dealing with protection against physical and sexual abuse, removal from parents who are unable to defend, assist, and educate them, and the establishment of minors' courts to deal with matters of adoption, maintenance, and regulating parental power.

A UN Children's Fund (UNICEF) report released in May 2007 estimated that the incidence of birth registration was less than 40 percent, and that 94 percent of children under age four were not registered. In some cases, particularly in rural areas, lack of birth certificates prevented children from registering for school, obtaining health care, and obtaining public documents, such as identity cards or passports.

Education is compulsory through age 12, but enforcement was inconsistent. Public education is free, but most families paid enrollment fees for each child and purchased books, uniforms, and other school supplies. Children who have a certificate that testifies their parents' incomes are below a certain poverty level are exempt from fees, but for most families, fees and associated costs remained a significant financial burden.

In 2007 UNICEF estimated that 94 percent of children were enrolled in school. Despite joint government/NGO

initiatives in certain localities and districts to improve girls' school attendance, completion rates for primary school students were approximately 41 percent for boys and 29 percent for girls.

The PRM reported more than 1,500 cases of child abuse through June, but noted that the vast majority of cases went unreported. In December the government, in partnership with an NGO network, began a 24 hour hotline, allowing the public to report cases of child abuse. Most cases involved sexual abuse, physical abuse, or negligence. Several cases of fathers sexually abusing their daughters were reported. Sexual abuse in schools was a growing problem. There were numerous press reports during the year focusing on the large numbers of high-school-aged girls pregnant as a result of being coerced into having sex with their teacher.

There continued to be newspaper reports of physical abuse of students by teachers during the year.

Local custom, primarily in the northern provinces and in Muslim and South Asian communities, allowed underage marriage.

The law prohibits pornography, child prostitution, and sexual abuse of children under 16 and prescribes prison sentences and fines for perpetrators; however, exploitation of children below the age of 15 continued and child prostitution remained a problem. Child prostitution appeared to be most prevalent in Maputo, Nampula, Beira, and at border towns and overnight stopping points along key transportation routes. Child prostitution reportedly was growing in the Maputo, Beira, Chimoió, and Nacala areas, which had highly mobile populations and a large number of transport workers. Child prostitution also was reported in Sofala and Zambezia provinces. Some NGOs provided health care, counseling, and training in other vocations to children engaged in prostitution. In practice perpetrators of these crimes rarely were identified and prosecuted, and punishment was not commensurate with the crime. However, in July a Maputo court sentenced two Turkish citizens to a year in prison and 75,000 meticaís (approximately \$3,000) each for sexually abusing 17 children living at a private residence in Maputo City.

There continued to be a significant number of street children, but no nationwide figures were available.

Zimbabwean children, many of whom entered the country alone, continued to face labor exploitation and discrimination. They lacked protection due to inadequate documentation and had limited access to schools and other social welfare institutions. Coercion of Zimbabwean girls into the sex industry was common.

The government took steps to address the problems facing HIV/AIDS orphans. In June the government estimated the country had 430,000 orphans who had lost either one or both parents to HIV/AIDS, and a study released during the year by UNICEF estimated that this number could reach 650,000 by 2010. Several government agencies, including the Ministry of Health and the Ministry of Women and Social Action, implemented programs to provide health assistance and vocational education for HIV/AIDS orphans.

The Maputo City Office of Women and Social Action continued its program to rescue abandoned orphans and assisting single mothers who headed families of three or more persons. It also offered special classes to children of broken homes in local schools. NGO groups sponsored food, shelter, and education programs in all major cities.

#### Trafficking in Persons

The April Antitrafficking in Persons Law prohibits all forms of trafficking in persons; however, there were reports that persons were trafficked to, from, through, and within the country. Most trafficking victims were transported to South Africa on the highway from Maputo to Johannesburg. The majority of victims were women and children trafficked for both sexual exploitation and forced labor. Boys were trafficked for labor on South African farms and in mines, and girls were trafficked for use in prostitution and domestic servitude.

Traffickers were principally citizens or South Africans. Trafficking groups included small networks of citizens based

in Maputo and Nampula, and there were reports that Chinese, Pakistani, and Nigerian organized crime groups were involved. Traffickers often lured victims by promising better jobs in South Africa. Once there, they were threatened with exposure of their illegal status and forced to work for little or no pay. Often women were sexually assaulted en route to their destination or once they arrived in South Africa. There were also reports that syndicates trafficked young girls from Thailand through the country en route to South Africa. Small numbers of children and adults reportedly were trafficked to Zambia for agricultural labor, and Zimbabwean women and girls were trafficked to Mozambique for sexual exploitation and domestic servitude.

