



REPUBLIC OF MOZAMBIQUE
MINISTRY OF WOMEN AND SOCIAL ACTION

**LEGAL FRAMEWORK FOR
BASIC SOCIAL SECURITY IN
MOZAMBIQUE**

Maputo, April 2012



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ABREVIATIONS

CNAM	Conselho Nacional para o Avanço da Mulher / National Council for the Advancement of Women
DPMAS	Direcção Provincial da Mulher e da Acção Social / Provincial Directorate of Women and Social Action
DPCCN	Direcção de Prevenção e Controle das Calamidades Naturais / Provincial Directorate for Prevention and Control of Natural Disasters
ENSSB	Estratégia Nacional de Protecção Social Básica / National Basic Social Protection Strategy
INAS	Instituto Nacional de Acção Social / National Institute for Social Action
INGC	Instituto Nacional de Gestão das Calamidades / National Disaster Management Institute
INE	Instituto Nacional de Estatística / National Statistics Institute
MINED	Ministério da Educação / Ministry of Education
MPD	Ministério da Planificação e Desenvolvimento / Ministry of Planning and Development
MMAS	Ministério da Mulher e da Acção Social / Ministry of Women and Social Action
MINAG	Ministério da Agricultura / Ministry of Agriculture
MISAU	Ministério da Saúde / Ministry of Health
MOPH	Ministério das Obras Públicas e Habitação / Ministry of Public Works and Housing
PARPA	Plano de Acção para a Redução da Pobreza Absoluta / Absolute Poverty Reduction Action Plan
PASD	Programa de Acção Social Directa / Direct Social Action Programme
UNDP	United Nations Development Programme
PSA	Programa Subsídio de Alimentos / Food Subsidy Programme
PADE	Programa de Apoio Directo à Escola / Direct Support to Schools Programme
PBST	Programa Benefício Social pelo Trabalho / Social Benefit for Work Programme
PGR	Programa de Geração de Rendimentos / Income Generation Programme
WFP	World Food Programme
SDSMAS	Serviços Distritais da Saúde, Mulher e Acção Social / District Health, Women and Social Action Services
ILO	International Labour Organisation
ART	Anti-Retroviral Treatment
UNICEF	United Nations Childrens Fund

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Law 4/2007, Law on the Social Protection system

Summary

Assembly of the Republic:

Law No. 4/2007:

Sets out the basis underlying social protection and organises its system.

Law No. 4/2007

of February 7

As it is necessary to establish a legal framework for social protection which is appropriate to the socio-economic reality, as per paragraph 1 of Article 179 of the Constitution, the Assembly of the Republic determines:

CHAPTER I

General Provisions

ARTICLE 1

(Subject)

This Law defines the foundation that underpins Social Protection and organises the Social Protection system.

ARTICLE 2

(Objectives)

Social protection has as objective to alleviate, to the extent the economic conditions in the country allow, situations of absolute poverty of the population, to ensure the livelihood of workers who lack or have a decreased capacity to work as well as to ensure the livelihood of surviving family members in case of the death of the aforementioned worker and to provide supplementary conditions for survival.

ARTICLE 3

(Principles of Social Protection)

Social Protection is governed by the following principles:

- a) *Principle of Universality* – enshrines the right of all citizens to be protected against equal risks and in an equal situation;
- b) *Principle of Equality* – under the contributory regime, workers are entitled to a fixed rate and in the same proportion;
- c) *Principle of Solidarity* – social protection proclaims the engagement of society for the benefit of the most disadvantaged in order to overcome their limitations and in order to transfer resources across generations;
- d) *Principle of Decentralization* – social protection is provided by public law institutions or private law institutions or organisations, which are duly authorized by public authorities.

ARTICLE 4 (Definitions)

The definitions are listed in the glossary annexed to this document and are also an integral part of this Law

ARTICLE 5 (Structure of social protection)

1. The social protection system is structured in three levels, namely:
 - a) Basic Social Security;
 - b) Mandatory Social Security;
 - c) Complementary Social Security.
2. Social protection comprises the benefits that are part of it, as well as the social protection institutions that carry out the respective management.

ARTICLE 6 (Right to Social Protection)

Citizens have the right to social protection, regardless of colour, race, sex, ethnic origin, birthplace, religion, education, social status, parents' marital status or profession.

CHAPTER II Basic Social Security

SECTION I Common Provisions

ARTICLE 7 (Scope of the Application to Individuals)

The basic social security covers national citizens who are unable to work and who are without means to meet their basic needs, including:

- a) People in situations of absolute poverty;
- b) Children in difficult situations;
- c) Elderly people in situations of absolute poverty;
- d) Disabled people in situations of absolute poverty;
- e) People with chronic and degenerative diseases.

ARTICLE 8 (Scope of Material Application)

1. The basic social security is materialised through:
 - a) Risk benefits
 - b) Social support benefits

2. The risk benefits may be monetary or in kind at the level of primary health care protection and via the provision of minimum benefits.
3. Social support is provided through the provision of services, programmes and community development projects aimed at individuals or groups of people with specific needs in terms of housing, shelter, food and means of compensation, among others.
4. In the provision of social support the involvement of beneficiaries and their families in solving their problems is stimulated, promoting community participation and mechanisms of mutual assistance.

SECTION II

Financial Organization

ARTICLE 9

(Revenue)

The following constitute revenue of basic social security:

- a) allocations or subsidies attributed made by the State Budget;
- b) contributions, donations, grants or subsidies from public or private, domestic or foreign entities;
- c) other income obtained by any legally permitted means.

ARTICLE 10

(Expenses)

Basic social security expenses consist of benefits and other expenses related to them.

CHAPTER III

Mandatory Social Security

SECTION I

Common Provisions

ARTICLE 11

(Composition)

The mandatory social security comprises the regimes and respective managing entity and manifests itself through the benefits foreseen in Articles 19 and 21 of this Law.

ARTICLE 12

(Benefits)

1. The benefits may be in cash or in kind.
2. Cash benefits are reviewed periodically, taking into account wage variations and the financial capabilities of the mandatory social protection.
3. Cash benefits are exempt from personal income tax.

ARTICLE 13
(Health and social action)

In the context of mandatory social security, programmes are developed for health and social action.

ARTICLE 14
(Enrolment)

1. Enrolment in mandatory social security covers employees as well as the self-employed and covers national and foreign residents in national territory and their employers.
2. Employers are required to register the employees within their service.
3. It is up to self-employed workers to register themselves.
4. Mozambican workers abroad, who are not bound by international agreements, can register with the mandatory social security. The self-employment regime will be applicable to them.
5. The compulsory enrolment in mandatory social security does not apply to resident foreign workers who are providing service in the Republic of Mozambique, provided they can prove they are covered by the social security system of another country, without contradicting what is established in bilateral agreements.
6. The fruits of enrolment shall not be eliminated in the course of time.

ARTICLE 15
(Preservation of Rights)

1. The principle of conservation of acquired rights and rights that are currently being acquired shall apply to mandatory social security.
2. Subject to provisions in international conventions, beneficiaries retain the right to cash benefits from the mandatory social security, which are paid in Mozambique and in national currency, even if they have moved out of national territory.

ARTICLE 16
(Voluntary participation in the system)

Any employee, who ceases to exercise his or her labour activities for a third party can, if desired, remain voluntarily in the mandatory social security.

ARTICLE 17
(Articulation of Systems)

1. The articulation between the mandatory social security of workers on behalf of others, self employed workers and State employees is ensured.
2. In the transition of workers from one system to another, each system accepts its responsibility regarding the recognition of rights, on terms to be regulated.

SECTION II

Regime of workers on behalf of others

ARTICLE 18

(Scope of the Application to Individuals)

1. Mandatorily covered by the regime established in this section are:
 - a) workers on behalf of others, nationals and foreign residents, in national territory;
 - b) the dependent family members of workers in the above paragraph.
2. Mozambican workers abroad are covered by the provisions relating to mandatory social security, pursuant to agreements on the subject, or by adherence to the regime of the self-employed, if they are not enrolled in any system of mandatory registration in the country where they work.
3. The mandatory social security of state officials and Central Bank employees is governed by specific legislation.

ARTICLE 19

(Scope of Material Application)

1. The Mandatory Social Security comprises benefits in case of sickness, maternity, invalidity, old age and death.
2. The extension of the material scope is determined by the Council of Ministers, to the extent that socioeconomic and administrative conditions so allow.

ARTICLE 20

(Contributory Obligation)

1. Contributions to mandatory social security are distributed between employers and workers, according to the proportions fixed by the Council of Ministers; the portion allocated to the employee may not exceed, in any case, fifty per cent of the amount of those contributions.
2. The employer is responsible for the payment of due contributions to the managing entity of the mandatory social security, including the portion borne by the employee, which is deducted from their remuneration.
3. The worker cannot oppose the discounts to which he/she is bound.
4. The employer's contributions are his sole responsibility, being null and void any agreement to the contrary.

SECTION III

Regime of the self-employed

ARTICLE 21

(Scope of the Application to Individuals)

Self-employed workers, in liberal or retainer regime, are mandatorily covered, on terms to be set in a specific statute.

ARTICLE 22
(Scope of Material Application)

The Mandatory Social Security of self-employed workers comprises the benefits in case of sickness, invalidity, old age and death, or other to be defined in statute.

ARTICLE 23
(Contributory Obligation)

Contributions to the system are borne wholly by the self-employed workers and are calculated according to rules set by the Council of Ministers.

SECTION IV
Financial Organisation

ARTICLE 24
(Revenues)

1. The revenues of mandatory social security are:
 - a) the contributions of self-employed workers and their employers, enrolled in the Mandatory Social Security;
 - b) the contributions of self-employed workers;
 - c) the default interest due for late payment of contributions;
 - d) penalties for breach of the law;
 - e) income produced by investments;
 - f) transfers from the State and other public or private entities;
 - g) transfers of foreign organisations;
 - h) the contributions foreseen in the law;
 - i) gifts, bequests or inheritances;
 - f) other revenue that is legally allowed.
2. The revenues of the Mandatory Social Security are collected and administered by the managing entity of mandatory social security.

ARTICLE 25
(Expenditure)

Constitute expenditure of the Mandatory Social Security as follows:

- a) Benefits;
- b) Social action health;
- c) System administration;
- d) Investments;
- e) Others provided for by law.

ARTICLE 26
(Investments)

1. The reserve funds of the Mandatory Social Security are invested on terms to be regulated by the Council of Ministers, but should be carried out according to the principles of safety, return revenue and liquidity.
2. It is forbidden to use reserve funds for the purpose of risky activities or business ventures, including games of chance.

ARTICLE 27
(Budget)

1. The activity of the managing entity of the mandatory social security is subject to annual budget of revenues and expenditures, subject to approval by the Minister responsible.
2. Without prejudice to measures of financial recovery and remediation that must be imposed immediately, in case of budget deficit, the Council of Ministers may stipulate that expenditure of mandatory social security be supported by transfer under the Law of the State Budget.
3. The mandatory social security accounts must be published in the newspaper with the largest circulation in the country.

ARTICLE 28
(Rates and basis of contributions)

1. The contribution rate is fixed as to cover all expenses that are related to the system.
2. Salary and additional regular and periodic remunerations are subject to contributions.
3. When the contributions due are not paid within the prescribed period, interest is due on late payments.

ARTICLE 29
(Declaration of Remunerations)

1. Each month the employer declares for each employee at his/her service the total value of salaries and additional remunerations over which, each month, contributions for the mandatory social security are due.
2. The self-employed workers shall regularly present the elements necessary for defining the reference remuneration basis for assessing contributions and benefits.

ARTICLE 30
(Prescription)

1. The contributions due to the mandatory social security shall be subject to a prescription period of ten years.
2. The entitlement to benefits shall expire within three years, counted from the day the payment is made or the date of the event constituting the right.

CHAPTER IV

Complementary Social Security

SECTION I

Common Provisions

ARTICLE 31

(Scope of the Application to Individuals)

The Complementary Social Security covers, on an optional basis, people enrolled in the mandatory social security system.

ARTICLE 32

(Scope of Material Application)

The complementary social security is intended to strengthen benefits of the mandatory social security, through modalities subject to approval by the supervisory body, as proposed by the managing entity.

ARTICLE 33

(Personal and complementary entities and mechanisms)

1. The Minister who oversees the area of Finance, after consultation with the Minister who oversees the mandatory social protection, licenses the personal and complementary entities and mechanisms of mandatory social security.
2. The personal and complementary institutions and mechanisms referred to above are in the nature of pension funds and others, embodied in autonomous assets solely to achieve the objectives for which they were constituted.
3. The registration with personal and complementary mechanisms and institutions and does not preclude the requirement of registration with the mandatory social security.

SECÇÃO II

Financial Organization

ARTICLE 34

(Revenues)

The revenues of the complementary social security are the following:

- a) workers' contributions or contributions of the workers and of their employers;
- b) other contributions provided by law or in conditions to be set by agreement with the managing entity.

ARTICLE 35

(Expenses)

Constitute expenditure of the complementary social security, the following:

- a) Benefits;
- b) Administration;
- c) Investments;
- d) Other provided by law.

ARTICLE 36
(Budget and Accounts)

The budget and annual accounts of the complementary social security committed to the managing entity of the mandatory social security are subject to approval by the responsible Minister.

CHAPTER V
Bodies and competencies

ARTICLE 37
(Consultative Committee on Labour)

1. The Consultative Committee on Labour is the organ for consultation and advice of the Government on Social Protection matters.
2. The composition and functioning of the Consultative Committee on Labour is stipulated by the Council of Ministers and shall include the following parts:
 - a) Members of the Government;
 - b) Members representing the employers;
 - c) Members representing the workers;
 - d) Members of civil society.

ARTICLE 38
(Competencies)

Under this Act, it is particularly incumbent on the Consultative Committee on Labour to:

- a) articulate and coordinate the information of the public authorities, by issuing opinions and recommendations on issues relating to social protection;
- b) monitor the functioning of Social Protection, ensuring that the objectives and purposes are being met and, accordingly, make recommendations to the Council of Ministers.

ARTICLE 39
(Management of Social Security)

1. The Ministry that oversees the area of Social Action manages the basic social security, with the participation of non-governmental entities with social purposes and other services of State administration.
2. The National Institute for Social Security manages the mandatory social security.
3. The Ministry that oversees the area of Finance manages the social security of state employees.
4. The Bank of Mozambique manages the social security of employees of the Central Bank.
5. The complementary social security is managed by private or public entities, whose constitution and operation are regulated by the Council of Ministers.

