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THE INFORMATION AND REFERRAL SERVICE
AND PROVINCIAL FUND (IRS/PF) FOR
THE REINTEGRATION OF DEMOBILIZED SOLDIERS IN MOZAMBIQUE

STUDY OF DEMOBILIZED SOLDIERS FACING DIFFICULTIES
IN THE REINTEGRATION PROCESS

FINAL REPORT

Prepared under USAID/Mozambique's
Demobilization and Reintegration ^{Support} Project,
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Prepared for:

International Organisation for Migration

Prepared by:

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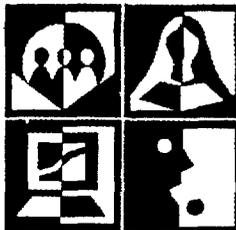
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I. Executive Summary

This report presents the findings, conclusions and recommendations of a study conducted by Creative Associates International Inc. (CAII) in August, 1996, for the International Organization for Migration (IOM).

As IOM's Information and Referral Service/Provincial Fund (IRS/PF) project and other projects aimed at facilitating the reintegration of demobilized soldiers (DS) in Mozambique near completion, it is necessary to analyze the potential risks posed by soldiers who have continued to encounter difficulties in reintegrating into civilian society. **The objectives of this study were twofold:**

- To anticipate any potential threat by DS to lasting stability in Mozambique
- To make recommendations for future reintegration programming, based upon lessons learned from the Mozambican experience.

In order to implement the study, a team of consultants conducted extensive research in regions identified as being "high risk areas", gathering quantitative and qualitative data through in depth interviews with DS and other stakeholders at grassroots levels.

High risk areas, as defined in the Scope of Work, are those with high concentrations of DS, particularly **scarce employment opportunities, a high percentage of disabled DS and, incidence of political tension and/or incidents of unrest.** These criteria were constructed and measured by IOM and passed on to the team for area identification for this study.

A. Summary of Findings and Conclusions

The team's was able to draw conclusions in the following areas:

Reintegration Process:

Despite the team's concentration on high risk groups, DS seem to be reintegrating well into society. In most areas it was difficult to distinguish between DS and non-DS members of the community. In fact, in many rural areas (except those of intense military presence), community members did not know who the demobilized were or in which army they served. In addition, the DS perceive themselves as reintegrated facing the same or similar problems as the general population. This was confirmed by community leaders in virtually every location visited. The team concluded that despite difficulties faced by these especially vulnerable DS, reintegration has been overall successful as a result of reintegration program assistance, self-initiative, or both. The team also concluded that the current status of reintegration, as perceived by DS and communities, very closely reflects the program's original purpose, design and scope as described in A Feasibility Study of Referral Services for the Demobilized (CAII, 1993) implemented by the IOM as the IRS/PF reintegration project.

The team was also able to confirm two consecutive stages of reintegration, each with its own challenges and programming needs:

1. Social reintegration - reestablishment of family and dwelling and gradual participation in community structures and;
2. Economic reintegration - access to income or means of subsistence

In all cases, these stages were followed consecutively allowing DS to first reestablish home, family and community followed by income generation activities. It was also noted that over 90% of those interviewed had successfully received their UNOMOZ subsidy (RSS) which could have allowed for the sequence of reintegration which emerged. If no subsidy had been received, it might have been difficult for the reestablishment of family prior to attaining some form of income.

Conflict:

In no cases did DS show disposition towards violence or social disruption. The importance of military structures has clearly waned and community structures (family, traditional authority, community organizations) seem to have replaced military structures in assisting with conflict resolution, problem solving, and social support. Community leaders drew no links between DS and crime or conflict. In some cases, community leaders stated that they even depend on certain DS to assist them in resolving community problems to avoid conflict.

Reintegration Programs:

While it seems that "self-reintegration" (ie. having little or no access to reintegration support programs) has by and large been achieved, reintegration programming was perceived by DS and the community as insufficient in the areas studied. Transparency regarding project selection, a much enhanced outreach program, and follow-up for those activities funded were mentioned as needed programming improvements. This was especially true in areas where: disabled are concentrated (RENAMO camps or FRELIMO centers); rural machamba production and promotion of self-employment are the first choice for economic reintegration and; rural ex-military zones where DS have settled with families.

Avoiding high risk and conflict:

Team members discovered that the success of reintegration programming is affected by factors which may fall outside of its scope or mandate, particularly related to areas of:

Government Responsibility: the need for the Government to fulfill its commitment to provide disabled and severance pensions

Political interventions: unresolved double administrations (ie. those areas where FRELIMO and RENAMO both provide administrators); lack of information or misinformation from political/military authorities to the DS, local administrations or the community; failure to comply with legal rights (eg. tax and land laws) and delivery of benefits (ie. pensions) and; failure to dismantle sites of continued military groupings (ie. disabled camps or centers)

Development needs: little or no access to schools, health facilities, water, markets, formal employment, roads, electricity, etc.

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Community unrest: local crime, manipulation of beliefs in the supernatural, misinformation

Districts which may be in need of further reintegration assistance seem to be those which:

- have concentrated communities of DS living together (especially in rural ex-military zones)
- have concentrated populations of disabled DS who are frustrated about not receiving pensions due to them and have little or no other social or medical assistance
- have agriculture production as a sole means of subsistence

Districts which might be categorized as "high risk" due to potential conflict are those which:

- have hidden or unknown practicing military structures, hidden arms caches or are heavily mined
- have external resources which fuel social disruption
- have convoluted or doubled administration structures
- have little or no correct information regarding rights and benefits or do not secure the enforcement of those rights
- have high rates of civil disobedience

It is true that reintegration programs could have focused on the most vulnerable, including the disabled, ex-military zones and rural dwellers. **While the DS who fit within these categories still feel the need for further reintegration assistance, the team could not conclude that this posed any specific risk to social stability.** While unrest and potential conflict may still result from non-payment of pensions, these isolated incidents could not be generalized to the overall DS population. In addition, although some incidents of crime may involve DS, it cannot be said that DS are specifically disposed to crime any more than any other citizen facing social or economic difficulties.

