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IFRC COVID-19 Emergency Decree Research: Mozambique

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Below answers are based on policies and regulations published by the central government of Mozambique as of 10 April 2020. Please note that some links to the source documents indicated in the footnotes may need to be copied and pasted as URL.

Overview.

At the moment of writing, Mozambique has tested 537 suspected cases of COVID-19 and has found 20 positive cases, 12 of which are of local transmission and 8 of which are imported.¹

In preparation of the outbreak, the Ministry of Health of Mozambique had released in early March “The National Preparedness and Response Plan for the new coronavirus disease (COVID-19)”,² providing general guidance on the implementation of measures to reduce the risk of the epidemic. The document compiles a number of guidelines and standards of conduct for individuals, organizations and governmental departments including the National Health System, on the basis of Resolution n° 32/2008 of 1 September approving the country’s ratification of the WHO International Health Regulations (2005). This Plan identifies four phases of the response, the pre-epidemic, epidemic, intra-epidemic and post-epidemic phase and the classification of three levels of intensity: Alert, Eminent Danger and Public Health Emergency.

Although the response of Mozambique started with only a few relaxed measures, mainly aimed at detecting COVID-19 cases and preventing the outbreak at the community level,³ it has since late March intensified, with the implementation of stricter measures. With the country reaching level 3 of alert, strict restrictions to the commercial sector have been implemented and large social gatherings have been prohibited, as well as all sports, cultural and religious events (see answers to questions n.6 and n.7).⁴

¹ República de Moçambique, Ministério da Saúde, Press Release of 10 April, available at: <https://covid19.ins.gov.mz/documentos/> . See also the news reported on the official website dedicated to the response of Mozambique to the covid-19 emergency: <https://covid19.ins.gov.mz/documentos/> . The website is worth monitoring for updates, especially the sections on “Medidas” and “Documentos”, besides the section of “Atualizações”, where the latest news on the issue are reported. In the documents section it is possible to find daily publications on the current situation, level of alert and related measures in force, as well as press releases reporting on updated numbers of the epidemic. See also the website of the Ministry of Health for relevant updates: <http://www.misau.gov.mz/>

² República de Moçambique, Ministério da Saúde, PLANO NACIONAL DE PREPARAÇÃO E RESPOSTA A PANDEMIA DO COVID-19, March 2020, available at: https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Plano-de-Mocambique-preparacao-e-resposta-ao-COVID-19_27032020.pdf

³ Early measures included traveler screening at ports, airports and land borders and mandatory quarantine for a period 14 days to citizens from countries with a cumulative number of cases over 1000 and active local transmission of 100 cases per day. See *Ibid.*

Advised by the State Council and the National Defense and Security Council, the President of Mozambique declared the State of Emergency on March 30, through Presidential Decree No.11/2020.⁵ The Decree is applicable throughout the national territory,⁶ and violating its provisions constitutes a crime of disobedience.⁷ The State of Emergency will have a duration of thirty days, starting at zero hours on April 1st and ending at 12:00 am on April 30.⁸

The Decree was ratified by Law No. 1/2020, of March 31,⁹ and followed by a second Decree (No.12/2020) approved by the Council of Ministers on April 1,¹⁰ completing and specifying which measures need to be implemented to comply with Decree No.11/2020.

Decree No.12/2020, entered into force on April 2,¹¹ also applies to all national and foreign citizens, public and private institutions, in the national territory.¹² It is without prejudice to all the compatible additional measures adopted by the competent authorities for the prevention of the pandemic.¹³ The violation of its provisions also constitute a crime of disobedience.¹⁴

Please note that a Press Release published on April 8 reported that the Council of Ministers approved on the same day a Decree amending Articles 12, 14, 17, 26, 27 and 37 of Decree No. 12/2020 of 2 April. The text of the amending decree could not be found and may not be yet available online at the moment of writing. However, the press release indicates that the amendments were mainly aimed at reinforcing prevention measures through the introduction of, *inter alia*, the mandatory use of masks to protect the nose and mouth in all public and private transport.¹⁵