ARTICLE 40
(Tax Exemptions)

The managing entity of the mandatory social security enjoys tax exemptions to the State, as recognized by law and others that may in the future be defined.

ARTICLE 41
(Religious institutions and non-governmental organizations)

1. The state recognizes and appreciates the action taken by religious institutions and NGOs in pursuit of the basic social security objectives.
2. The state exercises oversight in relation to religious institutions and NGOs, with the aim of promoting the compatibility of social security activities, ensuring compliance with the law, and protecting the interests of recipients.
3. The pursuit of the objectives of social security by religious institutions and NGOs is regulated by the Council of Ministers.

ARTICLE 42
(Custodian bodies)

1. The managing entities of basic social security are under the Minister who oversees the area of Social Action.
2. The managing entity of the mandatory social security is under the Minister who oversees the area of labour.
3. The social security of state employees is under the Minister who oversees the area of Finance.

CHAPTER VI
Guarantees and litigation

ARTICLE 43
(Grievance, complaint and internal administrative appeal)

1. Acts committed by the managing entity of the mandatory social security may be the subject of grievance and complaint without prejudice to the right of contentious appeal.
2. Prior to being submitted to the competent judicial body, the complaints made against the decisions taken by the managing entity of the mandatory social security are presented to the entity for internal administrative appeal of the managing entity.

ARTICLE 44
(Contentious appeal)

The competent courts settle conflicts arising from the application of the legislation on mandatory social security.

ARTICLE 45
(Executive Order)

1. In default of payment of contributions within the period specified, in addition to prosecution, if applicable in the case, the managing entity of the mandatory social security issues an enforceable order and a notice to any third party guarantor.

2. The enforcement order is equivalent to a final court decision.
3. The opposition has suspensive effect, provided that it is based on the absence or inaccuracy of the debt, but the opponent incurs in payment for each month of suspension, 0.5 percent of the total debt, if the existence or the accuracy of the debt is proven in court, regardless of costs and other filing fees.

ARTICLE 46
(Right of retention)

1. Notwithstanding the provisions of company law, the managing entity of the mandatory social security has the right of retention on credits that the debtor holds on third parties.
2. Similarly, the managing entity of the mandatory social security is entitled to deduction from the salary or credits that the representative of the debtor company, namely, owner, manager, trustee or responsible in any way, holds on to third parties provided that it has exercised functions during the formation or maintenance of the debt.

ARTICLE 47
(Credit Privileges)

The managing entity of the mandatory social security, in its contributions credits, enjoys similar privileges as the Treasury, graduating immediately after the State.

ARTICLE 48
(Third party Responsibility)

1. The managing entity of the mandatory social security is subrogated, as of right, to the worker or their family members in action against the third party responsible for the amount of benefits provided or the corresponding constitutive capital.
2. The worker or their family members retains the right to claim compensation for caused damage against the third party under the rules of common law.
3. Only a friendly settlement between the employee or their family members and liable third party is enforceable against the managing entity of the mandatory social security, provided that this entity has been asked to intervene in this agreement.

ARTICLE 49
(Unseizability of credits and assets)

1. The credits and assets of the managing entity to the mandatory social security may not be seized.
2. The holders of enforcement orders may apply to the responsible Minister that the funds necessary to satisfy the debt be budgeted due to breach of the managing entity of the mandatory social security.

ARTICLE 50
(Non-transferability and unseizability of benefits)

The services that integrate basic and mandatory social security are not transferable and may not be seized.

ARTICLE 51
(Supervision and Control)

1. Social security auditors and labour inspectors ensure the supervision and oversee the compliance of duties of employers and workers.
2. Social security auditors and labour inspectors are subject to professional secrecy and have, after presentation of identification, the right to enter the workplace, to check the number of staff and review all documentation and bookkeeping relating to mandatory social security.
3. The objection of the employer and the beneficiary to supervision and control is liable to be punished as a crime of disobedience under criminal law.
4. Whenever auditors of social security and labour inspectors detect an offense, records of evidence are submitted, which are to be taken as authentic until proven otherwise.
5. The social security audit is created by the Council of Ministers, which also establishes the rules for its operation.

ARTICLE 52
(Non-compliance and Sanctions)

1. The following situations are considered as a breach of obligations under the mandatory social security:
 - a) non-delivery or late delivery of identification document by the employer that serves as a basis for registration;
 - b) non-delivery or delivery after the deadline by the employer of appropriate identification document for the registration of each employee;
 - c) non-delivery or delivery after the deadline of the appropriate identification document for the application of the self-employed;
 - d) non-delivery or delivery after the deadline of amendments to the identity documents referred to by the employer or employee;
 - e) non-delivery or delivery after the deadline of declaration of remunerations by the employer;
 - f) omission of the name of the worker or incorrectness in the statement of their remuneration;
 - g) non-payment or late payment of contributions;
 - h) provision of false or misleading statements by the employer for the purpose of illicitly obtaining benefits for himself or for third party;
 - i) provision of false or misleading statements by the employee for the purpose of illicitly obtaining benefits for himself or for third party.
2. Apart from the obligation to restore the illegally obtained benefits, employers or employees are subject to fines, to be set by the Council of Ministers, in situations referred to in the preceding paragraph.
3. The retention by employers of contributions deducted from the salaries of their workers is punishable as a crime of embezzlement.
4. Unjustified refusal to deliver or show documentary evidence of position, the definition of contributions and of the right and value of benefits by the employer or the employee, shall be punished as a crime of disobedience.

CHAPTER VII

Transitional and Final Provisions

ARTICLE 53

(Extension of the Scope of Application to Individuals)

As economic and financial conditions of the country so allow, the Council of Ministers may decide to extend the scope of application to individuals of the present Law.

ARTICLE 54

(Reduction of the warranty period for the granting of pensions)

The worker who in the enactment of Law No. 5/89 of September 18 was not covered by the social security system and that at the date of entry into force of this Law is over 50 years of age, being male, or over 45 years of age, being female, and who has paid at least six months of contributions during the first year following the referred date, shall benefit, for each year between the age of 50, being male, or between the age of 45, being female, and their age on the said date, of a bonus of six months, up to a maximum of three years.

ARTICLE 55

(Own and complementary mechanisms)

1. Employers with their own social security mechanisms are covered by the mandatory social security.
2. The provision in the preceding paragraph shall not prejudice the provision of more favourable benefits by the employer than those granted under the mandatory social security.
3. Remain at the employer's responsibility the payment of retirement, disability, or survivors' pensions that at the date of publication of this Law are being paid by the employer entity.
4. The pensions referred to in the preceding paragraph may be borne by the managing entity of the mandatory social security, provided that the company transfer the corresponding mathematical reserves, calculated according to the table related to the salary.
5. The amounts and conditions for the transfer of values that ensure the maintenance of already acquired and forming rights are set by the Council of Ministers.

ARTICLE 56

(Regulations)

The procedures for registration of employers and workers, the collection of contributions, interest, fines, payment of benefits and, in general, the obligations of employers and workers regarding the functioning of the mandatory social security as well as the determination of benefits, modalities and forms of their concession relating to the basic and complementary social security objectives, are stipulated by the Council of Ministers.

ARTICLE 57

(Repeal)

Law No. 5/89 of 18 September, and all legal provisions contrary to this Act are repealed, being safeguarded already acquired and forming rights throughout the term of that Act.

ARTICLE 58
(Entry into force)

This Law shall enter into force 180 days after its publication.

Approved by the Assembly of the Republic
on December 11, 2006.

President of the Assembly of the Republic,
Eduardo Joaquim Mulémbwè.

Promulgated on January 10, 2007.

To be published.

President of the Republic,
Armando Emílio Guebuza

Glossary

For purposes of this Act, the following definitions apply:

Absolute poverty – is the impossibility due to disability and / or lack of opportunities for individuals, families and the community to have access to basic minimum conditions, according to the norms and dynamics of society.

Additional Benefits – comprise remuneration paid beyond the base salary.

Auditor — is the official of the managing entity of the mandatory social protection to whom is given, by law, authority and power to monitor and ensure compliance with the law of mandatory social protection.

Basic Social Security – is aimed at preventing shortages as well as promoting social integration through special protection to the more vulnerable groups. Basic social protection is based on national solidarity, reflects distributive characteristics and is mainly financed by the State Budget.

Beneficiary — means a worker enrolled in the Mandatory Social Protection.

Benefits – are the benefits that the recipients of any of the forms of social protection are entitled to receive.

Benefits in kind – are the benefits payable in the form of object or products or by providing services to the holders of the right.

Complementary Social Security – is intended to protect employees or self-employed persons and their families complementing, on an optional basis, the benefits granted in the context of the mandatory social security.

Health and Social Action – means all benefits in kind (goods or services) that the managing entity of the mandatory social protection grants for the beneficiaries or their families as a complement.

Mandatory Social Security – is intended for employees or self-employed persons and their families, in order to protect them in situations of lacking opportunity or diminished capacity for work, maternity, old age and death. The mandatory social protection presumes group solidarity, commutative character, and is based on a social security approach.

Material Scope – comprises the set of covered risks and benefits provided for each risk.

Minimum Benefit – is the set of actions to support and ensure, in kind or in cash, the survival of the needy.

Monetary benefits – are benefits that are payable in cash.

Personal Scope – means all persons and employers covered by mandatory social protection.

Remunerations sheet – is the sheet to be sent monthly to the managing entity of the mandatory social protection, containing the identification of the beneficiaries, their wages and other relevant information, which contribute to the classification of their contributory situation.

Retirement – means the state of the beneficiaries that by meeting legal requirements qualify to receive a retirement pension or invalidity pension, as appropriate.

Risk – future harmful events that are uncertain and involuntary.

Risk benefit – is the set of actions to support in kind or monetary values intended for risk mitigation.

Self-employed worker – is the worker that exercises a productive human activity without being subject to an employment contract.

Social Protection – is a system provided with means able to satisfy social needs, according to the distribution of income within the framework of solidarity, among members of society.

Taxpayer – refers to the employer in the Mandatory Social Protection.

Voluntary participation in the system – refers to the beneficiaries' ability to continue to contribute, after losing their labour links with an employer entity enrolled in the Mandatory Social Protection.

Decree 85/2009, Regulations of the Basic Social Security Subsystem

COUNCIL OF MINISTERS

Decree No. 85/2009 of 29 December (Published in Supplement 3 BR No. 5, December 29, 2009)

As it has become necessary to establish appropriate principles and standards for the Basic Social Security Subsystem regarding the use of the competencies conferred on the system by Article 56 of Law No. 4/2007 of 07 February, the Council of Ministers decrees:

ARTICLE 1

The Regulations of the Basic Social Security Subsystem, annexed to this Decree and of which they are an integral part, are approved.

ARTICLE 2

The materialisation of benefits as foreseen in the Regulation of the Basic Social Security Subsystem is done gradually, taking into account the economic conditions of the country.

ARTICLE 3

This Diploma shall enter into force 90 days after its publication.

Approved by the Council of Ministers.

The Prime Minister

Luísa Dias Diogo

REGULATIONS ON BASIC SOCIAL SECURITY

CHAPTER I GENERAL PROVISIONS

ARTICLE 1 (Scope of the Application to Individuals)

1. The Basic Social Security Subsystem covers national citizens who are unable to work and who are without means to meet their basic needs and in vulnerable situations:
 - a) People in conditions of absolute poverty;
 - b) Children in difficult situations;
 - c) Elderly people in a situation of absolute poverty;
 - d) People with disabilities in a situation of absolute poverty;
 - e) People with chronic and degenerative diseases.

2. Pursuant to Law No. 4/2007, dated February 7, absolute poverty means the impossibility due to disability and / or lack of opportunities of individuals, families and communities to have access to basic minimum conditions, according to the norms and dynamics of society.

ARTICLE 2 **(Scope of Material Application)**

1. Basic social security is materialized through:
 - a) Risk benefits
 - b) Social support benefits
2. Risk benefits can be in cash or in kind at the level of primary health protection and by granting basic benefits.
3. Social support translates into the provision of services, programmes and projects for community development, targeting individuals or groups of persons with specific needs in terms of housing, shelter, food, and means of compensation, among others.
4. The social support programmes consist of assistance to persons or groups of people living in situation of absolute poverty, which, due to unemployment, loss of the head of family and lack of or limited access to resources, cannot guarantee the minimum resources for their survival and the survival of their family.
5. The participation of beneficiaries and their families in resolving their problems is stimulated in the provision of social support, promoting community involvement and a spirit of mutual assistance and social solidarity.

CHAPTER II **STRUCTURE OF THE SUBSYSTEM**

ARTICLE 3 **(Components of the subsystem)**

1. The Basic Social Security Subsystem has the following components:
 - a) Direct Social Action, managed by the Ministry that oversees the social action area;
 - b) Social action in health, managed by the Ministry that oversees the health area;
 - c) Social action in education, managed by the Ministry that oversees the education area;
 - d) Productive social action, jointly managed by the ministries that oversee the areas of social action, planning and development, agriculture, labour, public works and housing and state administration.
2. In the materialisation of Direct Social Action component other non-governmental entities with social objectives and other state administration services will participate, depending on the matter at hand.

ARTICLE 4 **(Management)**

The Ministry that oversees the area of Social Action governs the implementation of the entire Basic Social Security Subsystem.

ARTICLE 5
(Coordination Body)

4. The Coordination Council of the Basic Social Security Subsystem is established, which is an organ of inter-sectoral articulation for the implementation of this subsystem. The Council comprises the Ministers responsible for managing the components referred to in Article 3 of this Regulation, as well as representatives of public and private entities linked to the social action area, in numbers to be defined by a specific diploma.
4. The Minister who oversees the area of social action chairs the Coordination Council of the Basic Social Security Subsystem.

CHAPTER III
RISK BENEFITS

Section I

Definition and beneficiaries

ARTICLE 6
(Definition)

1. Risk benefits comprise a set of assistance interventions in the form of goods, products, payment of services or grant of monetary values intended to mitigate risks or to ensure the survival of people living in situations of absolute poverty and vulnerability.
2. The risk benefits related to the granting of monetary values are provided in the form of regular monetary social transfers.

ARTICLE 7
(Beneficiaries)

1. All people who are permanently or temporarily unable to work and who are in situations of absolute poverty and vulnerability can benefit from risk benefits, including:
 - a) Elderly people over 55 years of age, in the case of women, and over 60 years of age, in the case of men.
 - b) People with disabilities;
 - c) People suffering from chronic and degenerative diseases;
 - e) Female heads of households;
 - f) Orphans and vulnerable children
2. Individual or household recipients of risk benefits are selected on the basis of eligibility criteria and procedures established by a specific statute.