While additional assistance may be necessary to resolve some reintegration problems, in general they do not warrant classifying DS as a high risk group. Most of the "high risk" factors are not directly related to failures of reintegration programs but to broader social issues. For this reason the team concluded that a clear distinction should be made between needed assistance related to reintegration, which falls within the scope of reintegration programming, and potential high risk or conflict of a political or developmental nature, which needs to be addressed at a governmental level. Both directly affect the ability of DS to reintegrate successfully and therefore should be addressed during the design phase of reintegration problem and managed during the implementation phase.

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B. Summary of Recommendations

1. Recommendations for Reintegration Programming

The team recommends that reintegration programs in areas identified as needing enhanced reintegration assistance should:

1. Ensure assistance to the most vulnerable including: disabled; children with war experience; rural dwellers; communities where DS reside; female DS
2. Assist government agencies responsible for the delivery of reintegration benefits to ensure compliance (pensions, land)
3. Take into account social and economic reintegration phasing and implement programs accordingly.
4. Complement urban or peri-urban programs with ample support for rural areas (where formal employment may not an option), especially related to agriculture, agricultural commerce and local markets, including business licenses and provision of information on the fiscal (tax) responsibilities and land laws.
5. Focus interventions on rural ex-military zones since a high percentage of DS may settle there after demobilization
6. Target concentrations of disabled soldiers in ex-military disabled camps or centers with longer term, sustainable interventions related to ensuring pensions, construction of houses, formulation of non-military disabled centers, family reunification
7. Ensure linkages with local and traditional leaders utilizing a community-based model for activity support rather than or in addition to a DS targeted model
8. Provide support to community groups and organizations in which DS participate
9. Ensure that programmatic reintegration commitments of all implementing partners are fulfilled
10. Ensure information dissemination to ensure understanding of legal rights, procedures and benefits, and transparency for participatory project selection criteria
11. Implement activities to demine and dismantle arms caches in collaboration with DS and community leaders

C. Further Recommendations for Reintegration Support

In light of the findings of this study, the team recommends that attention be paid to those factors which impact on the success of reintegration programs but do not necessarily fall under their mandates. For this reason it is advisable to:

1. Distinguish between political risk, community conflicts and unrest, general development needs and the need for DS reintegration assistance
2. Incorporate lessons learned into future planning and implementation of reintegration programming.

D. Areas for Further Study

In addition, the team suggests the following areas for further study:

1. Profiles of urban DS dwellers
2. Role and necessity of the reintegration (RSS) subsidy
3. Role and necessity of demobilization kits
4. The reintegration process, current status and needs of the officer class
5. The reintegration process, current status and needs of children with war experience
6. Border areas which report externally initiated civil disobedience
7. Methodologies for improved information dissemination for DS
8. Activity types which most benefit DS (formal employment vs. microenterprise/self-employment, disabled, women)
9. Models for assisting government to fulfill its reintegration commitments
10. How the reintegration program interacted with, replaced, ignored, or superseded political, community and development realities and how this has enhanced or hindered stability and could help redefine high risk in the reintegration process
11. Construction of a reintegration model based on lessons learned

E. Structure of the Report

A detailed analysis of the processes, context and results of the study follows in the body of this report. The structure is as follows.

Section II: The Study outlines the purpose of the study, the scope of work, the methodology and the factors which limited the recommendations available to the team.

Section III: Findings describes the results of the team's research.

Section IV: Conclusions sets out the team's interpretation of the findings.

Section V: Recommendations presents the team's recommendations for current and future programming, based upon this interpretation.

Section VI: Appendices provides supplementary reference material intended to clarify the context and bias of the report.

II. The Study

A. Purpose of the Study

This report details an in depth study of those demobilized soldiers who may be facing difficulties reintegrating into civilian society. The purpose of the study was to identify the factors that have hampered their reintegration, to assess to what extent these former soldiers threaten the stability of their communities, and to determine how present and future programming can address these issues more effectively. The study was performed by **Creative Associates International Inc. as part of the technical support component of the ongoing USAID Grant Agreement 656-0235-G-00-4019-00** with the International Organization for Migration, whereby the IOM is responsible for the implementation of the Information and Referral Service/Provincial Fund to support the reintegration of demobilized soldiers in Mozambique.

B. Scope of Work

The scope of work required a team of consultants to examine the issue of those **demobilized soldiers who may continue to experience difficulties reintegrating into civilian life, and to analyze any potential dangers to lasting stability that this group may pose.** The team was to review available documentation, to engage all relevant groups in discussions and interviews, and to conduct site visits to construct profiles of high risk districts and DS groups.

On the basis of this study the team was required to make recommendations for the current program, within the constraints of currently available resources, and for future programs of this type. The scope of work required that **the findings be presented to IOM and submitted in draft form for comments and discussion which would contribute to the final report.** The full original scope of work can be found in the Appendices.

C. Methodology

The report is based primarily upon qualitative data gathered through review of existing documentation and through interviews with the soldiers themselves, as well as with community leaders, NGOs and reintegration implementation agencies. Using these data the research team identified social and economic factors which contribute to or act against successful reintegration and made recommendations based upon these findings.