1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

There is no express coordination between state and non-state actors in the official documents adopted by the Government of Mozambique so far. However, under Presidential Decree No. 11/2020, all persons, as well as public and private entities are obliged to collaborate with the authorities in the execution of its measures during the State of Emergency.¹⁶ In the Presidential

⁴ Level 4 of alert would imply an absolute obligation to stay at home, prohibition to travel, and closure of all activity in the public, private and commercial sectors. This information is reported on the daily bulletins available at: <https://covid19.ins.gov.mz/documentos/>

⁵ Issued under the provisions of subparagraph (a) of Article 160 in conjunction with paragraph (b) of Article 165 and paragraph (b) of Article 265, all of the Constitution of the Republic of Mozambique, available at: <https://www.portaldogoverno.gov.mz/por/Media/Files/Constituicao-da-Republica-PDF>.

⁶ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 1.

⁷ *Ibid.*, Article 5.

⁸ *Ibid.*, Article 2.

⁹ Law No. 1/2020, of March 31, 2020, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 1.

¹⁰ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf

¹¹ *Ibid.*, Article 38.

¹² *Ibid.*, Article 2.

¹³ *Ibid.*, Article 36.

¹⁴ *Ibid.*, Article 37.

¹⁵ República de Moçambique, Secretariado do Conselho de Ministros, Press Release, 8 March, available at: <https://www.portaldogoverno.gov.mz/>

¹⁶ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 6.

Decree No.12/2020 the duty to collaborate is mentioned specifically in relation to compliance with relevant orders or instructions of the agents responsible for security, civil protection and public health.¹⁷ The community is encouraged to contribute to the implementation of the provisions of the Decree with voluntary action.¹⁸ The competent bodies are requested to carry out awareness-raising activities through public and private means of mass dissemination.¹⁹

The National Preparedness and Response Plan only addresses the coordination of the response actions among three governmental working committees, each with different responsibilities: the Inter-ministerial Commission for the Response to the Coronavirus Disease Pandemic, the National Technical Commission for Response to the Coronavirus Disease Pandemic, and the Provincial and Municipal Technical Commissions to Respond to the Coronavirus Disease Pandemic.²⁰

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

The Red Cross staff is mentioned in the National Preparedness and Response Plan in the framework of the preparatory activities to be carried out in the pre-epidemic phase.²¹ The Plan indicates as a possible measures to undertake the training of Red Cross activists, as well as of health professionals, journalists, and other relevant State agents and partners. The National Health Institute, in coordination with the National Directorate of Public Health, has indeed carried out a capacity building training on March 10 to Red Cross personnel to better respond to the coronavirus outbreak (including on symptoms, surveillance process, prevention measures, diagnosis and communication techniques). The Director for Training and Communication at National Health Institute echoed the RC Director of Programs' remarks on the importance of the cooperation role that the Red Cross of Mozambique plays with various State institutions, recognizing the crucial role that Red Cross activists have in the dissemination of information on preventive measures and disease control in remote communities in the country.²²

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

Yes, there are limited exceptions to facilitate the movement of humanitarian workers and humanitarian aid across borders.

With regard to the restrictions imposed by the Government, the Presidential Decree No. 11/2020 imposes, for the duration of the State of Emergency, the suspension of the issuance of

¹⁷ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 32.

¹⁸ *Ibid.*, Article 33.

¹⁹ *Ibid.*, Article 35.

²⁰ República de Moçambique, Ministério da Saúde, PLANO NACIONAL DE PREPARAÇÃO E RESPOSTA A PANDEMIA DO COVID-19, March 2020, available at: https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Plano-de-Mocambique-preparacao-e-resposta-ao-COVID-19_27032020.pdf, Chapter 4.

²¹ *Ibid.*, Chapter 9, para.9.1.