Section II

Regular Monetary Social transfers

ARTICLE 8

(Definition)

Regular monetary social transfers are a form of risk allowances aimed at ensuring the respective beneficiary access to a monetary value to meet their basic needs.

ARTICLE 9

(Beneficiaries)

Regular monetary social transfers can benefit:

- a) Elderly people unable to work and living in a situation of absolute poverty;
- b) People with disabilities, permanently incapacitated for work and in situations of absolute poverty.
- c) People living with chronic or degenerative diseases, unable to work and who are in situations of absolute poverty.
- d) Households with orphans and vulnerable children aged between 0 and 18 years of age in situations of absolute poverty.

Section III

Social action in healthcare

ARTICLE 10

(Scope of Material Application)

Social Action in Healthcare provides universal access for the most vulnerable populations to primary health care, comprising actions aimed at improving the quality of their health.

ARTICLE 11

(Means of access)

Access to primary health care comprises:

- a) Universal exemption in the payment of health services for children under 5 years of age;
- b) Universal exemption in the payment of health care for pregnant and lactating women;
- c) Universal exemption in the payment of health care for certain categories of persons suffering from chronic or degenerative diseases, including tuberculosis, leprosy and HIV and AIDS;
- d) Universal exemption in the payment of health services to citizens in need, namely elderly people aged 55 and 60 years for women and men respectively, and persons with disabilities;
- e) Nutritional support to malnourished children;
- f) Micronutrient supplementation for prevention of chronic malnutrition and anaemia benefiting pregnant, lactating women, children aged 0 to 24 months of age and female adolescents;
- g) The provision, in public maternity hospitals, of basic babywear or other support deemed necessary for new-borns of families living in situations of absolute poverty;

- h) The provision of a basic food basket to malnourished people on antiretroviral treatment and to those who are subjected to tuberculosis treatment during the first six months, which may be extended for 12 months in special cases;
- i) Other initiatives that may be defined according to needs.

ARTICLE 12
(Beneficiaries)

In the context of the Social Action in Healthcare the following are priority beneficiaries of allowances:

- a) Children aged from 0 to 5 years of age;
- b) Pregnant and lactating women;
- c) Malnourished children;
- d) Children of mothers who, due to serious health reasons, cannot breastfeed;
- e) The elderly, aged over 55 years of age, being women, and over 60 years of age, being men;
- f) People with disabilities;
- g) People suffering from chronic or degenerative diseases, including tuberculosis, leprosy and HIV and AIDS;
- h) People on antiretroviral treatment or treatment of tuberculosis;
- i) Other vulnerable groups to be defined according to their needs.

Section IV

Social Action in Education

ARTICLE 13
(Scope of Material Application)

In the implementation of minimum benefits are covered, amongst others, the actions aimed at promoting the participation of the most vulnerable population groups in the education system, which may materialize as follows:

- a) Free access to primary education for all children;
- b) Provision of school meals for the benefit of children in need who attend primary school;
- c) Free access to school books for primary school children;
- d) Support in school supplies to children, in situations of absolute poverty, attending primary school;
- e) Support in health care for children and adolescents attending school;
- f) Access to education for people with special needs;
- g) Other initiatives that may be defined according to identified needs within the social action in education.

ARTICLE 14
(Priority Beneficiaries)

In the context of the Social Action in Education the following are priority beneficiaries of support in accessing the education system:

- a) Orphans and vulnerable children;
- b) Children with special educational needs;
- c) Juveniles in vulnerable situations;
- d) People with disabilities;
- e) Other vulnerable groups to be defined according to their needs.

CAPÍTULO IV SOCIAL SUPPORT ACTIONS

Section I

Definition, forms of support and beneficiaries

ARTICLE 15 (Definition)

Social support actions consist in the granting, by the State or non-governmental organizations which support access to services, the implementation of programmes or projects that ensure social and economic integration through work, directed at individuals or groups of individuals with specific needs in terms of housing, shelter, feeding and means of compensation, among others.

ARTICLE 16 (Forms)

1. Social support actions also consist of assistance to persons living in situations of absolute poverty who, due to unemployment, illness, physical incapacity, loss of the head of household or limited access to resources, cannot guarantee the minimum resources to their survival and the survival of their families.
2. Social support actions can be accomplished through social transfers over a given period of time ensuring access to services, in response to transitional vulnerability situations, benefiting people living in situations of absolute poverty.
3. Social support actions can be carried out through:
 - a) Programmes or projects that ensure social inclusion through work, in response to a situation of chronic food insecurity, exacerbated by shocks, structural risks and impacts of environmental change;
 - b) Programmes or projects directed at people with specific needs in terms of housing, shelter and other basic means of survival;
 - c) Programmes to be defined according to identified needs in the context of Individual and group assistance.
4. Recipients of social support, individuals or households, are selected based on eligibility criteria and procedures defined in specific statutes.

Section II

Social transfers over a given period of time

ARTICLE 17 (Forms of support)

Social transfers over a given period of time to access goods or services can be materialized as follows:

- a) Support in food products;
- b) Support in the acquisition of material for household use;
- c) Assistance in the building or improvement of housing for destitute persons or persons affected by misfortune or in vulnerable situations;
- d) Grant of compensation means for people with disabilities;
- e) Accommodation in social units or other social services which care for people living in vulnerable situations;
- f) Payment of health related services, education, and purchase of transportation tickets as part of family reunification, support with funeral services and other services benefiting people living in situations of absolute poverty.

ARTICLE 18 (Beneficiaries)

The following may benefit from social transfers over a given period of time:

- a) The elderly destitute living in situations of absolute poverty or vulnerability;
- b) People with disabilities living in situations of absolute poverty or vulnerability;
- c) Children living in situations of absolute poverty or vulnerability;
- d) Children heads of households and abandoned children;
- e) Women heads of households living in situations of absolute poverty or vulnerability;
- f) People plagued by misfortune and without adequate means for their survival;
- g) Drug addicts living in deprived families and unable to meet their basic needs;
- h) Prisoners whose families are unable to meet their basic needs;
- i) People living with chronic or degenerative diseases and deprived of the means of ensuring a balanced diet for themselves;
- j) Other vulnerable groups to be defined according to their needs.

Section III

Programs for social integration through work

ARTICLE 19 (Definition)

These are programmes that guarantee the social integration of beneficiaries through work, developed by the Government or non-governmental organizations, directed at people living in situations of absolute poverty,

providing them with opportunities for the development of productive activities through which to support themselves and their families.

ARTICLE 20
(Beneficiaries)

The following groups may be involved in the programmes or projects that ensure social inclusion through work:

- a) Women heads of households living in situations of absolute poverty;
- b) People with disabilities in situations of absolute poverty;
- c) Other people living in situations of absolute poverty.

CHAPTER V
FINAL PROVISIONS

ARTICLE 21
(Levels and limits)

The levels and limits of the amounts of monetary transfers to be applied in each of the services relating to the Basic Social Security Subsystem are set by joint decision of the ministers who oversee the areas of social work and finance.

ARTICLE 22
(Regulations)

1. Incumbent upon the Ministers who oversee the social, health and education areas, after consultation with the Coordination Council of the Basic Social Security Subsystem, to define, by ministerial decree, the procedures to follow in the application of these Regulations with regard to the component managed by the respective sector.
2. Incumbent upon the Minister who oversees the area of social action to approve the regulations on the functioning of the Coordination Council of the Basic Social Security Subsystem, after consultation with the Ministers who oversee the components referred to in Article 3 of this Regulation.
3. Incumbent upon the Minister who oversees the area of social action to define the rules for the implementation of the Basic Social Security by religious institutions and non-governmental organizations.

ARTICLE 23
(Revenues)

Funding for services to be provided in the implementation of the Basic Social Security Subsystem is provided by the following revenue sources:

- a) Allocations from the State Budget;
- b) Contributions, donations, grants or subsidies from public or private entities, domestic or foreign;
- c) Other revenues obtained by any legally permitted means.

ARTICLE 24
(Expenses)

Benefits in the context of this Act, and other related charges, constitute expenses of the Basic Social Security

ARTICLE 25
(Other minimum benefits)

Other types of minimum benefits can be defined, taking into account the risk situation or vulnerability of persons or groups in need, and in accordance with the economic conditions of the country.

NATIONAL BASIC SOCIAL SECURITY STRATEGY 2010-2014

EXECUTIVE SUMMARY

The establishment of a structured Social Protection system that responds to peoples' different needs is part of the natural development of the rule of law. The Law on Social Protection, Law 4/2007 of 7 February, laid the legal foundations for this process, creating conditions for it to continue and advance.

In addition, despite Mozambique's socio-economic progress in recent decades, more recent trends show that not everyone is enjoying the same benefits from development. This situation creates new and complex challenges for actors responsible for assisting the poorest and most vulnerable people.

Given the needs of this group and the role of Basic Social Security, the Government approved Decree 85/2009 of 29 December, Regulations on the Basic Social Security Subsystem. Among other aspects, these Regulations establish a set of allowances that must be implemented gradually. The Government of the Republic of Mozambique felt there was a need to define a framework document indicating the main paths for the Basic Social Protection area in order to be better prepared to address the objectives established in the above-mentioned Regulations.

In Part I, the document starts by presenting information that provides a framework for the reasons behind this initiative. This is followed by a chapter containing a brief situation analysis in order to define better the necessities that have to be addressed by the Strategy. It includes the presentation of the country's socio-economic context that has important implications for Basic Social Protection responses.

The analysis highlights the vulnerability of households with elderly, disabled and chronically ill people, orphans and vulnerable children; food insecurity issues, malnutrition and seasonality in vulnerability patterns (associated in particular with dependence on subsistence agriculture and natural phenomena); issues related to gender and the role of HIV and AIDS in new vulnerability patterns.

The document summarises existing responses, including their legal framework. This description shows that there is currently a wide range of initiatives and presents some of their positive points, although also showing that there are still some weaknesses and gaps.

Before entering Part II, the purpose of chapter I.4 is to establish a bridge between the analysis of the starting point and the responses to be implemented, by summarising lessons learned and opportunities. In Part II the document presents the strategic component of the Strategy.

Among other important points, the vision and objectives warrant special mention. They incorporate the most relevant message of this document: the need to guarantee expanded basic social protection in order to ensure that the poorest and most vulnerable people are included in the country's development process, based on standards of effectiveness and efficiency and with stronger coordination processes.

The National Basic Social Security Strategy (ENSSB) also presents a set of fundamental principles for intervention in this area. In order to put these principles into practice and achieve the Strategy's objectives, and given the institutional foundations established by Decree 85/2009 of 29 December, the document presents key actions and implementation instruments to improve monitoring of implementation.

In conclusion, there is a point on the main financing issues, including a costing exercise for some of the main options, recognizing the importance of this aspect for expanding basic social protection coverage.

I. BACKGROUND

1.1 Justification

The fight against poverty and support for the most needy people lie at the heart of the priorities of the Government of the Republic of Mozambique and as such the sustainable reduction of this poverty requires adequate social protection for citizens. Without this, it will be difficult for the benefits arising from economic growth and improvements in basic services to reach the most vulnerable population living in extreme and persistent poverty.

This concern is reflected in the Absolute Poverty Reduction Action Plan 2006 – 2009 (PARPA II) where assistance and the social inclusion of the most needy and vulnerable groups is an important element in reducing absolute poverty rates. This inclusion will boost the empowerment process for the most vulnerable people, ensuring their inclusion in the development process. By signing the 2006 Livingstone Declaration the Government reaffirmed its commitment to social protection.

As a member state of the African Union, Mozambique has adhered to the campaign to raise awareness in countries in the region about ensuring an allocation of a least 2% of GDP to the Social Protection area.

As part of its efforts to fight absolute poverty and recognizing the importance and need to protect its poor and vulnerable population, in 2007 Mozambique approved the Law on Social Protection (Law 4/2007 of 7 February) that structures social protection into three levels, including Basic Social Security. Based on the foundations established by the Law, the Government adopted Regulations on Basic Social Security (Decree 85/2009 of 29 December) that establish principles and norms appropriate to the Basic Social Security Subsystem.

Simultaneously, there is currently a profusion of initiatives that can legally fall under basic social security. This situation makes clear that a common instrument that provides guidelines for interventions in this area and a framework for integrated monitoring of the development, impact and costs of the different initiatives are needed.

The ENSSB follows the adoption of the Regulations on the Basic Social Security Subsystem, approved by Decree 85/2009 of 29 December, and a needs analysis that resulted in the definition of the main features and actions for basic social protection over the period 2010 – 2014.

1.2 Socioeconomic context

Mozambique has made remarkable socio-economic progress. Nevertheless, there are still important challenges as regards the need for social protection for its citizens, as shown by the following brief analysis.

The country has achieved substantial economic growth. Following cumulative economic growth of 62% between 1997 and 2002, since 2003 Mozambique has continued to achieve annual GDP growth of around 7%¹. Between 1997 and 2002, overall monetary poverty levels fell by 15%, from 69% in 1997 to 54% in 2003².

Despite this growth, a large part of the population still faces considerable economic and social insecurity. It is clear that the improving economic indicators have not been reflected in similar poverty reduction rates. Other

1 World Bank data

2 Data from the Report on Well-being in Mozambique: Second National Assessment, based on the 2003 Household Survey.

indicators illustrate this concern, such as low average life expectancy (42.4 years in 2006), low adult literacy (43.8%) and high malnutrition rates. In 2006, 24% of children aged between zero and five years had low weight for their respective age³.

Main causes of poverty and vulnerability in Mozambique

- The rural population is dependent on subsistence agriculture (over 95% are peasant farmers) with low productivity (IFTRAB 2004/05)
- Exposure to shocks linked to natural disasters and climate change;
- Low employment levels (less than 5% of the economically active population has wage work in the formal sector).
- Fluctuating prices;
- The spread of HIV and AIDS (in 2004 prevalence nationwide was 16.2% among people aged 15-49 years);
- Food insecurity (that affects 41% of the population - DHS 2003);
- Weak access to quality basic services (health, education, among others).

Poverty and vulnerability are not internally homogeneous. Poverty and vulnerability levels vary according to household composition, socio-cultural factors (gender in particular) and location.

As regards household composition, larger households and those with higher dependency levels (containing proportionately more people physically unable to work) are more likely to be in the poorest population quintiles.

Extremely dependent households are those comprising only or mainly elderly, disabled and chronically ill people, households with only elderly people and children or households that are headed by children.

One relevant aspect when analyzing vulnerability is the growing impact of HIV and AIDS, which is increasing the number of economically active adults who are unable to work and need special treatment and care, including nutrition.