High risk districts were defined by IOM as those with high concentrations of DS, particularly scarce employment opportunities, a high percentage of disabled DS, incidence of political tension, and/or incidents of unrest. The team concentrated its research on DS in a number of high risk rural areas and interviewed reintegration agencies on site or in

urban areas. The districts under study were selected according to the level of risk (according to IOM's risk mapping), timing, and geographic accessibility to the team.

The team focused on the risk groups identified in the report, Transition of the Reintegration Program prepared for IOM by Creative Associates International, Inc. (June 1996). The team responsible for that report identified the following groups as posing the greatest potential threat to social stability:

1. FRELIMO and RENAMO disabled veterans awaiting legal disability pension compensation or an evaluation of their disability for pension compensation
2. FRELIMO veterans of 10 years or more service awaiting overdue severance (reforma) pensions.
3. Mid to high ranking officers, particularly among former RENAMO troops, not eligible for severance pensions.
4. AMODEG
5. Other vulnerable groups

The team conducted interviews based on open-ended interview guides which encouraged discussion and informal input. Separate guides were used for interviewing DS and non-DS. Examples of the guides can be found in the Appendices. In conducting these interviews the team elected to focus on in-depth qualitative interviews with individuals, rather than distributing questionnaires or engaging focus groups. Instead of trying to poll as many DS and other stakeholders as possible to amass quantitative data, the team interviewed fewer interviewees and collected more detailed, qualitative data.

The team selected respondents from the grass roots level. It interviewed DS, NGO workers, Government of Mozambique officials, etc. at district and local levels, rather than consulting solely with representative bodies and the higher tiers of the bureaucracies.

Interviews with DS were designed to determine if the DS in the high risk areas found it particularly difficult to reintegrate into society and if so, why. Interviews with non-DS were intended to identify other stakeholders' perspectives on these issues and to determine whether and in what ways the DS pose a threat to social stability in the areas in which they live.

The number of interviewees in each province was as follows:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
DS	29	40	7	37	11	52	176
Disabled	8	10	1	16	5	24	64
Reforma	10	11	1	17	0	10	49
Non-DS	11	13	4	9	1	14	52

The team conducted interviews in four provincial capitals, ten district capitals and nineteen villages during the course of the study.

The data were then compiled in order to identify the individual and common characteristics of the high risk groups and geographical areas. Tables of the compiled data can be found in the Appendices.

D. Limitations

A number of factors limited the scope of the report in terms of research and the recommendations available to the team:

1. Physical restrictions:

In order to reach interviewees at a grassroots level the team had to face a number of logistical challenges. It was necessary for the team to visit areas which were remote and difficult to access, some areas were impossible to reach due to bad weather and washed out roads. Often the team struggled to locate DS in the rural areas.

2. Number of interviewees:

The intensive methods of data collection employed by the team restricted the number of interviews that the team could conduct in the time available. The team sought a balance between depth and breadth of research.

3. Termination of IRS/PF project

The IRS/PF project ends in January 1997. This places severe constraints on the programming options open to IOM, for a number of reasons:

- Long-term programming is not an available option.
- Operations are winding down. The IRS/PF field offices have already begun to terminate their activities and are not in a position to implement new programming.
- The primary focus of the IRS/PF is turned towards implementing a smooth closure.

4. Limited scope for further funding for DS in Mozambique

The Mozambican Government and the international aid community are turning their attention away from the problems of demobilized soldiers and towards more developmental programming aimed at stimulating the economy and assisting all vulnerable Mozambicans. Thus it is unlikely that there will be continued programming aimed specifically at DS in Mozambique. For this reason the team was not in a position to make recommendations regarding enhancing or modifying DS-specific programming in Mozambique.

III. Findings

A review of respondent interviews and team observations reveal that the reintegration process is still intact in the areas visited, and that while areas of risk still exist, they do not seem to be a significant threat to peace. In fact, responses obtained during the study are substantially similar to those of the DS interviewed in December, 1995 (An Internal Review of Activities, Feb. 1996, CAII) who had greater access to IOM programs.

In this section the data gathered through interviews in the field are summarized and interpreted. A complete compilation of responses of DS facing difficulties in the reintegration process, and of other stakeholders in direct contact with the DS, is contained in the Appendices and follows the structure of the findings presented here.

The team's findings have been divided into those relating to general issues: *overall socio-economic status* and *overall reintegration status*; and those relating specifically to the potential high risk groups identified above: *the disabled and disability pensions, severance (reforma) pensions, mid-rank officers with no pension schemes, AMODEG and other vulnerable groups*.

A. Demographics of the study:

95% of the interviewees were male, 5% female.

Approximately half (52%) of the interviewees are ex-FRELIMO soldiers, and half ex-RENAMO (48%).

90% of the interviewees served in the mid- or lower ranks.

The majority of interviewees have comparatively low standards of education - only 79% of the respondents have any formal training. 67% have only primary school education or no education at all.

36% of interviewees are eligible for disabled pensions

28% of interviewees are eligible for severance pensions

B. Socio-Economic Status

In past studies conducted (Internal Review of Activities and Transition of the Reintegration Program, CAII 1996) the four factors which emerged as essential to DS for their successful reintegration were: access to work opportunities and/or subsistence farming (machamba), reunification with family, securing a dwelling, participation in a community group or organization. It is interesting to note that these same factors were identified by the most vulnerable DS who participated in this study. Furthermore, most of the DS who consider themselves reintegrated have attained at least three of these four identified necessities.