²² Instituto Nacional de Saúde de Moçambique, Press Release, 11 March, available at: <https://www.ins.gov.mz/artigo/ins-capacita-cerca-de-30-activistas-da-cruz-vermelha-em-materias-de-comunicacao-em-resposta>

entry visas, the cancellation of visas already issued and the partial closure of national borders.²³ The Decree No.12/2020 added to this measure the cancellation of all visa waiver agreements.²⁴ Travel across border will, however, still be permitted for “matters of State interest”, humanitarian support, health and cargo transportation.²⁵

As for travel-related quarantine measures, with the entry into force of the Decree on the State of Emergency No.11/2020 quarantine is imposed for 14 days on all persons who have entered Mozambique since March 18 from any country, even if showing no symptoms. It is also imposed on all travelers arriving to the country during the State of Emergency, as well as on all persons who have had direct contact with confirmed cases of COVID-19, even if showing no symptoms.²⁶ During the quarantine period, visits are prohibited and social distance of minimum one meter from the other members of the household should be respected. The authorities must be immediately informed in case of development of COVID-19 symptoms.²⁷ In case of non-compliance with the quarantine measure, the Decree No.11/2020 provides for the possibility of imposing a forced confinement at the person’s own domicile or in an appropriate establishment.²⁸ The Decree No.12/2020 confirms all these provisions, and empowers the competent health authorities to determine additional cases of persons who should be kept under surveillance.²⁹

The same measures prescribed for the quarantine regime apply to self-isolation, imposed on persons who tested positive to COVID-19 or show mild-flu symptoms.³⁰ A general obligation to stay at home for everyone with symptoms is also set forth in a document published by the

²³ To further limit the entry and exit of people, the Decree No.12/2020, Article 12, provides for the closure of all crossing points except the following: a) *Negomano, na Província de Cabo Delgado*; b) *Mandimba, Il Congresso e Entrelagos, Província do Niassa*; c) *Melosa, na Província da Zambézia*; d) *Cassacatisa, Cuchamano e Zóbwè, Província de Tete*; e) *Machipanda, Província de Manica*; f) *Chicualacuala, Província de Gaza*; e g) *Ressano Garcia e Namaacha, Província de Maputo*. Airports are also closed except the following: a) *Aeroporto de Pemba, Província de Cabo Delgado*; b) *Aeroporto de Lichinga, Província do Niassa*; c) *Aeroporto de Nampula, Província de Nampula*; d) *Aeroporto de Quelimane, Província da Zambézia*; e) *Aeroporto de Chingodzi, Província de Tete*; f) *Aeroporto de Chimoio, Província de Manica*; g) *Aeroporto da Beira, Província de Sofala*; h) *Aeródromos de Inhambane e de Vilanculos, Província de Inhambane*; e i) *Aeroporto de Maputo, Cidade de Maputo*. Ports are closed as well, except the following: a) *Porto de Nacala, Província de Nampula*; b) *Portos de Quelimane e Pebane, Província da Zambézia*; c) *Porto da Beira, Província de Sofala*; e d) *Porto de Maputo, Província de Maputo*.

²⁴ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 9.

²⁵ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3.

²⁶ See República de Moçambique, Ministério de Saúde, BOLETIM DIÁRIO COVID-19 N.º21, 7 DE ABRIL DE 2020, available at: https://covid19.ins.gov.mz/wp-content/uploads/2020/04/Boletim-dia%CC%81rio-COVID-19-N%C2%BA21_old.pdf.

²⁷ República de Moçambique, Ministério de Saúde, CIRCULAR N.º 06/GMS/2020, Procedimentos para Quarentena Domiciliar para viajantes provenientes de países com alta transmissão do Coronavírus, 20 March 2020, available at: <https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Procedimentos-para-Quarentena.pdf>

²⁸ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3.

²⁹ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 3.