At the same time the number of orphans and vulnerable children and the number of households with high dependency levels is rising. According to the Report on the Demographic Impact of AIDS by the Multisectoral Technical Group to Support the Fight against HIV and AIDS there were some 1.6 million orphans in 2006. According to UNICEF estimates, AIDS alone was responsible for 626,000 orphans up to 2010.

One important impact of HIV and AIDS is the rising number of situations where elderly people are responsible for educating children. Given the weight of poverty among elderly people, this phenomenon can have a major impact on the education, nutrition, and health of these children.

Also with regard to children, one salient aspect is the information on chronic malnutrition (41% of children under 5 according to the 2003 DHS). This has an impact on infant mortality and morbidity and leads to reduced

³ Data from DHS 2003. This phenomenon, in particular chronic malnutrition, has a profound individual and national impact, leading to a substantial rise in mortality and morbidity among children under five and limiting early childhood development, affecting school performance and attendance, the productivity of adults and the country's development.

early childhood development, affecting school performance and attendance, the productivity of adults and the country's development.

Gender issues also have an important influence on vulnerability and poverty. Households headed by women, especially those widows and in rural areas, are more likely to be poor (62.5% of female-headed households compared to 51.9% of male-headed households)⁴. These households have fewer resources and fewer income options, reflecting the inequality in gender relations in Mozambique that exclude women from access to resources and opportunities.

Another important aspect is the geographic issue. In general, poverty and vulnerability are more common and deeper in rural areas (55.2% rural poverty compared to 51.6% in urban areas and 20.4% compared to 18.9% in the depth of poverty). A more detailed analysis shows that certain districts and administrative posts in particular have higher risk factors and vulnerability rates (due, for example, to climate factors, access to markets, access to water etc).

Another factor to be considered when defining strategies is that vulnerability is seasonal. The vulnerability of both the household and the community is highly seasonal in Mozambique. The period between October and January, corresponding to the end of the dry and planting season, is usually associated with higher food insecurity levels.

In conclusion, despite important economic growth and the reduction in poverty in recent years, poverty and vulnerability are still substantial in Mozambique. Poverty and vulnerability situations include certain categories of people who are particularly affected, with no recourse to any other kind of assistance and who will find it difficult to break out of the vicious cycle of chronic poverty.

1.3 Legal and Institutional Context

In order to address the need to protect its citizens, the Government of Mozambique and other stakeholders have established a basic social protection system. This system has a legal framework and involves various institutions responsible for developing different social protection responses. A brief analysis of these aspects is presented below.

1.3.1 Legal context

The definition of citizens' rights in the Constitution of the Republic of Mozambique (Articles 35, 88, 89, 91 e 95) implies the need to establish a social protection system when it states that all citizens have the right to education, health and housing without any kind of discrimination, as well as protection when incapacitated and elderly.

Following the Constitution, Law 4/2007 of 7 February lays the foundations for the organisation of the social protection system in Mozambique. Article 6 of the Law establishes the Right to Social Protection for citizens irrespective of colour, race, sex, ethnic origin, place of birth, religion, level of education, social position, marital status of parents or profession. According to this Law:

4 Data from the Report on Well-Being in Mozambique: Second National Assessment, based on the 2003 Household Survey.

“The objective of social protection is to alleviate, to the extent possible given the country’s economic conditions, people’s absolute poverty, guarantee the subsistence of workers when they are unable or have limited ability to work, and their surviving family members when such workers die, and provide supplementary survival conditions”.

According to this law, the social protection system has three levels: a) basic social security, b) mandatory social security and c) complementary social security. Basic social security is defined as that covering all citizens who are unable to work, who have no resources of their own to meet their basic needs i.e. people in situations of absolute poverty, children in difficult circumstances, the elderly, the chronically ill and the disabled living in absolute poverty.

People unable to work can include those who are (i) physically unable to work (permanently or temporarily), as well as (ii) those without resources or opportunities to work or to meet their basic needs due to external factors such as social exclusion and absolute poverty itself and/or the impact of shocks (e.g. climate or market shocks).

The Law also establishes that basic social security takes the form of:

- a) Risk allowances (equivalent to social transfers that can be in cash or in kind for primary health protection and granting minimal allowances);
- b) Social support allowances (equivalent to the basic social service allowance, community development programs and projects that give beneficiaries opportunities to meet their own basic needs).

Decree 85/2009 of 29 December establishes that the Basic Social Security system has the following components:

- a) Direct Social Action , managed by the Ministry that oversees the social action area;
- b) Health Social Action, managed by the Ministry that oversees the health area;
- c) Education Social Action, managed by the Ministry that oversees the education area;
- d) Productive Social Action with management shared by Ministries that oversee social action, planning and development, agriculture, labour, public works and housing, and public administration.

1.3.2 Institutional Context

1.3.2.1 Role of the Ministry of Women and Social Action and the National Institute for Social Action

The Law on Social Protection establishes that Basic Social Protection is managed by the Ministry of Women and Social Action (MMAS) as stated in Article 39:

“Basic social security is managed by the Ministry that is responsible for the Social Action area, with participation by non-governmental entities with social purposes and other public administration services.”

The MMAS was created by Presidential Decree 13/2005 of 4 February that defines it as the “central state apparatus body that, in accordance with the principles, objectives, policies and priorities set by the Government, directs and executes policies on the emancipation and development of women and social action in the country”.

The MMAS is represented at provincial level by Provincial Directorates of Women and Social Action (DPMAS) and at district level by District Health, Women and Social Action Services (SDSMAS).

In order to carry out its mandate, in addition to the organisational units and resources that it manages directly, MMAS has a subordinate institution: the National Institute for Social Action (INAS). INAS is the executive arm of

the policies, programmes and strategies defined by MMAS and, according to its Organisational Statutes approved by Decree 46/2005 of 22 November, it “provides social assistance to the most needy individuals and groups of individuals who are unable to meet their basic needs on their own.

INAS is represented throughout the country by 30 delegations that are responsible for implementing and supervising the institution’s various programmes. The DPMAS and SDSMAS coordinate this implementation at district level.

The main State’s social security responses are implemented by MMAS/INAS. They include:

- A. Direct social assistance programmes that focus on extremely poor people who are physically unable to work;
- B. Development Programmes that focus on people who are extremely poor but physically able to work;
- C. Social services providing institutional support to vulnerable people.

A. Direct social assistance programmes that focus on extremely poor people who are physically unable to work:

- **Food Subsidy Programme** – A national programme intended to relieve the subsistence difficulties of destitute groups or individuals who are temporarily or permanently unable to work and unable to meet their basic needs, by transferring cash benefits to programme beneficiaries, the target groups being the elderly, disabled and chronically ill.

Key aspects of the PSA

- The Government of Mozambique's main basic social protection programme
- The only Basic Social Protection Programme created by a legal provision
- The State Budget proposal for 2009 allocated 403 million Mt for PSA, of which 277 million Mt in national funds and 125 million Mt in donor funding.
- It transfers between 100 and 300 Mt/month according to the number of dependent household members
- In 2008 there were 143,455 beneficiary households containing 287,454 individuals; planned coverage in 2009 was 172,000 households.
- Beneficiaries: the elderly (93.5%), the disabled (5.5%) and the chronically ill or people with degenerative diseases (1%)
- Positive aspects:
 - Improved health, nutrition, poverty level and social status of beneficiaries;
 - This regular and predictable cash support has enabled small investments in economic activities or for access to social services.
 - Alleviating the effects of HIV and AIDS in households where elderly people are responsible for orphans and vulnerable children.
- Less positive aspects:
 - Low coverage: less than 20% of households with elderly people, the programme's main target group⁵; the small amount of the subsidy given the current socio-economic reality.⁶

Direct Social Support Programme (PASD) – provides material support for destitute people needing ad hoc support, usually in the form of basic food, school materials for vulnerable children or household items. Beneficiaries are selected on a case-by-case basis. Support can be granted to individuals, households and institutions (e.g. residential care institutions, Old People's Homes).

5 If we consider official data, where over half the population is poor, and taking into account the fact an elderly person is in a particularly vulnerable situation, it is probable that over half the elderly are poor. In this case, the PSA covers less than 20% of the elderly poor - its main target group. The PSA covers an insignificant percentage of the disabled and chronically ill.

6 Studies that led to the establishment of the PSA showed that in order to have a greater impact, the subsidy should be set at 1/3 of the prevailing minimum wage. However, there has been no periodic adjustment of the amount to compensate for inflation and the current basic value of the subsidy (100Mt/month) is merely 1/10 of the current minimum salary.

Key aspects of the PASD

- The State Budget proposal for 2009 contained 64,124.90 Mt for the PASD
- In 2008 it covered 24,224 households with a target of 19,402 for 2009
- Positive aspect: important assistance at times of acute shortage and in immediate risk situations for categories such as vulnerable children, the chronically ill and malnourished nursing and pregnant women.
- Less positive aspects:
 - Inadequacy of ad hoc support and unpredictable situations of temporary shortages that require continuous assistance
 - No harmonisation with other Government programmes and those of other partners
 - It includes a response service for groups with different needs e.g. victims of ad hoc situations such as losing a home, as well as groups with other kinds of needs such as orphans.

B. Development programmes that focus on people who are extremely poor but physically able to work

Development programmes include:

- **Social Benefit Through Work Programme (PBST)** – provides opportunities for access to employment for a specified period (18 months) in exchange for a monthly subsidy;
- **Income Generation Programme (PGR)** – provides the possibility of access to cash or loans for individuals or households to develop economic activities;
- **Community Development Programme (PDC)** – comprises funds granted to the community to build small-scale infrastructure such as health posts or mills etc

Key elements of Development Programmes

- Planned budget for 2009: 44,454.70 Mt (PGR) and 34,321.95 Mt (PBST).
- Direct beneficiaries in 2008: 7,350 (PGR) and 6,275 (PBST).
- Most beneficiaries have been women: 80% in the case of PBST.
- Less positive aspects:
 - ▷ Low coverage: due to the limited budget these programmes are very small,
 - ▷ Overlapping with the objectives of other public programmes,
 - ▷ The income generation project is unsustainable (PGR),
 - ▷ Reimbursement problems when programmes involve loans (PGR),
 - ▷ Involvement in jobs compromised by the weak employment market (PBST),
 - ▷ Difficulties in the close management of projects linked to complexity and need to monitor them given the institutional organisation of INAS, its human resources available and their skills profile.

C. Social services that target vulnerable people

Social services that target vulnerable people comprise the following:

- **Social Units** that shelter vulnerable people who have been abandoned or marginalised (e.g. residential care institutions, Old People’s Homes, and Transit Centres for temporary assistance to the disabled). Public Social Units are managed by INAS that provides assistance in the form of the goods and products needed to maintain them; private units are run mainly by religious institutions.
- **Other social services**, public or private, managed or coordinated by the women and social action sector that receives target groups in institutions. These services include child day care centres and Community Preschools (for children of a preschool age), Children’s Shelters (for children of and on the street or vulnerable children) and Open Community Centres (for the elderly and other vulnerable social groups).
- Other sectors are also responsible for managing social services such as boarding schools and student hostels (Ministry of Education – MINED) and Nutrition Rehabilitation Centres (Ministry of Health – MISAU), Centres for the Rehabilitation and Social Reintegration of Drug Addicts (MISAU and MMAS), “prison schools” (Ministry of Justice).

Key aspects of Social Services

- **Services managed or coordinated by the women and social action sector:**
 - ▷ 34 residential care institutions: 7 public and 27 private,
 - ▷ 174 Assistance Centres for Children of/on the street managed by different religious institutions and civil society,
 - ▷ 25 Old People’s Homes: 11 public and 14 private,
 - ▷ 6 public Transit Centres,
 - ▷ 167 residential care institutions: 16 public and 151 private,
 - ▷ 568 community preschools.
- **Aspects to be improved:**
 - ▷ Low coverage: the services available are insufficient compared to needs,
 - ▷ No systematic mapping of services targeting vulnerable people that, crosschecking with vulnerability mapping, makes it possible to detect and prioritise coverage requirements and eventual duplication,
 - ▷ No up-to-date regulation and control/monitoring system.

1.3.2.2 The role of other public institutions

The Social Action Policy approved by Council of Ministers Resolution 12/98 of 9 April, envisages intervention by different Government and non-governmental sectors to assist the most vulnerable target groups.

In addition, Law 4/2007 of 7 February, the Law regulating social protection in Mozambique envisages intervention by other sectors, not just MMAS, to guarantee basic social security.

Consequently, some Government sectors, especially those in social areas but not excluding those in the productive area, have specific social assistance programmes for the most vulnerable groups that make a substantial contribution to basic social protection for their beneficiaries, as shown below.

Health social assistance

Decree 85/2009 of 29 December establishes that Health Social Action is managed by the Ministry that is responsible for the Health area.

There are a variety of health sector initiatives to promote access by poor and vulnerable people to its services. We shall not itemise them all but merely highlight the following:

- **Universal exemption** by the Ministry of Health (MISAU) in access to health services for certain categories of beneficiaries (pregnant and nursing women, children under 5) and for certain categories of illness including tuberculosis, leprosy, HIV and AIDS.
- MISAU is studying the launch of a micronutrient supplement programme for the following groups: pregnant and lactating women; children aged 6 to 24 months; adolescent girls (13 – 18 years) to prevent chronic malnutrition and anaemia problems;
- In collaboration with INAS and the World Food Programme (WFP), MISAU is analysing different options for providing, during the first six months of treatment a “basic food basket” for malnourished people receiving anti-retroviral (ART) or tuberculosis treatment. .
- MISAU is also analysing conditions for providing support for maternity when they give birth in public units.

Education social assistance

Decree 85/2009 of 29 December establishes that School Social Action is managed by the Ministry that is responsible for the education area.

The Constitution of the Republic establishes that Education is a right and a duty of all citizens. MINED has various initiatives to adjust the teaching process to the learning needs, styles and pace of all pupils. It has been taking educational development measures for pupils in general and those in basic education in particular, through a number of initiatives that include in particular the following

- **Abolition of fees** for primary education through Ministerial Diploma 228/04 of 1 December that establishes the provision of free schoolbooks for all basic education pupils in grades 1 to 7.
- The **Inclusive Schools Programme** that has been implemented in the country since 2000. Its main objective is to make regular primary schools more accessible for all children and young people with or without special education needs, including the disabled by (i) improving teachers’ pedagogical – didactic skills, (ii) increasing the academic success of all children and young people, irrespective of their learning difficulties and (iii) improving institutional management capacity.
- **Education for the Deaf Project**, to develop the education of deaf children and young people in order to improve their opportunities for access to education in their first language (sign language) in accordance with the school curriculum.
- The **Direct Support to Schools Programme (ADE)** provides direct subsidies for all public basic education schools to acquire school materials and help vulnerable children and the most needy girls. It is financed by FASE (Education Sector Support Fund).