The study shows that the demobilized interviewed in high risk districts find themselves in a very similar socio-economic situation to the general demobilized population. Although the DS interviewed had less contact with reintegration programs, their family, housing, community, and work status are comparable to, and in some cases better than, those of DS in low risk districts.

1. Family and housing

Reunification with family is a vital factor in the social reintegration of DS. Even in the high risk areas identified for this study there appears to be a large degree of reintegration into family structures. 94% of DS are married and 86% have more than three people in their households. A remarkably high figure of 86% of school-age children attending school indicates some degree of social stability and integration of the families into broader community structures.

The DS themselves cited reunification with family as one of the major reasons for perceiving themselves to be reintegrated. The importance of the family in the lives of the DS is indicated by the fact that DS will tend to look to family for solutions to their problems (34%), or to friends (14%) in the case of those with no family. The second most popular source of support is traditional leaders (20%).

Disabled DS often depend heavily on the support of family members who also facilitate rehabilitation and community integration. DS interviewed, especially the disabled, also mentioned that the role of family was crucial in helping to control anger and aggressive behavior during the difficult initial stages of adaptation to civilian life.

46% of those interviewed have returned to their places of origin in order to be with their families. In the case of the 54% of the DS who have not returned to their places of origin, many have stayed in the ex-military zones where they were stationed because they have established families there or because their families have moved there. Young ex-soldiers who are living in the former military zones often decided to return to those areas because they could not find their families in their places of origin (due to death or lack of information about their present residence). They expressed sadness about the lack of family support which they believe would make their reintegration much easier.

The suggestion that the DS have generally achieved some degree of social stability is supported by the finding that many of them seem fairly settled in their present places of residence. 80% live in their own houses and a further 10% live in the houses of their immediate or extended family. 83% of DS have no intention of moving from their present locations. Interviewees indicated that obtaining their own house was one of their main intentions at the time of demobilization. It is also cited as an important part of the DS perception of themselves as reintegrated.

It seems that reunification with family and construction or acquisition of their own houses are the two most important aspects of social reintegration from the point of view of the DS in high risk areas. The high rates of success in achieving these, according to the study, suggests that they are also the two issues which the DS have most effectively resolved.

However, the study indicated a number of unresolved problems regarding the social reintegration of DS. These include the case of DS with missing or unidentified families, the problem of accessing schools, the low levels of education of DS in rural areas, and restricted access to reintegration opportunities.

2. Community Participation

a) The perception of demobilized soldiers

In general, the study found that DS in all provinces tend to seek support not from military structures but from within the local community itself. As mentioned above, family and friends (34%) and traditional leaders (20%) are called upon most to resolve conflict and help solve personal problems. This supports the DS' affirmation that they have no desire to remain associated with military structures (below) and indicates a general shift of focus from the military to the community. This is not to suggest that the DS have broken **political ties (14% of DS retain affiliations to political organizations) but in no case was military affiliation strongly linked to conflict resolution or problem solving.**

In addition, over 50% of those interviewed have some affiliation with local community organizations and 39% of these DS have some position of responsibility within those organizations. The most popular community organizations are religious (32% of DS participate in some religious group).

One of the main reasons for DS perceiving themselves to be reintegrated was that they were in the same socio-economic situation as their fellow community members. Being accepted as part of the community and benefiting from the same civilian rights and laws were often mentioned as important factors in successful reintegration by DS and community members.

b) The perception of other stakeholders

Stakeholders in every province and locality stated that relationships between DS and their communities and civilian authorities are positive, and that DS are generally well reintegrated. The communities seem to have little or no resentment or hostility towards them as a result of their participation in the war or their access to DS benefits. In Manica, other stakeholders linked this positive relationship directly to the beneficial effects of reintegration projects.

3. Subsistence and Work Opportunities

When asked to list factors which must still be addressed in order to ensure sustained reintegration, DS rated assistance with self-employment (46%), machamba production (42%) and formal employment (42%) as the most important needs. Conversely the three most important factors mentioned as impediments to reintegration were unemployment (22%), lack of cash for self-employment projects (38%) and the lack of pension payments (9%). It is worthwhile to note that these are all economic factors, which seem to have gained priority now that primary social needs have been addressed.

While many DS would like assistance with goods and services to improve machamba production, most have been able to secure machamba production directly or through the work of spouses or other family members. 87% of interviewees have 2 or more income earners in their households. Self-employment, including successful machamba production, was foremost among DS' desires for the future. It appears that this takes predominance over formal employment or macro projects for reasons of autonomy and sustainability since few formal employment opportunities exist in rural areas. In addition, agricultural production is the common means of subsistence of other community members.

In the areas visited, 95% received their UNOMOZ subsidy (RSS). The main strategy for post-subsidy activities was to maintain a productive machamba or self-employment activities (57%). Only 12% of respondents felt that they would struggle to survive without the support of subsidies while 19% stated that there would be no difference in their lives and 11% will rely on their reforma or disability pension payments. Only 1% stated that they would seek formal employment again pointing to the fact that formal employment promotion in rural areas may not be a viable reintegration programming goal.

4. High Risk District Socio-Economic Profile:

The findings generate a broad socio-economic profile of DS in high risk districts:

1. Married with 2 or more children and living with immediate or extended family
2. Residing in place of origin or in ex-military base area
3. Secured dwelling
4. Family contributing to income (mostly subsistence farming)
5. Affiliation and participation in local, community organizations
6. Dependent on family, friends and traditional leaders for support to resolve conflicts
7. Seeking improved self-employment opportunities

C. Reintegration Status

1. Level of Reintegration and New Civilian Status

a) DS' perceptions of their own reintegration

Reintegration, as defined in this study (see Appendices), is very much a function of perception. For this reason a great deal of attention was paid in the study to how the DS themselves and the communities with which they interact perceive their status as civilians.