³⁰ For the complete list of the measures see República de Moçambique, Ministério de Saúde, CIRCULAR N.º 06/GMS/2020, Procedimentos para Quarentena Domiciliar para viajantes provenientes de países com alta transmissão do Coronavírus, 20 March 2020, available at: <https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Procedimentos-para-Quarentena.pdf>; See also República de Moçambique, Ministério de Saúde, BOLETIM DIÁRIO COVID-19 N.º21, 7 DE ABRIL DE 2020, available at: https://covid19.ins.gov.mz/wp-content/uploads/2020/04/Boletim-dia%CC%81rio-COVID-19-N%C2%BA21_old.pdf

Ministry of Health providing guidance to families and members of the Mozambican community. It is prohibited for these individuals to leave their domicile to go to work, school, church or to the market. They are required to work remotely, when possible.³¹

The local health authorities will, every two days, visit or call without prior notice persons in quarantine to monitor their state of health and the respect of the measure, the violation of which is considered an attack on Public Health.³²

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

With the exception of the quarantine measures reported in the answer to question n.3, no absolute restriction on movement throughout the national territory is set forth in the decrees reviewed. This – and other measures – would be imposed in an alert level 4 scenario (see footnote n.4). The Presidential Decree No. 11/2020 prescribes the possibility of restricting the internal movement of people on national territory if an exponential increase of contagion occurs.³³

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

Yes, the Decree No. 12/2020 subjects the purchase of goods and services urgently required to control and combat the pandemic to an exceptional procurement regime. Essential goods and services, including medicines, hospital material, biosafety material, diagnostic tests and other essential material can be purchased under simplified contracting.³⁴

The Ministers responsible for the areas of finance, transport, industry and trade as well as the Bank of Mozambique must define an exceptional licensing regime – prioritizing de-bureaucratization – for the import of food, medicines, biosafety material, diagnostic tests and other essential products.³⁵

As for taxes, their payment on the import of foodstuffs, medicines and other essential goods is subject to a system of *a posteriori* regularization.³⁶

³¹ República de Moçambique, Ministério de Saúde, CIRCULAR N° 7, *Procedimentos para a Prevenção do COVID-19 para Famílias e Comunidade*, available at: <https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Procedimentos-Familias-e-comunidades-26.03.20.pdf>

³² República de Moçambique, Ministério de Saúde, CIRCULAR N° 06/GMS/2020, *Procedimentos para Quarentena Domiciliar para viajantes provenientes de países com alta transmissão do Coronavírus*, 20 March 2020, available at: <https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Procedimentos-para-Quarentena.pdf>

³³ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3.

³⁴ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 34.

³⁵ *Ibid.*, Article 23.

³⁶ *Ibid.*, Article 24.

6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

The Red Cross or humanitarian organizations are not explicitly categorized as “essential” services. The public and private services and activities that are considered essential, and therefore allowed to continue to operate during the State of Emergency, are the following:

- medical, hospital and medication services;
- water, energy and fuel supply;
- sale of food and of basic necessities items;
- loading and unloading of animals and perishable foodstuffs;
- post and telecommunications;
- airspace and meteorological control;
- health services;
- fire brigades;
- private security services;
- funeral services.³⁷

With regard to the restrictions on business operations, targeted specific guidance has been issued by the competent Ministries, including for touristic infrastructures and establishments,³⁸ for nurseries and shelters for vulnerable individuals (including children, elderly, victims of violence),³⁹ and for patients with HIV or chronic diseases.⁴⁰ Markets are allowed to continue to operate, in accordance with the imposed measures of hygiene and social distancing, from 6am to 5pm, unless their closure is recommended by the competent health authorities.⁴¹ The media, both public and private, can continue to operate.⁴²

The Presidential Decree No. 11/2020 imposes the closure or the reduction of the activities of all commercial, entertainment and similar establishments (no further information on when businesses can be required to do so is included in this decree).⁴³ It also prohibits all public and private events, (including religious, cultural, recreational, sporting, political, associative, tourist and other activities), with the exception of pressing State or social issues (such as funerals),⁴⁴ which must be carried out in accordance with the prevention measures issued by the Ministry of

³⁷ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 7. See also República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Articles 15 and 16.