The law provides for penalties of 16 to 20 years' imprisonment for those recruiting or facilitating exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude. The government's law enforcement efforts increased over the previous year. Following the passage of the antitrafficking law, the PRM created a special unit to deal specifically with apprehensions, investigations, and reintegration. In March South African authorities apprehended a Mozambican woman alleged to have trafficked local girls to Pretoria for forced prostitution; the government immediately dispatched investigators from the attorney general's office and the PIC to South Africa to assist in the investigation and discuss possible extradition.

While there were no prosecutions or convictions for trafficking cases during the year, police authorities stated they had rescued more than 200 children being trafficked to South Africa during the first six months of the year. In addition police made arrests of traffickers and transporters involved in these cases, and several investigations were ongoing. Many lower-ranking police and border control agents were suspected of accepting bribes from traffickers.

Due to a lack of resources, government officials regularly called on NGOs for the provision of protection and assistance to victims, including shelter, food, counseling, and rehabilitation. The Ministry of Interior expanded the number of offices for attending to women and child victims of violence from 96 to 152, and provided victims' assistance training for police officers who dealt with such cases. The police also conducted general training on trafficking and detecting at-risk children in the central provinces of Sofala, Manica, and Zambezia and the northern province of Nampula.

The State Department's annual Trafficking in Persons Report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### Persons with Disabilities

Although the constitution and law stipulate that citizens with disabilities shall fully enjoy the same rights as all other citizens, the government provided few resources to implement this provision. Discrimination was common against persons with disabilities in employment, education, access to health care, and in the provision of other state services. The law does not mandate access to buildings for persons with disabilities, but the Ministry of Public Works and Habitation worked to ensure that public buildings in Maputo city provided access to persons with disabilities. Electoral law provides for the needs of voters with disabilities in the polling booths.

Concerns of persons with disabilities included lack of access to socioeconomic opportunities and employment, limited access to buildings and transportation, and a lack of wheelchairs. Special access facilities were rare. There were few job opportunities for persons with disabilities in the formal sector.

The country's only psychiatric hospital was overwhelmed with patients and lacked the means to guarantee even basic nutrition, medicine, or shelter. During the first six months of the year, the hospital received 1,160 patients, compared with 348 during the same period in 2006. Doctors at the hospital also reported that many families abandoned members with disabilities at the hospital. Veterans with disabilities continued to complain about not receiving pensions.

The Ministry of Women and Social Action is responsible for protecting the rights of persons with disabilities. The four-year National Action Plan in the Area of Disabilities announced in 2006 still had not received any financing for implementation.

Maputo city offered free bus passes to persons with disabilities.

#### National/Racial/Ethnic Minorities

There were reports of tension between newly arrived Chinese guest workers, often employed in construction, and citizens in Maputo city and Beira, Sofala Province.

There were reports of discrimination by police against Zimbabwean immigrants during the year.

#### Other Societal Abuses and Discrimination

The law prohibits discrimination of workers on the basis of HIV/AIDS status, and the Ministry of Labor generally intervened in cases of perceived discrimination by employers. In July the Ministry of Labor reported receiving more than 100 cases annually of workers being dismissed by their employers for having HIV/AIDS. Often, workers were obligated by the employer to take HIV/AIDS tests. In response to these violations, the ministry registered the complaints and confronted companies responsible for dismissals.

The law does not specifically prohibit discrimination based on sexual orientation, and there were occasional reports of such discrimination. The LDH reported cases of discrimination against homosexuals in the courts. The Workers Law includes an article that prevents discrimination in the workplace based on a number of factors, including sexual orientation.

#### Section 6 Worker Rights

##### The Right of Association

The constitution and law provide that all non-government workers are free to form and join a trade union of their choice without previous authorization or excessive requirements, and workers exercised these rights in practice. Until November, when a new law was passed, labor laws guaranteeing the right of association did not cover government employees, including firefighters, members of the judicial agencies, and prison guards. As of June the Mozambican Workers Association (OTM) estimated that of the approximately 500,000 workers in the formal sector, 98,000 were unionized. Some unions alleged that the OTM was under the influence of FRELIMO. While government employees were previously not allowed to form unions, in November parliament approved new statutes which allow government employees to form unions and strike.

The law explicitly provides for the right to strike, and workers exercised this right in practice; however, until November civil servants, police, military personnel, and workers in other essential services (including sanitation, firefighting, and health care) did not have the right to strike. The law specifies that strikers must notify police, the government, union, and employers 48 hours in advance of intended strikes.

Unlike in the previous year, there were no reports that security forces shot or killed strikers.

##### The Right to Organize and Bargain Collectively

Although the law provides for the right of workers to organize and engage in collective bargaining, such contracts

covered less than 2 percent of the work force. The government did not set private sector salaries. Unions were responsible for negotiating wage increases.

The law prohibits antiunion discrimination; however, there were reports that many companies continued to engage in antiunion discrimination by replacing persons at the end of contracts, dismissing workers for going on strike, and not abiding by collective bargaining agreements.