Approximately 80% of DS consider themselves to be reintegrated and 82% consider themselves civilians. The reasons given for this are that they are outside military structures, they no longer bear arms, they are demobilized, they enjoy civilian rights, and they are no longer under imposed military recruitment and therefore can return to their civilian lives. DS also considered their families, houses and means of subsistence as the most important indicators of their successful reintegration.

Approximately 20% do not feel reintegrated and 16% consider themselves demobilized rather than civilian because: they are still waiting for pension payments; have meager means of subsistence; still fear further conscription and/or; have fewer opportunities than their civilian counterparts. 2% still consider themselves to be military because they are disabled and are dependent on state pensions, they feel secure in the military disabled community, or they do not consider themselves to be demobilized and are still waiting for military orders (RENAMO areas). It should be noted that the vast majority (98%) of those still considering themselves as military are disabled.

At the time of demobilization, 94% wanted to be demobilized as they aspired to the benefits of civilian life. 6% stated that they did not want to be demobilized because they would have preferred a military career since conditions were better than in civilian life, and there was an existing community for the disabled. 98% stated that they would not now rejoin any military structure voluntarily. The remaining 2% stated that they would only if called upon by the new army in defense of Mozambique.

Regarding IOM assistance, 48% of the interviewees had direct contact with some reintegration services and an additional 37% had at least minimal contact through the IOM outreach program. The main reasons for non-participation in further programming were that IOM offices were too far away (34%) and the DS were unsure of the location of the IOM offices (18%). 107 assistance activities were provided by the IOM, nearly 60% of which were project funding

b) Community perceptions of the reintegration of the DS

As indicated above in the section in Community Participation the communities in which the DS live concur that on the whole DS are integrating well into civilian society. The

team found that it is becoming increasingly difficult to distinguish DS from other civilians. In many cases the DS' own neighbors do not know who fought in the war or for which side

c) *Community views on the reintegration program*

Other local stakeholders made a number of observations regarding the reintegration programs:

Positive factors (and sources):

1. Support was valuable where provided (GOM, AMODEG, police, church, IOM)
2. **The UNOMOZ DS kits were the most useful mechanism for reintegration support (local administrator)**
3. IDIL/DHO projects (based in GOM ministries) were operated in a transparent manner (provincial GOM official)
4. External assistance helped to resolve conflicts (community churches)
5. IOM projects helped to maintain peace (local police)

Negative factors (and sources):

1. Programs were valuable but insufficient in scope and commitment (Religious leaders, police, GOM local administrators, district AMODEG representatives)
2. **IOM, GTZ, NGOs and GOM commitments regarding issues such as project funding and pensions to DS were not always honored (GOM, AMODEG, ADEMIMO, police)**
3. The criteria for selection for IOM projects were not always transparent (ADEMIMO, AMODEG)
4. Local authorities were overlooked and not consulted to formulate productive project activities which would benefit the community (Local administrators)
5. Downsizing of reintegration projects was poorly timed, unannounced, unexpected - funding was cut off just as initiation of projects was beginning to gain momentum. (ADEMIMO)
6. Reintegration Projects:
 - funded the most literate (ADEMIMO)
 - were allocated to recipients with little or no management capability (AMODEG)
 - were not based on market studies (GOM provincial and local officials)
 - concentrated in urban and not rural areas (AMODEG)
 - discriminated against female DS (AMODEG)
7. Lack of coordination among NGOs and between NGOs and GOM thwarted successful programming (GOM local and provincial officials)

2. *Maintaining Peace and Encouraging Development*

The DS and other stakeholders saw the DS' role in maintaining peace and encouraging development in very similar terms:

DS

Engaging in productive activities
Contribution to development efforts

Participation in civilian social and political activities
Civic education
Demining
Positive social behavior

Supporting family structures
Civil obedience
Avoidance of conflict

Communities

Engaging in productive activities
Embracing patriotism instead of
partisanship
Solving their own problems

Civic education
Demining and arms reduction
Disperse where high concentrations of DS
still exist
Supporting family structures
Civil obedience
Avoidance of conflict

Both DS and their communities viewed engaging in productive activities as their primary contribution to peace and development.

3. DS problems

When questioned regarding problems faced by DS, the communities pointed to many of the same issues that have repeatedly been indicated by DS in this and other studies - lack of employment opportunities, slow payment of pensions, lack of GOM support and the need for further support.

All of these problems are more acute in remote rural areas especially since few formal employment opportunities exist and apart from the reintegration support assistance, few other services exist to assist DS and their families. Despite being potentially rich in natural resources and having favorable conditions for the development of economic activities, most of these areas lack even basic social infrastructure and offer no means of economic stability. Health posts and schools are almost non-existent, and clean water is hard to find near the areas of residence. Despite these setbacks, it appears that even when little or no reintegration programming assistance is available, self-reintegration has been achieved (except in cases when commitments remain unfulfilled by implementing organizations or by the GOM).

Difficulty of access (bad roads and bridges, land mines), fear for security and weak presence of GOM authorities do not encourage presence of private investors and development projects. This negatively impacts on formal employment opportunities and support for DS to start their own businesses in rural areas.

The issue of discrimination against female DS was mentioned in Zambezia and Sofala. Related to this is the problem of RENAMO nurses and teachers who lack formal training and qualifications and are finding it impossible to integrate into official structures. It should be noted that the percentage of these individuals to the entire DS population is extremely low and special programming solely for women DS may be unsubstantiated. Nonetheless, where programs do exist, the participation of women should be promoted. The difficulties of female DS is covered in Section G below.