- Boarding schools and hostels managed by MINED, for students who need accommodation in order to pursue their studies.
- **Programme to supply a meal** for children in primary education. This is a national programme although it does not yet cover all schools at this level (it covers 167 schools and 260,000 students). In addition to this programme, MINED is also providing food for students in boarding schools and hostels (for some 45,000 students).
- **The Education for Girls Programme, School Health Programme, the Inclusive Education Programme and the School Psychological Support and Counselling Service** are programmes that can also be grouped under education social action.
- **Child Friendly Schools Project** intended to create national capacity for activities that ensure that all children have quality education, especially the most excluded children. The project is being applied in complete primary schools in seven districts, benefiting directly pupils, teachers and communities.
- **Adult literacy programme** that can also be accessed by beneficiaries of social assistance programmes.
- Various donor-supported pilot social assistance initiatives for vulnerable children or girls in particular. However, these initiatives have lacked institutionalisation.

Prevention and mitigation of emergency situations — INGC/MAE

The National Disaster Management Institute (INGC) that replaced the former Directorate for the Prevention and Control of Natural Disasters (DPCCN) is under the Ministry of Public Administration. For many years the DPCCN and its international partners focused on responding to the frequent “emergencies” in Mozambique caused by natural disasters, usually through food assistance and kits that could include basic agricultural inputs such as seeds.

A new approach shows reflects the growing awareness that Mozambique suffers from frequent and to some extent predictable “natural disasters” as they are cyclical events. In this respect one of the objectives of the INGC Master Plan is “to reduce vulnerability to hunger due to drought”.

The current scenario opens up opportunities for a more coordinated link between emergency response and a more systematic response to vulnerability through basic social protection.

Support for agricultural production and food security

As most farmers in Moçambique produce for their own consumption, MINAG has an important role in food security, including for vulnerable people.

In emergency situations such as flooding and drought, MINAG and its partners have organised different forms of support for the people affected, including organising Seed Fairs. Through these fairs vulnerable farmers receive vouchers that they can exchange for basic agricultural inputs, in this case seeds, and this facilitates their access to farming inputs at subsidised prices.

Public Works

Through the Ministry of Public Works and Housing (MOPH), in particular the roads area, there have been various social assistance initiatives associated with public works. Priority for labour intensive programmes in the construction or improvement of roads and other public infrastructure is mentioned in the Government’s Five-Year Programme 2005 – 2009.

However, these initiatives are of an *ad hoc* nature and have not been institutionalised under a more comprehensive national programme.

1.3.2.3 Multi-sectoral initiatives

In addition to the basic social protection initiatives implemented by public entities, others are coordinated or implemented by public and non-public entities, in particular:

- The DPMAS, SDSMAS and INAS Delegations participate with other institutional partners in coordinating or implementing joint programmes to assist vulnerable people, for example: food and schooling support for vulnerable children in collaboration with UNICEF and WFP as well as support for people receiving antiretroviral treatment in collaboration with WFP.
- The Technical Secretariat for Food and Nutrition Security (SETSAN) is responsible for coordinating all actors (governmental and non-governmental) and activities for food and nutrition security. It should, however, be noted that SETSAN's mandate is limited to coordination and it does not have an executive role.
- The National Council to Fight HIV and AIDS (CNCS) has a mandate to coordinate the multi-sectoral response to HIV and AIDS in order to limit the spread of this pandemic and mitigate its impact in Mozambique.
- The National Council for the Advancement of Women (CNAM) has a mandate to promote and monitor the implementation of Government-approved policies and programmes for the women and gender areas, helping to eliminate all forms of discrimination against women. The Council, that is chaired by the Minister who is responsible for the women and social action area, has an Executive Secretariat comprising representatives of all ministries and public institutions as well as representatives of Civil Society Organisations working on women and gender.
- The creation of the National Council on the Rights of the Child and the National Council for the Disability Area should also be mentioned, entities for articulation and inter-sectoral coordination with the aim of supervising and promoting the implementation of policies and programmes for children and the disabled respectively.

1.3.2.4 Coordination

Decree 85/2009 of 29 December created the Coordination Council for the Basic Social Security Subsystem, an entity for inter-sectoral articulation in the implementation of this subsystem. It comprises the Ministers responsible for managing the subsystem's components and also representatives of public and private entities linked to the social action area.

In addition, the existence of the various above-mentioned coordination entities and mechanisms and other forums such as the National Council on the Rights of the Child, the National Council on Disability, the PARPA Social Action group or the Multi-sectoral Nucleus for Vulnerable Children has helped to create a basis for the coordination and harmonisation of basic social protection programmes.

Nevertheless, important challenges remain. These challenges include the current tendency to implement different programmes in parallel and without adequate coordination; no articulation between the response to emergencies and social protection programmes; no adequate database on the numbers and location of the different categories of vulnerable people or a centralised register of beneficiaries of the various social protection programmes, the kind of assistance they receive, and the gaps. These challenges are taken into account in this ENSSB.

1.4 Lessons learned and Opportunities

Based on Mozambique's experience of basic social protection it is possible to draw lessons and detect important opportunities for the design of the ENSSB.

1.4.1 Lessons learned

The regular transfer of income helps to reduce absolute poverty. Experience such as the PSA implemented by the INAS shows that the regular and predictable transfer of income enables beneficiaries not only to address their immediate needs but also to plan their lives better. It promotes socio-economic inclusion, enabling beneficiaries to access basic social services, increase their social status, preserve household productive assets, invest in small economic activities and increase household participation in the economy as consumers.

Social transfer programmes must be institutionalised

The multiplication of small-scale, short-term interventions based on irregular income transfers must be replaced by an integrated system that ensures the scale, sustainability and regularity of transfers, indispensable factors for a more efficient fight against poverty in the short and long-term.

It is important to ensure the biggest impact of transfers

Experience has shown that not only transferring funds regularly, but also an amount that is sufficient to meet the primary needs of the target groups, for example in terms of food and health, enables households to plan better and can have a positive impact on their standard of living.

These transfers can contribute to investments that have long-term effects, for example on the dependents of direct/primary beneficiaries. Such is the case of funds transferred to old people who are responsible for grandchildren because their parents have died. These amounts can be invested in their survival, avoiding the transfer of vulnerability situations from one generation to the next.

The women and social action sector must focus its efforts on programmes where it has the biggest comparative advantage

Given its institutional capacity and resource constraints, and given the scale of existing social protection needs, the women and social action sector will have to focus on priority programmes that fit its mandate and where it has the biggest comparative advantage over other institutions. These criteria indicate direct social assistance for people who are poor and without the physical ability to work, as the priority for the women and social action sector.

Shortcomings in the effectiveness and efficiency of development programmes mean that the implementation of this kind of programme must no longer be the direct and exclusive responsibility of INAS/MMAS.

Simple eligibility mechanisms are the most efficient

When defining mechanisms for identifying the potential beneficiaries of basic social protection programmes, existing administrative capacity must be taken into account. Experience in Mozambique shows that priority should be given to simple mechanisms; these have proved to be the most efficient.

In this respect the case of the PSA should be noted. It has shown that the eligibility of individuals, in this case the elderly, the disabled and the chronically ill, can be an effective entry point for benefiting the household in general. Other criteria, such as the existence of orphans and vulnerable children or malnutrition situations could also be good indicators of household poverty.

In addition, coordinating eligibility for different benefits makes it possible to obtain efficiency gains in basic social protection (for example, linking access to PSA to access to other benefits).

The response to food and nutrition insecurity requires the involvement of basic social protection

Food and nutrition insecurity continues to be one of the biggest challenges in Mozambique. This suggests that a broader and more profound response will be needed to address the causes of this problem. The introduction of basic social protection responses, articulated and coordinated with interventions by other sectors, is thus essential.

Civil society organisations are important partners in providing social assistance to the most vulnerable groups

There is growing understanding of the need to delimit and clarify the range of interventions by on the one hand, entities responsible for defining, monitoring and evaluating policies and on the other hand, executing entities.

In the light of coverage difficulties and high administrative costs, Civil Society Organisations have already shown that they are important partners to ensure greater coverage by basic social protection programmes at the execution level.

However, for this to happen the role of these organisations must be clearly defined and mechanisms for coordinating their intervention need to be strengthened.

The capacity of the basic social protection system must be strengthened

Given both the particular complexity of the fight against major poverty and vulnerability situations and also the volume of these situations in the Mozambican context, the mission of the basic social protection system is an enormous challenge.

Given this challenge, the capacity of the basic protection system must be strengthened, starting with building its efficiency but also by mobilising more resources.

Coordination among the different actors in the system for more concerted action is certainly one of the fronts where there can be efficiency gains (see below) but it is also a mechanism for giving critical mass to interventions in terms of the resources involved.

In addition to coordination, building the capacity of institutions in this system is also vital.

In the case of MMAS/INAS there have to be substantial efficiency improvements in some areas, execution and administration in particular, and in the definition of funding mechanisms for programmes. Moreover, as MMAS/INAS is the institution responsible for coordinating the execution of basic social protection programmes, the sector's financial and human resources must be assessed as they are manifestly insufficient.

Although strengthening coordination and basic social protection institutions will certainly have positive implications for programmes, the design of these programmes is also an area that can be improved for the more efficient and effective use of resources.

Better coordination is needed

The proliferation of vertical programmes implemented by a variety of actors disperses resources and reduces the potential impact of programmes. Articulation and the search for complementarity between the different programmes will permit a more efficient and effective impact on beneficiaries.

1.4.2 Opportunities

The existence of a legal framework that clearly defines the institutional framework and responsibilities in the basic social security field such as Law 4/2007 of 7 February (Law on Social Protection) and Decree 85/2009 of 29 December (approving the Regulations for the Basic Social Security Subsystem), and also Decree 16/1993 of 25 August creating the Food Subsidy Programme provide favourable legal foundations for promoting greater Basic Social Security coverage.

The existence of a growing knowledge base on poverty and vulnerability

There are more and more instruments and analyses on poverty and vulnerability. At the same time these analyses are revealing that many factors linked to vulnerability and poverty are predictable (for example, drought and cyclical floods or population dependency rates). Under these circumstances it is increasingly possible to plan prevention and mitigation interventions to reduce poverty and vulnerability, with Basic Social Protection having a central role.

The PSA as a solid basis for expanding basic social protection

The PSA provides a solid basis for the evolution of more comprehensive and extensive basic social protection. Activities are already underway that make it possible to plan the expansion of coverage, reduce administrative costs and make the programme more effective.

Meanwhile, the PSA shows that by contemplating dependants in the amount of the subsidy the individual beneficiary (the elderly person, the disabled or the chronically ill) can be the entry point for benefiting the household in general. INAS experience in implementing the PSA as a Regular Income Transfer Programme could provide the basis for the possible establishment of other solutions involving expanded coverage to other vulnerable groups.

INGC orientation towards reducing vulnerability to shocks

The implementation of systematic seasonal income transfer programmes targeting people living in areas more susceptible to natural disasters reduces their vulnerability to external shocks. These programmes enable beneficiaries to retain their productive assets in order to overcome the impact of the shock or to make small investments to diversify their sources of income.

In this context, the growing INGC orientation towards reducing vulnerability opens up opportunities for improved coordination between emergency response activities and more systematic basic social protection activities. This will make it possible to strengthen the long-term impact of poverty reduction.

Ongoing decentralisation policies

Current decentralisation policies in Mozambique, promoting stronger budget and administrative capacity in the districts, could facilitate the implementation and coordination of basic social protection programmes, with greater flexibility and relevance at the local level.

The existence of various coordination forums

There have been important steps in the creation of coordination entities and forums, including the Government and its partners. They can be important instruments for strengthening the coordination of basic social protection programmes with consequences for the efficiency and impact of interventions.

Growing partner interest in the basic social protection area

This interest has taken effect in a series of important partnership initiatives between the Government, donors and civil society organisations. The existence of these partnerships and strengthening them could guarantee greater coverage and efficiency in basic social protection programmes.

Basic social protection is already being developed by different governmental and non-governmental actors

The existence of social action programmes run by other Government and non-governmental sectors such as for example, education, health, religious institutions, constitutes added value for strengthening different interventions in this area. These interventions reveal that each sector, according to its mandate, assumes responsibility for working for the more needy groups in the population and positive experience can be obtained to strengthen the basic social protection system.

Growing recognition on the African continent that social protection makes an important contribution to development

There is growing recognition that economic development can only be sustainable if it focuses on the person. A variety of forums on social development in the continent and in the region have stated that building the capacity of vulnerable populations, formulating development strategies, must emphasise guaranteed social protection for all. In addition, various countries have put into practice large scale social protection mechanisms for these groups, such as Social Pensions for the Elderly, social transfers for households with orphans and vulnerable children and social assistance programs linked to public works.

New technologies

Progress in new information technologies, payment systems and communication (such as smart cards and cell phones) could provide good opportunities for innovation to improve the coverage and efficiency (reducing costs) of mechanisms for providing basic social protection.

II. NATIONAL SOCIAL SECURITY STRATEGY

2.1 Vision and Principles

2.1.1 Vision

Basic social protection contributes to an inclusive society where development benefits the poorest and most vulnerable populations, participating in efforts to reduce poverty.

2.1.2 Mission

To unify and guide the efforts of governmental and non-governmental actors in planning and implementing actions for the basic social security of the poorest and most vulnerable groups and individuals, so that it can contribute efficiently and effectively to reducing poverty and to the socio-economic development of the country.

2.1.3 Principles

The ENSSB is led by basic principles that guide its objectives. These principles are described below.

Universality principle

All Mozambican citizens have the right to Social Protection (principle established in the Constitution of the Republic, the Law on Social Protection and the Human Rights Charter). The ENSSB must help all residents in Mozambique without access to Statutory Social Security to have access to a social protection mechanism.

Progressive principle

The country's current financial and institutional capacity to implement immediately this universality of rights is still limited. This reality means that priorities have to be defined and that comprehensive enjoyment of these rights must take place gradually over time.

Equity principle

People living in the utmost poverty and vulnerability are the preferential recipients of basic social protection. As this condition of greater poverty and vulnerability affects in particular women, children, the elderly and adults unable to work, the strategy gives preferential treatment to these groups.

Inclusion principle

The objective of basic social protection is not just to address the most immediate protection needs of the poorest and most vulnerable but also to create conditions for their inclusion as the best way to reduce poverty and vulnerability in the long term.