³⁸ República de Moçambique, Ministério da Cultura e Turismo, MEDIDAS DE PREVENÇÃO E CONTROLO DE INFECÇÃO POR CORONAVIRUS PARA ESTABELECIMENTOS DA ÁREA DO TURISMO, 30 March, available at: <https://covid19.ins.gov.mz/medidas/>

³⁹ República de Moçambique, Ministério do Género, Criança e acção social, Medidas a tomar nas Unidas Sociais e na implementação dos Programas de Assistência Social face ao COVID-19 à nível do Ministério de Género, Criança e Acção Social, 23 March, available at: <https://covid19.ins.gov.mz/medidas/>

⁴⁰ República de Moçambique, Ministério de Saúde, Pacote de Serviços para Populações vivendo com o HIV no âmbito da resposta ao COVID-19, 27 March, available at: <https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Pacote-de-Servic%CC%A7os-para-PVHIV-no-a%CC%82mbito-do-COVID19.pdf>; and Fluxo de consulta para os doentes crónicos no âmbito da pandemia do COVID-19, available at: <https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Fluxo-de-Doentes-Cro%CC%81nicos-no-a%CC%82mbito-do-COVID-19.pdf>

⁴¹ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 20.

⁴² *Ibid.*, Article 27.

⁴³ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3.

Health.⁴⁵ As a result, the Decree No.12/2020 imposes the closure of nightclubs, game rooms, bars, pubs and similar, public swimming pools, gyms, playing fields, museums, libraries, theatres and monuments (and similar), except in the case of State ceremonies with a maximum of 20 participants. It further prohibits fairs and exhibitions and closes any public access to the beaches, except for carrying out fishing activities.⁴⁶

Prevention measures are mandatory in all public and private institutions, as well as in all means of passenger transport.⁴⁷ Public and private institutions that remain in office must guarantee the individual protection of State employees and agents, workers as well as users, and respect the guidelines of the health authorities.⁴⁸

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

The Presidential Decree No. 11/2020 imposes the suspension of classes in all public, semi-public and private schools, from pre-school to university education.⁴⁹ Teaching activities should however continue to operate at distance, through e-learning programs.⁵⁰

Both Decrees on the State of Emergency introduce the regime of “labor turnover” reducing the number of staff physically attending the workplace to 1/3, with a turnover of teams every 15 days.⁵¹ Working at distance modalities may be decided by each public or private entity, and it is prohibited to terminate the labor relationship on the basis of absence from the workplace for employees adopting the remote working regime.⁵² Staff turnover does not affect State officials

⁴⁴ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3.

⁴⁵ Available at: <https://covid19.ins.gov.mz/medidas/>

⁴⁶ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 14.

⁴⁷ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3. See also República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 26.

⁴⁸ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 19.

⁴⁹ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3. See also República de Moçambique, Ministério da Ciência e Tecnologia, Ensino Superior e Técnico-Profissional, Medidas de prevenção da Pandemia do Coronavírus (COV ID-19) nas Instituições do Ensino Superior e Técnico Profissional, 21 March, available at: <https://www.mctestp.gov.mz/por/Ultimas-Noticias/Anuncios/Medidas-de-prevencao-ao-novo-coronavirus-COVID-19>

⁵⁰ República de Moçambique, Ministerio de Educação e Desenvolvimento Humano, Medidas adicionais para a prevenção do COVID-19 nas Instituições Públicas e Privadas da Educação Geral. Formação de Professores, Centros Internatos e Lares e Salas de Estudo, 23 March, available at: https://covid19.ins.gov.mz/wp-content/uploads/2020/03/Circular-n%C2%BA.03-COVID_19.pdf

⁵¹ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3; República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 17.