Only once, in a village in Gaza, did communities register their concern regarding drug and alcohol abuse by DS. This was not confirmed in any other location.

4. Sources of Conflict

All groups interviewed in all areas stressed that DS have not on the whole been responsible for crime, civil disobedience or violent conflict and that the potential for future conflict is extremely low. In some cases local authorities mentioned that while DS may occasionally be blamed for civil disobedience, in reality this rarely occurs. DS and community members identified a number of potential conflict areas relating to the DS. Most of these, however, cannot be said to relate directly to their reintegration status.

a) Sources of conflict directly relating to reintegration problems:

- In a number of areas large concentrations of DS living together are perceived as a possible threat to lasting stability.
- Soldiers discharged before the General Peace Agreement (AGP), former RENAMO officers and child soldiers feel that they have been treated unfairly and that they deserve benefits. These opinions were voiced at the time of demobilization and continue to be unresolved. This is discussed in detail in Section G below.
- In Zambezia there have been a few incidences of DS (as well as other groups) being accused of supernatural activities. This would need to be studied further but in view of anthropological studies conducted elsewhere in Africa it may suggest some marginalization of DS in these communities. It is therefore possible that some communities may not be as well disposed towards DS as most others if communities manipulate traditional superstitions to blame DS and other groups for local mishaps.

b) Other sources of conflict:

- In every province the non-payment of pensions has been identified as a serious problem and a potential source of conflict. DS are frustrated by GOM's ineffectual approach to the issue and have threatened GOM officials in some areas. This tension is compounded when DS are required to pay taxes to GOM when they are not receiving their pensions.

- In some of the former RENAMO areas visited in Southern Mozambique, DS expressed their concerns regarding the coexistence of both GOM and RENAMO administration. The Government administration and police who have been recently established in those areas are respected but, due to lack of information, cause some confusion to the DS who always perceived the RENAMO administrators as the sole authority.
- In the case of Changanine (Gaza) and Zitundo (Maputo), GOM Administrators accused their RENAMO counterparts of refusing to hand over power and instigating civilian disobedience to the formal authorities. In Changanine, a police officer expressed his concerns regarding the capacity of the RENAMO administrator - a demobilized soldier and AMODEG representative himself - to mobilize RENAMO DS for actions against the authorities. RENAMO administrators accused the GOM of violating their territories and demanded their withdrawal from the area. Risk of unrest is therefore created in these areas where double administrations continue to exist.
- During the study period, several reports on the discovery of military equipment in hiding-places all over the country came to light through the media. The team confirmed these reports with the authorities in some of the places where the caches were discovered (e.g. Muanza and Matutuine). At the same time, other reports mentioned the presence of unidentified armed groups in Manica province ("Chimuenjes") and in Inhambane, where FRELIMO authorities informed the research team of the existence of armed men equipped with a sophisticated radio-communication system, supposedly protecting military equipment in a former RENAMO zone called Chipandzane, District of Vilankulo (see "Noticias" report annexed). While such situations exist in pockets throughout the provinces, there were no links drawn between DS and these incidents.
- The shortage of available land in some areas was identified as a potential source of conflict. This is exacerbated by the highly visible purchase of land by foreign businesses which is perceived by many DS and communities as unfair. Little information exists in the field which explains either the local development process (including foreign or non-local businesses) or legal procedures for land procurement.

5. High Risk District Reintegration Profile

The findings generate a broad reintegration profile of DS in high risk districts.

- Considered civilian or demobilized but not military
- Resolve problems through family, friends and local leaders
- Would not go back to a military life
- Do not consider force as a viable means to resolve problems

- Consider productive activities which lead to income generation as their major contribution to peace effort
- Consider self-employment as a major reintegration goal

D. Disabled

Disabled veterans of both armies awaiting their disability pensions were identified by the previous CAII studies as a risk group and a potential threat to social stability after reintegration programming activities have been completed. The study team visited and interviewed disabled DS and their leaders both at their places of residence and in areas of strong concentration of ex-combatants (e.g. Savane, 4° Congresso). 36% of the total DS interviewed for this study are disabled as a direct result of injuries sustained in the military and are therefore entitled to compensation.

1. The Disability Pension Compensation

Mozambican law states that a soldier is eligible for disability compensation pension when he/she is "*demobilized due to permanent, partial or total disability, as result of a direct accident suffered while in military operations, or due to other types of accidents directly related to his duties*" (Decree 3/88, Art. 17, 25 July 1988). Following the Peace Agreement, new legislation established the right to compensation of all disabled soldiers demobilized under the peace process directed by ONUMOZ (Decree N° 20/94, 20 June, 1994).

To be eligible for the disability compensation pension, a DS must undergo a medical evaluation (Junta Médica Militar) conducted by military doctors who determine the soldier's percentage of disability, according to criteria approved by the Ministries of Defense and Health. If the level of disability equals or is higher than 20%, the medical evaluation team confirms the DS's right to the compensation pension, and the documentation is forwarded to the Ministry of Finance for processing of payments.

The majority of the 64 disabled DS interviewed underwent medical evaluations. 8% were examined prior to demobilization, 30% were examined by ONUMOZ at the demobilization centers. 42% underwent medical evaluations, often IOM initiatives, in coordination with the Ministry of Defense. A considerable number of interviewees (20%) did not have access to the medical evaluation because they were absent from the demobilization zone (especially ex-RENAMO soldiers), no examination teams were available, or they were simply not identified by their military leadership for examination.