Promoting inclusion means fighting the different causes of these situations and in this fight regular transfers, guaranteeing access to basic services (health, education etc) and existing economic opportunities have an important role.

Multi-sectoral response principle

As poor and vulnerable people face at one and the same time various dimensions of vulnerability the response must be harmonised and multisectoral. The ENSSB is based on planning and effective coordination among the various basic social protection components and the various social action mechanisms.

Efficiency principle

The country's limited resources to ensure greater coverage by basic social protection programmes compared to needs make efficiency an important principle in this strategy. Minimising the administrative cost per beneficiary is fundamental, as rationalising resources makes it possible to expand basic social protection to other beneficiaries. Similarly, it is vitally important to ensure that basic social protection responses reach their recipients.

Planning, monitoring and learning based on experience are other important aspects of efficiency.

Solidarity principle

Basic social protection is based on the principle of solidarity among citizens, with resources being transferred to those who are poor and vulnerable.

Subsidiarity principle

This principle is intrinsically associated with decentralisation in that, whenever possible, tasks must be carried out by the authorities closest to the citizen. Central authorities must only have a subsidiary function, carrying out functions that cannot be carried out at a more decentralised level.

Participation principle

The definition, implementation, monitoring and evaluation of a strategy is based on the involvement and responsible engagement of all parties interested in basic social protection, including representatives of beneficiaries, civil society organisations, cooperation partners and State entities.

Transparency and accountability principle

The basic social protection system must be able to provide an appropriate response to the different information needs of the various relevant actors in basic social protection. The system's ability to do this is the basis for participation and its legitimacy in the eyes of these actors. Based on the principle of inclusion and participation, it is the duty of the ENSSB to envisage accountability to its beneficiaries and society in general.

2.2 Objectives, Intervention Areas and Key Actions

2.2.1 Objectives

The National Basic Social Security Strategy has the following objectives:

1. To increase the coverage and impact of basic social protection interventions for the poorest and most vulnerable.

2. To increase the efficiency of the basic social protection system.
3. To ensure the harmonisation and coordination of the various basic social protection programmes and services.

2.2.2 Intervention areas and institutional responsibilities

According to the Law on social protection and Article 4 of the Regulations on the Basic Social Security Subsystem, MMAS is responsible for managing this subsystem. Nevertheless, many other crucial stakeholders are involved in guaranteeing basic social security.

This chapter contains a general presentation of the various institutional responsibility areas, based on the definition of the different ENSSB intervention areas.

Based on Article 3 of Decree 85/2009 of 29 December, this Strategy is structured into four intervention areas with their associated specific institutional responsibilities.

2.2.2.1 Direct Social Action

MMAS is responsible for coordination, with implementation by its subordinate institutions and civil society organisations, including religious organisations. Direct Social Action comprises:

a) Regular, unconditional social cash transfers

The PSA is currently the only regular non-contributory social transfer programme in Mozambique. The programme covers households with elderly, disabled and chronically ill people. There are other vulnerable groups that are not covered by any kind of regular transfer such as households with orphans and vulnerable children whose situation justifies a basic social security intervention. The best possibilities for establishing a social transfer system based on one or more allowances that respond to different vulnerable groups that are physically unable to work will have to be analysed.

b) Social transfers over a given period of time

This includes direct social assistance in the form of goods, foodstuffs and service payments for a given period in response to transitional vulnerability situations.

MMAS is responsible for granting this kind of assistance, through INAS, with interventions by Government partners, the health and education sectors in particular, and other non-governmental partners and religious institutions.

c) Social Action Social Services

These services will be part of the services managed by MMAS, social services managed by other Government sectors such as health, education, justice, and services under the responsibility of other non-governmental actors.

MMAS will thus be responsible for the following:

- Managing the Social Services that it already manages (e.g. residential care institutions, Old People's Homes, Transit Centres);
- Covering and inspecting Private Social Units run by civil society organisations, religious institutions or other private entities;

- Creating other social units as needed;
- Providing assistance, when necessary, to social services run by other governmental and non-governmental actors.

MINED will be responsible for managing the social services that fall within its mandate.

MISAU will be responsible for coordinating the management of social services that fall within its mandate.

The Direct Social Action area must also include an intervention that guarantees access by the most vulnerable to their rights as citizens, such as the right to civil registration.

2.2.2.2 Health Social Action

This component will cover actions where the objective is to improve the health of the most vulnerable populations, in particular promoting access to basic health care.

MISAU is responsible for implementing Health Social Action in coordination with MMAS and its subordinate institutions.

2.2.2.3 Education Social Action

This component will cover actions where the objective is to enable the most vulnerable to participate in the education system.

MINED is responsible for implementing Education Social Action in coordination with MMAS and its subordinate institutions.

2.2.2.4 Productive Social Action

This component will comprise activities that promote the socio-economic inclusion of the most vulnerable people who are physically able to work. A National Productive Social Action Programme could be designed to integrate initiatives by different sectors.

Responsibility for coordinating this component should be shared by MMAS (and its subordinate institutions) and various other institutions such as MPD, MINAG, MOPH, the National Disaster Management Institute, the National Vocational Training Institute (INEFP) and District Authorities.

One of the MMAS roles in promoting the economic inclusion of the most vulnerable groups, such as access to micro-finance or the provision of vocational training services, should be to ensure that these people have non-discriminatory, and whenever possible preferential, access to instruments implemented by other institutions which replace direct implementation of programmes.

2.2.3. MMAS role in the implementation of the ENSSB

The role of MMAS in implementation of the ENSSB can be summarised as follows:

a) in the definition of policies and legal instruments:

- ▷ Promoting and defining policies and the legal framework for protecting the rights of vulnerable people;
- ▷ Participating in planning productive social action programmes together with other institutions (MPD, MAE, MINAG, among others);
- ▷ Ensuring vulnerability mapping and a central record of basic social protection programme beneficiaries;

- ▷ Participating in coordinating basic social protection initiatives;
- ▷ Defining the Social Action Fund.

b) in implementation through its subordinate institutions:

- ▷ Implementing Direct Social Action programmes (through INAS);
- ▷ Coordinating implementation with other Government and non-governmental partners

c) in coordination:

- ▷ Coordinating the Council on the Basic Social Security Subsystem;
- ▷ Managing the operation of the **Social Action Fund**.

2.2.4 Key Actions

Objective 1: *Increase the coverage and impact of basic social protection interventions on the poorest and most vulnerable people:*

1. Extending coverage of the current Food Subsidy Programme to a growing percentage of households with people unable to work.
2. Revising eligibility criteria for the current Food Subsidy Programme based on the ongoing evaluations of the programme.
3. Analysing possible ways of providing social transfers to households with orphans and vulnerable children.
4. Ensuring a systematised mechanism for an annual review of the subsidy amount in order to ensure that its purchasing power is maintained (e.g. by indexing it to inflation).
5. Preparing a Social Map covering all Government and non-governmental social services for poor and vulnerable people.
6. Conducting a diagnosis of the institutional capacity of public social services that target poor and vulnerable people.
7. Developing and implementing a plan for expanding and improving the quality of social services for poor and vulnerable people (based on the Social Map, the diagnosis of institutional capacity and vulnerability mapping).
8. Developing a governmental and non-governmental Social Service Procedures Manual directed at poor and vulnerable people.
9. Reviewing the current Direct Social Support Programme, analysing the possibility of dividing it into two distinct interventions for situations of acute vulnerability requiring an intervention:
 - a. in response to situations caused by ad hoc shocks (e.g. funeral expenses) that imply one-off assistance;
 - b. in response to temporary vulnerability situations implying longer assistance (e.g. abandoned children).
10. Conducting a costing exercise for the different options.
11. Analysing the financing options and implementing them.
12. Developing and implementing an advocacy strategy to promote public awareness about basic social security.

These 12 key actions must be part of and be implemented under a **Direct Social Action Operational Plan** to be prepared as follow-up to this Strategy.

13. Creating a mechanism to ensure that the household members benefiting from Direct Social Action are covered by Ministry of Health exemption mechanisms.
14. Introducing a social transfer (cash or kind) for assisted childbirth in a public health unit.
15. Assessing the possibility of creating a systematic nutrition support programme for pregnant women, nursing mothers, children aged between 6 and 24 months and adolescent girls as well as malnourished people in the first six months of antiretroviral treatment.

These three key actions must be part of and be implemented under a **Health Social Action Operational Plan** to be prepared as follow-up to this Strategy.

16. Creating mechanisms to ensure that all children in households with Social Transfer Programmes benefit from Education Social Action support mechanisms.
17. Organising a study and implementing the respective recommendations on the possibility of guaranteeing expansion of the “school food support” programme to all primary schools and eventually to other levels of education.
18. Assessing and resizing the various school social assistance programmes and establishing the necessary complementarity with initiatives by other sectors.

These three key actions must be part of and be implemented under an **Education Social Action Plan** to be prepared as follow-up to this Strategy. It should take into account the various initiatives currently being implemented by MINED.

19. Designing and operationalising an inter-ministerial National Productive Social Assistance Programme in response to chronic food insecurity that is aggravated by structural shocks and risks and the impact of climate change (e.g. drought or unemployment), taking into account the following aspects:
 - a. Implementation of a District or Municipality Programme involving social assistance in exchange for planned work that benefits the community e.g. maintaining tertiary roads, cleaning ditches and works linked to water management;
 - b. Inclusion in the Programme of allowances for people able to work but with incomes below the poverty line. Transfers in rural areas could be seasonal and contribute to the beneficiaries’ food and nutrition security.
 - c. Promotion, under the Programme’s eligibility criteria, of the most vulnerable and marginalised people such as female heads of households, disabled who are able to work and people living with HIV and AIDS.
20. Creating and defining ways of financing and running the Social Action Fund.
21. Promoting mechanisms (e.g. through partnerships with specialist institutions) that ensure that the most vulnerable people have access to the promotion of income generation activities.
22. Ensuring a mechanism that guarantees access to civil registration services for all beneficiaries of Basic Social Security programs.

Objective 2: Increase the efficiency of the basic social protection system:

1. Establishment of a basic social security information system comprising the following:
 - a. Establishment of a system for regular analysis of vulnerability and poverty patterns and trends, linked to the planning cycle;
 - b. Creation of a national basic social security database containing records of beneficiaries of the various basic social security programmes, ongoing initiatives and expenditure;
 - c. Establishment of a monitoring system that permits an assessment of the performance - effectiveness, efficiency and coverage - of each basic social security programme;
 - d. Integration of updated social vulnerability mapping, led by MPD.
2. Design and implementation of a development plan for cadres that establishes mechanisms for building the capacity of the human resources involved in basic social security, especially in the direct social action area, in different fields.
3. Identify and establish partnerships with civil society organisations to test new ways of implementing PSB programmes with the aim of developing more comprehensive and effective methods;
4. Conduct a study and establishing mechanisms (including possible partnerships with the private sector) that permit greater geographical coverage of efficiency and increase the efficiency of Basic Social Protection programmes' distribution networks, including alternative payment solutions.

Objective 3: Ensure harmonisation and coordination of the various basic social protection programmes and services:

1. Create a harmonised mechanism for identifying beneficiaries of Basic Social Security programmes.
2. Record all basic social security beneficiaries in a National Social Action System.
3. Create conditions for the Coordination Council for the Basic Social Security Subsystem, responsible for guiding, monitoring and coordinating the Basic Social Security system, to function.
4. Analyse the best way of expanding the national coordination model to provincial and district levels and promote their implementation.

2.3 Costs, beneficiaries and funding options

As regards Government funding sources, the data show that approximately 0.9% of the 2009 State Budget was allocated to the Women and Social Action sector, with 0.4% of the budget for programmes run by the National Institute for Social Action.

Irrespective of the implementation mechanisms used and recognition of the need to expand social protection to more households and guarantee a bigger impact, this will not be possible if a substantial increase in the State Budget percentage currently allocated to social protection is not obtained.

Given the poverty and vulnerability in the country, as well as substantial additional pressures on the basic social security area due to demographic and social trends arising from, for example, phenomena such as the HIV and aids pandemic, it has been concluded that current budget allocations for the basic social security area are insufficient to ensure that needs are covered considering that the objective of the Strategy is to expand coverage.

If, for example, we analyse coverage by these Programmes of vulnerable groups such as the elderly, the disabled, the chronically ill, orphans and vulnerable children, and if we compare this with existing needs, it is not difficult to conclude that there has to be an effort to find solutions for the expansion of the basic social security funding base.

At the moment it is not possible to present a budget for all the Strategy areas as discussions on the various modalities will be part of the Strategy's implementation. It is, however, possible to present an estimate of targets and cost associated with the objectives of the Direct Social Action area and Productive Social Action, to give an indicative idea of the cost of extending the basic social security foreseen under this Strategy.

The calculations were based on macroeconomic scenarios for the period covered by the Strategy. They were based on projections by the Ministry of Planning and Development for the Medium Term Fiscal Framework 2010 – 2012. In the absence of post-2012 forecasts it was decided to anticipate that trends for the period presented in the report would be maintained.

As the amounts presented were discounted for inflation the formulation of scenarios automatically contemplates indexing the value of transfers to inflation in order to ensure that the purchasing power of beneficiaries is maintained.

The proposals presented are based on projections that anticipate continued substantial economic growth as well as a gradual rise in the total revenue available to the State Budget. However, the proposal implies a gradual rise in the percentages made available for this area in order to ensure that the economic growth process gives priority to people who are normally excluded from the benefits of economic progress, given their limited ability to participate in the process.

Budget projections for the Health and Education Social Action areas will be part of the Operational Plans for each of these areas.

2.3.1 Costing the Direct Social Action area and Productive Social Action

Calculations of regular cash social transfers were based on two Strategy principles: on the one hand, the universality principle and on the other hand, the progressive principle. In other words, the objective of Social Protection guaranteeing coverage of all eligible potential was contemplated, but it was considered that budget constraints in the current state of Mozambique's economic development will not allow this objective to be guaranteed during the life of the ENSSB.

Based on the poverty and vulnerability analysis, the assumptions were coverage of a percentage of households containing elderly, disabled or chronically ill people and a percentage of households with children. The basis for calculating costs was the method used in the current PSA.

In the case of households with elderly, disabled or chronically ill people, it was assumed that the coverage objective at the end of the ENSSB implementation period would be 54% of households in this situation. The assumption of 54% is based on the latest official data on absolutely poor people according to the 2002 Household Survey. So in the next few years the target would be to provide cash transfers to some 523 thousand households containing elderly, disabled or chronically ill people.