⁵² República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: <http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/>

and agents who occupy positions of direction, leadership and trust, who maintain the full exercise of their functions.⁵³ Individuals considered particularly vulnerable to the infection are entitled to special protection and must have priority in the adoption of remote working regime.⁵⁴

Decree No.11/2020 also ensures the monitoring of prices of essential goods for the population, included those needed to prevent and combat the pandemic, and the adoption of sustainable fiscal and monetary policy measures to support the private sector in addressing the economic impact of the pandemic.⁵⁵

For the duration of the State of Emergency, permits, authorizations or other administrative acts remain valid irrespective of their expiry date.⁵⁶ During the state of emergency, the procedural acts and judicial proceedings must follow the judicial vacation regime, without prejudice to urgent cases in which fundamental rights are at stake, especially with regard to the rights of the defendants and minors at risk. For the duration of the State of Emergency, all statutes of limitation, as well as all procedural and administrative deadlines are suspended, including disciplinary proceedings.⁵⁷ The Decree No.12/2020 prohibits visits to penitentiary establishments. It guarantees that family members are regularly informed on the condition of their relatives, and that the detainees continue to receive the medical assistance needed.⁵⁸

On April 5 the Parliament of Mozambique approved the Amnesty and Pardon Law, a measure intended to contain the spread of the virus in the country. The Law applies to all detainees sentenced to up to one year of imprisonment, even if the sentence is not *res judicata*. However, the beneficiaries of the measure must not commit any intentional crime within five years after their release, or else serve the remaining part of their penalty, in addition to the penalty arising from the crime committed. The beneficiaries are not relieved of their civil liability for the damages arising from the conduct that gave rise to the conviction. The amnesty does not cover the crimes of willful murder; rape and sexual exploitation of children; kidnapping; illicit trafficking in persons; illicit trafficking in narcotic drugs, psychotropic substances or other substances having similar effects; terrorism and terrorist financing; money laundering; embezzlement, bribery and corruption; crimes against the security of the State.⁵⁹

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

[Decreto 12 2020 de 2 de Abril BR 64 I SERIE 2020.pdf](#), Article 28.

⁵³ *Ibid.*, Article 17.

⁵⁴ *Ibid.*, Article 6.

⁵⁵ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3.

⁵⁶ República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 11.

⁵⁷ República de Moçambique, Lei n.º 1/2020 de 31 de Março, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 2.

⁵⁸ República de Moçambique, Lei n.º 1/2020 de 31 de Março, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 30.

⁵⁹ This information was found in newspaper articles and press releases, as the text of the Law could not be found on the official resources available online at the moment of writing. See *Portal do Governo de Moçambique*, Press Release, 9 April, available at: <https://www.portaldogoverno.gov.mz/por/Imprensa/Noticias/Comissao-Parlamentar-aprecia-proposta-presidencial-de-Lei-de-Amnistia>; Newspaper articles of April 6, available here: <https://p.dw.com/p/3aYc2> and here: <https://www.impala.pt/noticias/atualidade/covid-19-parlamento-mocambicano-aprova-lei-de-amnistia-e-perdao-de-penas-para-descongestionar-cadeias/>

There is no explicit ban on the export of protective medical equipment in the decrees reviewed. The Decrees on the State of Emergency do not prescribe the possibility of civil requisition of goods but provide for the requisition of health services and of health personnel outside the National Health System, except those considered vulnerable to the COVID-19 disease.⁶⁰

⁶⁰ República de Moçambique, Decreto Presidencial n.º 11/2020, de 30 de Março que Decreta o Estado de Emergência, available at: https://macua.blogs.com/files/br_62_i_se%CC%81rie_20201.pdf, Article 3 and República de Moçambique, Decreto n.º 12/2020, de 2 de Abril de 2020, available at: http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Decreto_12_2020_de_2_de_Abril_BR_64_I_SERIE_2020.pdf, Article 7.