Some of the DS interviewed had undergone the medical evaluations, but as their level of disability did not reach the 20% threshold, they were not considered eligible for pensions.

Most of these ex-soldiers expressed their concerns regarding the criteria and methods of the medical evaluations which, in their view, did not take into consideration internal injuries suffered in the military, which affect DS capacity to perform ordinary tasks (some claimed to have their lungs or other internal vital parts damaged by bullets or shrapnel). According to the DS the medical screenings were cursory visual examinations and no use was made of instruments such as X-ray machines.

Community leaders and DS also questioned the exclusion of psychological and mental health problems, caused by the war, as constituting disability. They considered these factors to have a major impact upon some DS's capability to perform productive activities. Many DS were severely traumatized by the experiences of war, to the extent of being mentally challenged but with no compensation rights.

Compensation Pension Payment

Most of the disabled DS who underwent medical examinations were in possession of the protocols issued by the medical evaluation teams, stating the date, nature and percentage of disability. The law states that *"within sixty days of receipt of documents from the Ministry of Defense, the Ministry of Finance must establish the final amount for compensation or retirement pension"* (Art. 26, 1), however the majority of the disabled DS (78%) were still waiting for their pensions to be authorized. Many have waited for more than two years (31%).

Disabled DS still waiting for pensions complained about the excessive bureaucracy associated with the whole process of pension payments. As there are often no locally available structures to supply updated information on authorized pensions and the facilitation of payments, DS are obliged to travel to the district or provincial capital on a regular basis, which is a difficult and painful exercise, given their physical and financial limitations. Some disabled DS interviewed at district administration offices said that they had to walk from their villages, due to lack of transportation or money for a "chapa". Others mentioned that they had given up traveling to the district administration offices as the responses to their concerns were invariably negative month after month.

The few DS who already receive pensions also expressed dissatisfaction with the complicated process that they have to go through in order to get paid. They are first required to contact the district administration office to seek confirmation of payment, then they must visit the Department of Finance to pick-up the relevant documentation, after which they go to the bank for actual payment. Sometimes payments are not made on the established dates and the DS has to return home empty handed. Finally, the interviewees complained about the lack of flexibility of the authorities, who require that the pension payments be processed only in the presence of the pensioner.

2. Rehabilitation and Reintegration Assistance for Disabled DS

Formal assistance to disabled DS is supposed to be provided under the general policy of disability, implemented by the Ministry of Social Action Coordination (MICAS) and its provincial and district branches. This GOM entity is particularly feeble and its programs to support disabled people in rural areas are scanty or nonexistent. In the sites visited, especially in the former RENAMO zones, the majority of disabled DS (67%) did not receive any kind of rehabilitation assistance. The few who benefited from some sort of support (33%, mostly in Savane and few district capitals) received it from or through IOM, Handicap International, ICRC, NGOs and ADEMIMO, who provided transportation, prosthetics, wheelchairs, crutches and, in some cases, housing.

Apart from physical rehabilitation, many wounded and disabled DS clearly require further medical assistance. This is especially the case among former RENAMO soldiers in remote areas of Gaza and Inhambane, where the majority of interviewees claim to suffer from open wounds and to carry bullets and shrapnel in their bodies. Given the absence of local health posts, and lack of any transport system to support access to hospitals, these DS have no prospects of resolving their health problems which, in some cases, can develop into permanent damage or worsen their present disabilities.

The majority of disabled DS (88%) did not receive any special assistance with socio-economic reintegration that was specifically aimed at the disabled. Again, the few examples of special support are a few DHO training programs or IOM micro-enterprise funding, mostly in provincial or district capitals and in sites of high concentrations of disabled DS.

3. Pending Socio-economic Needs of Disabled DS

98% of the disabled DS interviewed were unemployed, and their major source of subsistence was the machamba. In the absence of RSS payments, the family's ability to earn cash to buy non-agricultural goods and to pay for schooling for their children depends upon its ability to sell the products of the machamba. Therefore the disability compensation pension is not only a right but the only source of cash for many disabled DS.

Apart from the machamba and pension payments, all disabled DS interviewed mentioned the need for support to start small business (micro-enterprise or animal husbandry), and for medical assistance, rehabilitation and prosthetics to enable them to engage in productive activities to facilitate their reintegration. Despite their disadvantages, the efforts of some disabled DS to use their own strengths and scarce resources to address basic needs is remarkable. The research team was struck by the level of support provided by immediate and extended family members of disabled DS in constructing crutches, wheelchairs and houses, and in mobilizing neighbors to work for them in the machambas. Once again, the role of family is a crucial factor in the reintegration of the DS, and the

team observed that the most unhappy and problematic disabled DS interviewed were those who are not living in the zones of origin and who did not manage to reunite with their families.

4. Risk of Social Unrest

There is an extremely high level of frustration, resentment and anger among this group as a result of problems with pension payments, lack of rehabilitation and reintegration support and opportunities, and apparent GOM indifference to the concerns and problems of the disabled. Disabled DS also strongly believe that the lack of pension payments is caused by the corruption of local officers responsible for payments rather than a centralized Ministerial level organizational problem. Once again, lack of information may cause reason for distrust and blame wrongly placed.

Although the majority of DS interviewed also considered themselves reintegrated (80%) and clearly expressed their unwillingness to return to military activities (98%), there is a possibility that this group could be responsible for social unrest. This is particularly true of DS living without extended family support, in the former disabled DS camps or centers (for example Savane), and in other areas with strong concentration of DS with pending pension issues to be addressed. 75% of all study respondents who still perceived themselves as "soldiers" were disabled DS. Disability was perceived as a major impediment to successful reintegration.