Table 1: Cash Transfers to Households with Elderly, Disabled and Chronically Ill People Component

	2010	2011	2012	2013	2014
Beneficiary households	242,296	312,592	382,888	453,183	523,479
Amount to be allocated (million Mt)	668.74	862.75	1,056.77	1,250.79	1,444.80
% OE needed	0.72%	0.90%	1.05%	1.19%	1.31%
Elderly people benefitting directly or indirectly	300,447	387,614	474,781	561,947	649,114
Children benefitting indirectly	426,441	550,161	673,882	797,603	921,324

The impact of HIV and AIDS on our country has had immeasurable effects on the lives of children. In recent years there has been a substantial rise in abandoned orphans and vulnerable children who, because they have lost their parents, must look after themselves and their younger siblings. In some cases we have found that these children have received assistance or have been received by relatives or members of their communities.

This means that the Government must define comprehensive interventions that have a bigger impact on this target group.

It is thus proposed that cash social transfer be expanded to cover households with orphans and vulnerable children. The objective during the Strategy period is to integrate this target group into the systems of regular cash transfers with a target of 5% of households with children (and no elderly people) as a way of guaranteeing coverage of the more severe vulnerability situations in households with orphans and vulnerable children.

Table 2: Cash Transfers for Households with Orphans and Vulnerable Children Component

	2010	2011	2012	2013	2014
Beneficiary households	33,390	66,780	100,170	133,559	166,949
Amount to be allocated (million Mt)	93.26	186.51	279.77	373.03	466.29
% OE needed	0.10%	0.19%	0.28%	0.35%	0.42%
N° beneficiary children	101,766	203,531	305,297	407,062	508,828

These calculations do not have implications for the form these components could take: whether they will be included in a single Programme or whether they should involve two separate payment systems. The objective of these calculations is to analyse the cost of covering a certain percentage of these two groups.

The assumptions used to calculate the cost of Social Transfers for a given period (to address ad hoc emergency situations) were based on the amount for the current PASD implemented by INAS as indicated in the MMAS 2010 Economic and Social Plan. For the remaining years, it was assumed that the percentage allocated to the Programme will be maintained with only a rise in the amounts due to variations in State Budgets in line with the projections.

Table 3: Transfers for a Fixed Period

	2010	2011	2012	2013	2014
Beneficiary households	28,360	29,306	30,776	32,115	33,512
Amount to be allocated (million Mt)	176,911	182,812	191,982	200,335	209,052
% of state budget needed	0.19%	0.19%	0.19%	0.19%	0.19%

In the case of Support for Social units, we used the same method based on the amount indicated in the 2010 MMAS Economic and Social Plan and Budget, considering that the budget percentage for this Programme will remain the same.

Table 4: Support for Social Units

	2010	2011	2012	2013	2014
Beneficiaries	2,175	1,990	2,159	2,253	2,351
Amounted to be allocated (million Mt)	40,743	37,275	40,450	42,211	44,047
% budget needed	0.04%	0.04%	0.04%	0.04%	0.04%

As the Productive Social Action Area is a new Programme, the objective will be to cover 5% of households with economically active members up to 2014 (about 219 thousand households).

Estimates were based on a hypothesis where the social transfer, which would take place once a year (corresponding to one month's participation in public works for community benefit), would be equivalent to 60% of the minimum rural wage, as a way of not acting as a disincentive to participation in the labour market. An administrative cost of 15% was considered.⁷

Table 5: National Productive Social Action Programme

	2010	2011	2012	2013	2014
Amount to be allocated (million Mt)	44,93	89,86	134,79	179,71	224,64
% OE allocated to the Programme	0.05%	0.09%	0.13%	0.17%	0.20%
Beneficiary households	43,818	87,636	131,455	175,273	219,091

In addition to the various interventions proposed under Direct Social action with the Productive Social Action area, the objective of the Strategy until 2014 would be to guarantee the allocation of funds equivalent to 2.16% of the State Budget.

⁷ It will, however, be necessary to consider that ways of implementing this Programme still need precise definition. These forms were only considered for cost simulation purposes.

Table 6: Total Costs for the Direct Social Action and Productive Social Action Area

	2010	2011	2012	2013	2014
Amount to be allocated (million Mt)	1,024.58	1,359.21	1,703.76	2,046.08	2,388.83
% budget to be allocated to Programmes	1.10%	1.41%	1.69%	1.94%	2.16%

2.3.2. Beneficiary households

Table 7: Total beneficiaries

	2010	2011	2012	2013	2014
Number of beneficiary households	350,039	498,304	647,448	796,383	945,382

The objectives of the ENSSB is for the various programmes to cover **945,382** households up to 2014, providing regular support (i.e. Cash Transfers for Households with Elderly Disabled and Chronically Ill people, Cash Transfers for Households with Orphans and Vulnerable Children and the National Productive Social Action Programme) corresponding to 20% of households (one fifth of households).

All these calculations were based on the calculation of the State Budget at constant prices (with 2009 as the base year), starting from the principle that the value of the various allowances is indexed to inflation.

2.3.3 Financing options

The need to allocate more funds to assist the most vulnerable populations raises the budget issue as an essential aspect in achieving the objectives proposed in the Strategy.

Given the budgetary needs indicated in budget terms as compared to the amounts currently provided by the State Budget, a variety of different funding solutions will have to be found to complement current State Budget efforts.

An analysis of current funding potential that is not limited to transferring funds from some sectors to others is relevant. There has to be an analysis of the potential in the country's economic scenario to find innovatively and sustainable long-term solutions.

As the calculations are only indicative, it will be necessary to use the final data from the 2007 census and data provided by the more recent Household Survey and the Multiple Indicator Survey. There will have to be an analysis of social vulnerabilities in order to obtain a more correct, up-to-date picture of the people currently potentially eligible for basic social protection programmes.

The Strategy contemplates the creation of a Social Action Fund to finance basic social security initiatives.

The possibility of financing through the Sector Support Group could also be assessed.

Opting for any of the alternatives will entail having a mechanism for the more efficient provision of basic social security services as rationalisation of administrative costs is required.

Given the characteristics of this kind of allowance one important aspect to be considered is the sustainability issue. In other words, irrespective of the solution found it is important to ensure that the **main source of funds** allocated to this area comes from the **State Budget**, particularly in the case of allowances for an undetermined period, as it must be guaranteed that irrespective of the availability of external funds, the Government is able to pay allowances.

2.4 Critical success factors

In order to achieve the Strategy's objectives a number of challenges have to be overcome. The determining factors include in particular:

- Raising the necessary funds to guarantee the expansion of transfers. The ability to arrange funds, whether from the State Budget or alternative sources, will be decisive for guaranteeing the expansion of the number of people covered by basic social protection as well as the impact of allowances. Innovative solutions will have to be found as an important factor in the success of the ENSSB.
- Increasing the operational capacity of the institutions implementing basic social security programmes is also a decisive factor in ensuring the success of the proposed objectives. Without this development, it will be difficult to implement the expansion process effectively and efficiently. There must be an important investment in this aspect, exploring the technical assistance capacity provided by partners.
- One of the strategy's innovative aspects is the establishment of stronger and structured relations between the different actors with responsibilities in the basic social protection area. The dynamics of collaboration between the various stakeholder actors and the ability to find more adapted and more efficient coordination mechanisms from the beginning of the Strategy's implementation will be essential for its success.
- Public perception of social assistance as a factor that promotes social and economic development is essential for ensuring the commitment of the different actors and has direct consequences in terms of funding and collaboration between them.

Decree /2011, Regulations of the Coordination Council of the Basic Social Security Sub-system

MINISTRY OF WOMEN AND SOCIAL ACTION Ministerial decree No. / 2011 of (DRAFT)

Since it has become necessary to ensure the implementation of the Basic Social Security Subsystem, pursuant to paragraph 2 of Article 22 in conjunction with Article 5 of the Regulations for Basic Social Security, approved by Decree No. 85/2009 of 29 December, the Minister of Women and Social Action determines:

SOLELY: The Regulations for the Coordination Council of the Basic Social Security Sub-system, as an annex to this diploma and as an integral part of the diploma, are approved.

Iolanda Maria Pedro Campos Cintura

Minister of Women and Social Action

CHAPTER I GENERAL PROVISIONS

ARTICLE 1 (Description & objectives)

The Coordination Council of the Basic Social Security Subsystem, hereinafter referred to as CCSSSB, is an inter-sectoral coordination organ. Its objective is to coordinate activities that ensure basic social security, which is provided by the Government and other non-governmental institutions for the benefit of persons or groups of people who find themselves in situations of poverty and vulnerability.

ARTICLE 2 (Scope of application)

The scope of application of these Regulations comprises the provisions of Article 2 of the Basic Social Security Regulations, approved by Decree No. 85/2009 of 29 December.

ARTICLE 3 (Subsystem Components)

1. State intervention in CCSSSB at central level is comprised of four components, namely:
 - a) Direct Social Action, managed by the Ministry that oversees the social action area;
 - b) Social Action in Health, managed by the Ministry that oversees the health area;
 - c) Social Action in Education, managed by the Ministry that oversees the education area, and
 - d) Productive Social Action, jointly managed by the Ministries that oversee the areas of social action, planning and development, agriculture, labour, public works, housing and state administration.

2. At the local level, interventions are made by the Provincial Coordination Council of the Basic Social Security Subsystem, hereinafter referred to as CPSSSB.

ARTICLE 4 (Tasks)

The tasks of CCSSSB are as follows:

- a) Intersectoral coordination in the formulation and implementation of policies and programmes that contribute to the basic social security of persons or groups of people living in absolute poverty or vulnerability, without means to meet their needs;
- b) Guidance, monitoring and coordination of interventions that contribute to Basic Social Security;
- c) Coordination of interventions from other state agencies and non-governmental social entities.

ARTICLE 5 (Competencies)

It is incumbent upon the CCSSSB to:

- a) Assess proposals for policies, strategies, programmes and other interventions that contribute to the Basic Social Security of people living in situations of poverty and vulnerability without the means to meet their basic needs.
- b) Ensure the harmonized and integrated approach of programmes and interventions that contribute to the basic social security of the most vulnerable target groups;
- c) Promote the dissemination of legislation, policies and strategies related to the basic social security of vulnerable groups;
- d) Achieve coherence between the interventions of state organs and those of non-governmental organisations and religious institutions in the components of direct social action, social action in healthcare, social action in education and productive social action;
- e) Harmonize the reports submitted by state agencies and non-governmental entities – components of the subsystem – with regard to the activities carried out in the context of basic social security;
- f) Ensure the harmonization and sharing of information related to the Basic Social Security Subsystem;
- g) Undertake advocacy actions on the importance of basic social security;
- h) Promote social investments in groups living in situations of poverty and vulnerability;
- i) Coordinate with other intersectoral coordination mechanisms that intervene in the area of basic social security.
- j) Issue guidelines in the context of the management of the subsystem, in order to improve the undertaken activities.

CHAPTER II

THE COMPOSITION AND FUNCTIONING OF THE BODY

Section I

Composition and Functioning of the CCSSSB

ARTICLE 6

(Composition)

1. The Basic Social Security Subsystem Coordination Council is comprised of members of the government that oversee the following areas:
 - a) Women and Social Action;
 - b) Health;
 - c) Education;
 - d) Planning and Development;
 - e) Agriculture;
 - f) Public Works and Housing;
 - g) Labour; and
 - h) State Administration.
2. The Basic Social Security Subsystem Coordination Council also includes:
 - a) The Executive Secretary;
 - b) Five representatives of national non-governmental organisations whose activities fall within basic social security;
 - c) Three representatives of religious organisations.
3. Representatives from other state agencies, institutions or public or private entities may attend meetings of the Coordination Council, according to the nature of the matter at hand, the provisions of paragraph 1 of Article 10 of this Regulation not being communicated to them.

ARTICLE 7

(Chairmanship)

The Coordination Council of the Basic Social Security Subsystem is chaired by the Minister who oversees the Social Action area and assisted by a Vice-Chairman appointed on a rotating basis, for a period of two years, among the ministers who oversee the areas of Health and Education..

ARTICLE 8

(Competencies of the Chairman)

1. Incumbent upon the Chairman of the CCSSSB:
 - a) To lead and represent the CCSSSB;
 - b) Call and preside over CCSSSB's meetings;

- c) Submit to the Council of Ministers reports on the degree of implementation as well as proposals or recommendations concerning the activities of CCSSSB;
 - d) Appoint and dismiss the Executive Secretaries of the CCSSSB and CPSSSB.
2. Incumbent upon the Vice-Chairman of the CCSSSB:
 - a) To assist the Chairman to lead the CCSSSB;
 - b) Replace the Chairman of CCSSSB in case of absence or impediment.

ARTICLE 9 (Functioning)

The CCSSSB meets in regular sessions every six months, and extraordinarily whenever necessary, and shall be convened by its chairman.

ARTICLE 10 (Deliberations)

1. The deliberations of CCSSSB are taken by consensus or by majority votes of the members present. If consensus or majority vote do not exist, the chairman has the casting vote.
2. The deliberations have a compulsory nature when their content relates to CCSSSB's internal functioning. In other cases they have the character of a recommendation, subject to the consideration of the competent authorities or entities.

ARTICLE 11 (Appointment of other members)

1. Members of CCSSSB referred to in subparagraphs b) and c) of paragraph 2 of Article 6 of these Regulations are appointed by the competent authorities of the institutions of origin.
2. The appointment of members referred to above should be based upon the identification of individuals with the ability to honourably represent their entity of origin.

Section II Composition and Functioning of the Provincial Coordination Councils of the Basic Social Security Subsystem

ARTICLE 12 (Composition of CPSSSBs)

1. The Provincial Coordination Councils of the Basic Social Security Subsystem are comprised of the provincial directors that oversee the following areas:
 - a) Women and Social Action;
 - b) Health;
 - c) Education;
 - d) Planning and Development;

- e) Agriculture;
 - f) Public Works and Housing;
 - g) Labour; and
 - h) State Administration.
2. The Basic Social Security Subsystem Provincial Coordination Councils also incorporate:
- a) The Executive Secretary of CPSSSB;
 - b) Five representatives of provincial non-governmental organisations whose activities fall within the provision of basic social security;
 - c) Three representatives of religious organisations.
3. Representatives from other state agencies, institutions or public or private entities may attend meetings of this Council, according to the nature of the matter at hand, the provisions of paragraph 1 of Article 10 of this Regulation not being communicated to them.