There are no special laws or exemption from regular labor laws in the few export processing zones.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and while there were few reports that such practices occurred in the formal economy, forced and bonded labor, particularly by children, was common in rural areas. Forced prostitution and domestic servitude also occurred. There were also numerous reports of children brought from rural areas to urban centers with promises of schooling and a better life, only to end up as forced domestic workers.

#### d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits child labor; however, it remained a problem. In the formal economy, the minimum working age without restrictions is 18 years of age. The law permits children between 15 and 18 to work, but the employer is required to provide for their education and professional training and to ensure that conditions of work are not damaging to their physical and moral development. Children between the ages of 12 and 15 are permitted to work under special conditions authorized jointly by the ministries of labor, health, and education. For children under the age of 18, the maximum workweek is 38 hours, the maximum workday is seven hours, and they are not permitted to work in unhealthy or dangerous occupations or those requiring significant physical effort. Children must undergo a medical examination before beginning work. By law children must be paid at least the minimum wage or a minimum of two-thirds of the adult salary, whichever is higher.

Although the law prohibits forced and bonded labor by children, it was considered to be a common problem, especially in rural areas. Many children in rural areas were forced to work, particularly in commercial agriculture, as domestics, as well as to engage in prostitution. The major factors contributing to the worst forms of child labor were chronic family poverty, lack of employment for adults, breakdown of family support mechanisms, the changing economic environment, lack of educational opportunities, gender inequality, and the impact of HIV/AIDS. Children, including those under the age of 15, commonly worked on family farms in seasonal harvests or on commercial plantations, where they picked cotton or tea leaves and were paid on a piecework basis.

The Ministry of Labor regulates child labor in both the informal and formal sectors. Labor inspectors may obtain court orders and use police to enforce compliance with child labor provisions. Violations of child labor provisions are punishable with fines ranging from one to 40 months of salary at minimum wage. Enforcement mechanisms generally were adequate in the formal sector but remained poor in the informal sector. The labor inspectorate and police forces lacked adequate staff, funds, and training to investigate child labor cases, especially in areas outside the capital where a majority of the abuses occurred. Although the government provided training for police on child prostitution and abuse, there was no specialized child labor training for the labor inspectorate. The government disseminated information and provided education about the dangers of child labor to the general public.

#### e. Acceptable Conditions of Work

In May the government announced increases for a new nine-part (electricity/gas, manufacturing, financial services,

non-financial services, agriculture, construction, fisheries, mining, and government) minimum wage system, which replaced the old two-part industry/services and agriculture system. The lowest increase was 10 percent for government employees, and the highest increase was 30 percent for workers in the electricity and gas sector. Despite the increase, which was slightly above the inflation rate reported during the year, none of the minimum wages provided a decent standard of living for a worker and family. Although the industrial sector frequently paid above minimum wage, there was little industry outside of the Maputo area. In addition less than 10 percent of workers held salaried positions, and the majority of the labor force worked in subsistence farming. Many workers used a variety of strategies to survive, including finding a second job, maintaining their own gardens, or depending on the income of other family members.

The Ministry of Labor is responsible for enforcing the minimum wage rates in the private sector and the Ministry of Finance in the public sector. Violations of minimum wage rates usually were investigated only after workers registered a complaint. Workers generally received benefits, such as transportation and food, in addition to wages.

The standard legal workweek is 40 hours but can be extended to 48 hours. After 48 hours, overtime must be paid at 50 percent over the base hourly salary. Overtime is limited by law to two hours per day and 100 hours per year. The law provides for one hour of rest per day. Foreign workers are protected under the law.

Worker complaints continued during the year concerning employers deducting social security contributions from wages but failing to pay them into accounts; lack of access to the social security system; not adhering to the law concerning firings; and intimidation of union members. At year's end no action was taken on any of these cases.

In the small formal sector, health and environmental laws were in place to protect workers; however, the Ministry of Labor did not effectively enforce these laws, and the government only occasionally closed firms for noncompliance. There continued to be significant violations of labor laws in many companies and services. Workers have the right to remove themselves from work situations that endanger their health or safety without jeopardy to their continued employment; in practice threats of dismissal and peer pressure restricted this right.

In October 2007 the Ministry of Labor found approximately 90 workers at the Golden Fields Flower Company living in slave-like conditions working long hours and without access to sanitary facilities or safe drinking water. Following an inspection in March, the ministry determined that conditions had improved and lifted its suspension on the company.

At year's end the Ministry of Labor reported 416 labor accident victims, 251 of whom were temporarily incapacitated and 152 of whom were permanently disabled, and 13 of whom were killed. While the law imposes fines for recurring accidents, no fines were imposed during the year. The law also requires that companies insure workers, but Ministry of Labor estimates indicated that only between 50 and 60 percent of companies actually provided coverage. Workers had the right to remove themselves from situations that endangered health and safety without jeopardy to their employment and authorities enforced this right.