ARTICLE 13
(Functioning of the CPSSSBs)

1. The Basic Social Security Subsystem Provincial Councils are chaired by the Provincial Directors that oversee the social action area.
2. The operating mode of the CPSSSBs follows, with the necessary adaptations and conveniences, the precepts of Articles 9 and 10 of this Regulation.

CHAPTER III
SUPPORTING BODIES

Section I
Executive Secretariat

ARTICLE 14
(Nature and composition of the Secretariat)

1. The Executive Secretary is a technical and proactive management body of the activities defined by CCSSSB.
2. The Executive Secretariat consists of the Executive Secretary who leads it, and a body consisting of technicians and support staff, whose profile and number shall be determined in a specific diploma.

ARTICLE 15
(Competencies of the Secretariat)

It is incumbent upon the Executive Secretary to:

- a) Ensure the technical and administrative support to the activities of CCSSSB;
- b) Prepare proposals for CCSSSB plans and programmes, taking into account its mandate;
- c) Prepare documents containing resolutions and proposals to be submitted to the competent bodies;

- d) Collect and systematize all the information on the control of the activities of CCSSSB, and submit it for consideration;
- e) Prepare CCSSSB reports as well as work agendas and summaries of sessions, in coordination with members of the Council;
- f) Mobilise financial and material resources for the implementation of the activities of CCSSSB;
- g) Manage financial and material resources allocated to CCSSSB;
- h) Comply with other tasks as assigned by the Chairman.

ARTICLE 16
(Competencies of the Executive Secretary)

It is the responsibility of Executive Secretary of CCSSSB to:

- a) Coordinate the activities of the Technical Committee;
- b) Manage the human resources allocated to the Council;
- c) Ensure the technical and logistical support to the Council meetings;
- d) Perform other tasks as assigned by the Chairman.

Section II
The Technical Committee

ARTICLE 17
(Technical Committee)

1. The Technical Committee is a CCSSSB supporting body that is composed of technicians from government agencies, public institutions and civil society that are part of the CCSSSB, which are appointed by their respective managers.
2. The Technical Committee is headed by the President of CCSSSB and can be delegated to the Executive Secretary.

ARTICLE 18
(Mandate of the Technical Committee Members)

1. Technical Committee members from ministries and other public institutions are permanent, and their replacement can occur only on serious grounds relating to service, by impediment or by disciplinary action.
2. The mandate of the representatives of private entities is five years and is renewable.

ARTICLE 19
(Duties of the Technical Committee Members)

It is the duty of members of the Technical Committee to:

- a) Actively participate in the activities of the CCSSSB, including those involving domestic and foreign travel;
- b) Participate in the preparation of plans, programmes or projects to be undertaken by the CCSSSB, based on the contributions and the reality of the respective sector;

- c) Take part in discussions and deliberations of the Technical Committee;
- d) Promote the integration of issues related to basic social security in plans and programmes and increase the flow of information about this matter in the respective sector;
- e) Participate in training, capacity building and exchanges of experiences that may take place in the country or abroad;
- f) Comply with the tasks as assigned by the President of CCSSSB;
- g) Report to the manager of the relevant sector about the work in the Technical Committee and serve as a vehicle for the transmission of the recommendations of this body.

ARTICLE 20
(Sessions of the Technical Committee)

1. The Technical Committee ordinarily meets every two months and extraordinarily whenever the needs require, being convened and chaired by the Chairman of the CCSSSB, whom may delegate to the Executive Secretary.
2. Regular sessions are held the first week of the month to which they relate and shall be convened with a minimum advance of eight days;
3. The annual debriefing session is held before January 5.

ARTICLE 21
(Deliberations of the Technical Committee)

1. The Technical Committee deliberations shall only be valid in sessions where more than half of its members are present.
2. The deliberations of the Technical Committee are taken by consensus or a majority vote on the part of the members present; if these do not exist, in case of a tie, the Chairman exercises the right to the casting vote.
3. The deliberations of the Technical Committee take compulsory nature when their content relates to its internal operations; in the remaining cases, they have the character of a recommendation to the CCSSSB.
4. The sessions of the Technical Committee cover all matters relating to the duties or competencies of CCSSSB as well as on issues relating to its operation.

ARTICLE 22
(Articulation)

1. The CCSSSB, in the exercise of its competencies, articulates and coordinates with the various sectors of the state, government institutions and civil society, for the materialisation of its objectives.
2. The CCSSSB gives priority to the articulation with the Labour Advisory Committee, as a consultative and advisory organ to Government, on matters of social protection and to share information related to the basic social security subsystem.
3. The CCSSSB prioritises the coordination with other existing intersectoral coordination mechanisms, ensuring a specialised approach to the issues related to the priority target groups for basic social security.

CHAPTER IV FINAL PROVISIONS

ARTICLE 23 (Operation Costs)

1. The operation costs of the Basic Social Security Subsystem Coordinating Council are supported by budget allocations which are entered under its specific heading in the State Budget.
2. In addition to what is referred to in the paragraph above, it can benefit from:
 - a) Contributions, donations, grants from public or private entities, domestic or foreign;
 - b) Any assets received by inheritance or bequest, and
 - c) Other forms allowed by law.

ARTICLE 24 (Attendance Fee)

Through effective participation in the sessions, members of the CCSSB Technical Committee have the right to receive an attendance fee in the value set by the current legislation.

Decree 52/2011, Basic Social Security Programmes

Council of Ministers:

Decree No. 52/2011

of October 12

Being necessary to operationalize the National Strategy for Basic Social Security, approved by Resolution No. 17/2010 of 27 May, in accordance with Article 56 of Law No. 4/2007 of 7 February, the Council of Ministers decrees:

ARTICLE 1 (Establishment)

1. Creates the Basic Social Security Programmes to be implemented by the Ministry of Women and Social Action through the National Institute of Social Action, namely:
 - a) Basic Social Subsidy Programme;
 - b) Direct Social Support Programme;
 - c) Social Action Social Services Programme;
 - d) Productive Social Action Programme.
2. In the implementation of the Basic Social Security Programmes may intervene religious institutions, non-governmental organisations, associations and private sector, through outsourcing.
3. The implementation of the Productive Social Action Programme is done jointly in accordance with subparagraph d) of Article 3 of the Regulations on Basic Social Security, approved by Decree No. 85/2009 of 29 December.

ARTICLE 2 (Basic Social Subsidy Programme)

The Basic Social Subsidy Programme consists of regular monthly cash transfers for an indefinite period, to assist households without any members with ability to work, without means to meet their basic needs and which are headed by elderly people, people with disabilities and people with chronic and degenerative diseases.

ARTICLE 3 (Direct Social Support Programme)

The Direct Social Support Programme consists of social transfers over a given period of time in kind or the payment of services aimed at addressing situations of shocks that exacerbate the degree of vulnerability of persons or households in situation of poverty and without means to meet their basic needs, including:

- a) Households headed by children aged twelve to eighteen;
- b) Households with children recovering from a situation of acute malnutrition, for a period of two years which may be extended for the same period based on a medical evaluation;
- c) Heads of households in situation of temporary incapacity to work, up to a maximum period of one year and six months;
- d) Elderly and people with chronic and degenerative diseases who are bedridden;

- e) People in the process of reintegration in family and society, at the time of reunification;
- f) Persons with disabilities requiring compensation means;
- g) People living with HIV and AIDS on antiretroviral treatment, up to six months.

ARTICLE 4
(Social Action Social Services Programme)

1. The Social Action Social Service Programme consists in the guarantee of institutional care in Residential Care Centres, Old Age Homes, Transit Centres, Open Centres and centres for abandoned people with acute disabilities, as well as providing guidance and family reunification of the most vulnerable abandoned groups, living in situations of poverty.
2. The Social Action Social Service Programme has two components, which are:
 - a) Institutional Care;
 - b) Guidance and Family Reunification.
3. Institutional care consists of assistance and shelter in social units for vulnerable people living in situation of poverty, abandoned or marginalized, namely:
 - a) Children in difficult situations;
 - b) Elderly, abandoned persons;
 - c) Persons with disabilities;
 - d) Repatriates;
 - e) Persons victims of violence and/or trafficking;
 - f) Population living on the street and in the process of reintegration.
4. Guidance and Family Reunification consists in the development of targeted actions to combat mendacity and the phenomenon of children on the street and social information and guidance to people in poverty and vulnerability.

ARTICLE 5
(Productive Social Action Programme)

1. The Productive Social Action Programme, consists in the development of activities to promote the socio-economic inclusion of people in poverty and vulnerability with capacity to work, with priority given to households headed by women, to people with disabilities and with children with problems of malnutrition. The programme has two components:
 - a) Labour-intensive Public Works;
 - b) Support and Development of Income Generation Initiatives.
2. Labour-intensive Public Works consists in ensuring the protection of households in situations of risk and vulnerability by attributing a monetary transfer in exchange for public services.

3. The Component for Support and Development of Income Generation Initiatives consists in the promotion of opportunities for self-support through self-employment for individuals living in situations of poverty with capacity to work.

ARTICLE 6 **(Forms of Access)**

1. For the beneficiaries to access the programmes, the template of the social assistance card and booklet, annexed to this Decree, are approved.
2. The documents constituting the application process for access to the programmes of paragraph a), b) and c) of No.1 of Article 1 of this Decree are exempted from fees, levies or taxes.
3. The beneficiaries of the different programmes, with the exception of the basic social subsidy programme, should not receive assistance from more than one basic social security programme established by this Decree.

ARTICLE 7 **(Assistance in the event of death)**

In case of death of the direct beneficiary of the basic social security programmes, members of the respective household will continue to receive assistance for a period of two months after the death. During this period a reassessment of the vulnerability should take place in order to continue receiving social assistance.

ARTICLE 8 **(Value of Transfers)**

The value of monetary subsidies to be transferred to the beneficiaries of the basic social subsidy programmes, direct social support programmes and in the component of public works with the use of labour-intensive programmes can be reviewed annually by the Council of Ministers.

ARTICLE 9 **(Regulation)**

Incumbent upon the Minister who oversees the area of Social Action to approve procedures to implement the programmes referred to in subparagraphs a), b) and c) No. 1 of Article 1 of this Decree, after consultation with the Coordination Council of the Basic Social Security.

ARTICLE 10 **(Revoking Norm)**

The Decree No. 16/93 of 25 August is repealed as are all laws contrary to the provisions of this Decree.

Approved by the Council of Ministers on 6 September 2011.

To be published.

The Prime - Minister,

Aires Bonifácio Baptista Ali.

REPÚBLICA DE MOÇAMBIQUE
CARTÃO DE ASSISTÊNCIA SOCIAL Nº _____
NOME DO CHEFE DO AGREGADO FAMILIAR _____
DATA DE NASCIMENTO _____ NATURALIDADE _____
SEXO { Masc. / Fem. }
DOC. Nº IDENTIFICAÇÃO _____ GRUPO ALVO _____
Assinatura do Chefe do Agregado Familiar _____
Nº DE MEMBROS DO AGREGADO FAMILIAR _____

EMITIDO A _____ VALIDO ATÉ _____
ENDEREÇO DO CHEFE DO AGREGADO FAMILIAR _____
PROVÍNCIA _____ DISTRITO _____
BAIRRO/AV./Q. _____
NOME E DATA DE NASCIMENTO DOS MEMBROS DE AGREGADO FAMILIAR
_____/_____/_____
_____/_____/_____
_____/_____/_____
_____/_____/_____
_____/_____/_____
_____/_____/_____
O Ministro da Mulher e da Acção Social

FOR FURTHER INFORMATION CONTACT:

MINISTRY OF WOMEN AND SOCIAL ACTION -21 350300

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NATIONAL INSTITUTE OF SOCIAL ACTION (INAS) - 21312045/6 CEL: 823190250

MINISTRY OF HEALTH (MOH) - 21427131/4 Toll-free: 84 150

MINISTRY OF EDUCATION (MoE) -21490677 Toll-free: 800 480 700

MINISTRY OF JUSTICE - NATIONAL DIRECTORATE OF REGISTRY AND NOTARIES (DNRN) - 2132416: 21314940
Toll-free: 800 000 012

INSTITUTE FOR LEGAL AID AND ASSISTANCE (IPAJ) - 21307103; 21333041

MINISTRY OF INTERIOR (MINT) - 21303501; 21320132/3 Toll-free: 112 and 119



REPUBLIC OF MOZAMBIQUE

SOCIAL ASSISTANCE BOOKLET

INSTRUCTIONS:

Types of Social Assistance

Direct Social Action

In this Booklet the various types of assistance provided under the Basic Social Security will be registered:

- Regular Monetary Social Transfers (MMAS);
- Social Transfers for a definite period (MMAS);
- Social Services of Social Action (MMAS);
- Social Action in Health (MOH);
- Social Action in Education (MoE);
- Legal Assistance (MIJUS).

REGISTRATION OF TYPE OF ASSISTANCE

All kinds of social assistance received directly by the beneficiary or his dependents are recorded, and the providing institution shall make a note of:

Type of assistance Providing Institution (acronym of the institution, social assistant's signature and date)...
Note: All situations deserving special care shall be recorded in a note and the prescriber must sign and date it.

NOTE: Present this booklet whenever you receive a social benefit.

MAIN RIGHTS OF CITIZENS

The Constitution of the Republic of Mozambique promotes a society of social justice based on respect for rights, duties and individual and collective freedom of citizens.

To materialize these objectives, the Constitution and other legal instruments in force in the country establish Economic and Social Rights, of which this Booklet emphasizes the following:

- Right to Registration – Article 34
 - Right to Health, medical and health care – Article 89
 - Right to Education – Article 88
 - Right to decent housing – Article 91
 - Right to Assistance in case of disability or old age – Article 95, in conjunction with Article 124
- Among others, Persons with Disabilities have the right to special protection of the family, society and the State – Article 37, in conjunction with Article 125.

Among others, Children are entitled to protection and care necessary for their well-being – Article 47,
Among other rights, the State guarantees citizens’ access to courts and guarantees defendants the right to legal assistance and legal aid – Article 62 The State recognizes and guarantees, under the law, the right to inheritance

– Article 83

Right to Social Assistance – Law No.4/2007 of 07 February.

Right to Protection of the Family, Society and State in relation to children, particularly orphans, the disabled and ...

REGISTRATION OF TYPE OF ASSISTANCE

TYPE OF ASSISTANCE	PROVIDING INSTITUTION	NOTES
 /.... /....	
 /.... /....	
 /.... /....	
 /.... /....	
 /.... /....	

TIPO DE ASSISTENCIA	INSTITUIÇÃO PROVIDORA	OBSERVAÇÃO
 /.... /....	
 /.... /....	
 /.... /....	
 /.... /....	
 /.... /....	