5. Profile of Disabled Soldiers in Rural Areas:

- 80% received medical evaluations
- Only 17% of those who received medical evaluations are receiving pensions
- 31% received some medical assistance (crutches, prosthetics, wheelchairs) mostly facilitated by Handicap International, other NGOs and more recently by IOM
- 88% did not receive special assistance programs for reintegration
- 12% benefited from IOM reintegration projects
- The majority still need assistance to start micro-enterprise activities or enhance machamba production (especially due to limitations created by their physical disability)
- Many feel more secure remaining in military camps or centers awaiting pensions, programs, family reunification, and housing assistance since other options seem non-existent

E. Veterans Severance Pension (Reforma)

1. Eligibility

Decree N° 3/88 of July 1988 (Chapter II, Section II, Article 13) establishes the right of FRELIMO soldiers of the armed liberation struggle, and soldiers of the GOM regular army to veterans severance pensions. Unlike the disability pension, the "reforma" is restricted to demobilized soldiers from the Government side who were drafted at age 18 or older, and who completed at least 10 years of military service, during which time a certain percentage of their salaries was supposed to have been deducted for severance pension. These criteria automatically exclude all FRELIMO soldiers with less than 10 years of army service, those recruited before the age of 18, and all RENAMO soldiers.

2. Pensions Payment

A total of 49 DS eligible for Reforma pension were interviewed for this study. Of these 41% were receiving their pensions but faced the same difficulties of bureaucracy and irregular payments as the disabled. Some DS whose pensions were authorized claimed to have received payments only once, after waiting for months without payment. There were also complaints of DS of the same rank who spent the same number of years in the army but received unequal payments.

59% of DS do not receive their pensions for the following reasons:

- they were not registered in the army prior to demobilization (frequently the case)
- bureaucratic errors (misspelling of names, wrong registration of residences, etc.)
- registered, but still waiting
- not registered and not aware of their rights to pensions

Some DS who were registered continue to visit district administration offices monthly to find out about their pensions. Again, their complaints are similar to those of their disabled colleagues - excess of bureaucracy, centralization of structures and slow processing. It should be noted that some of these veterans are also disabled but so far do not receive either disability or reforma pensions.

The DS who were recruited before the age of 18 and spent more than ten years in the army are particularly resentful of the way the pensions system has been designed. These young DS consider that their recruitment was illegal, considering their age, as was the period that they were forced to serve (they were supposed to spend only two years in the army). They feel that they should have the right to compensation, especially as they have lost the opportunity to complete their studies and there are few, if any, job or training opportunities available locally.

Some of the ex-RENAMO soldiers interviewed who spent more than 10 years in the military also claimed the right to the reforma pension. These soldiers often do not realize that this is enshrined in the Peace Agreement and think that they are simply being discriminated against because they are RENAMO soldiers. They feel that the GOM should not distinguish between them and FRELIMO DS and that they should be compensated as were those who fought for independence. The team consistently found the lack of or misinformation regarding pensions amongst ex-RENAMO soldiers.

3. Needs and Assistance Received

The needs of veterans eligible for severance pensions do not differ much from those of the large majority of DS in rural areas, namely employment, support for self employment and, in some cases, skills training. 14% received assistance only from IOM (mostly micro-enterprise funding and training), while the majority (86%) never received any type of special assistance. The officer class was not specifically targeted under reintegration programs and further study would produce a much needed officer class reintegration profile

4. Profile of Veterans Eligible for Severance Pension in Rural Areas:

- 59% do not receive pension
- 41% do receive pensions but irregularly
- Majority not aware of their rights and correct procedures regarding reforma pensions
- Some eligible DS were not registered for pension prior to demobilization
- Lack of information on how to apply for severance pension payment
- Needs of this group of DS do not differ from those of other groups of DS
- 86% do not receive special reintegration assistance
- 14% benefited from IOM reintegration support
- Non-payment of pensions does not seem to be as important (ie. the only source of income) to those eligible for reforma pensions as it is for disability pensions

5. Profile of RENAMO DS Not Eligible for Severance Pension:

- Claim to have been promised pension payment prior to demobilization
- Not fully informed about eligibility criteria
- Feel discriminated against by GOM
- Many were adolescents when recruited and expect some sort of compensation for time spent in the military

F. AMODEG

Representatives of AMODEG, the Association of Mozambican War Veterans, were interviewed at their headquarters in Maputo and in some provincial and district capitals. In most villages no AMODEG representatives were present, except in Nhamagua (Manica) and Changanine (Gaza).

The AMODEG representatives interviewed considered their major role to be to identify DS' problems and to help them to solve reintegration difficulties, through facilitation of contacts with GOM authorities, access to donor agencies, reintegration projects, and civic education. From AMODEG's perspective, the major problems involving DS are a consequence of lack of GOM support and honoring of commitments (payment of pensions, training and financial support to start small business) and, in some cases, rejection of RENAMO DS by their communities.

The interviewees considered that the reintegration assistance provided by IOM, GTZ and ILO was positive, although insufficient and inadequate to the immediate needs of the beneficiaries. One of the main reasons for this, according to AMODEG, was that programs were not based on preliminary needs assessments. AMODEG representatives considered that some of the programs' weaknesses were the strong focus on urban, rather than rural, areas, and the lack of follow-up support for both trainees and micro-project beneficiaries. In their opinion, some DS were trained in unmarketable skills, and were given poor quality kits which they later had to sell. According to AMODEG, the large majority of DS did not benefit from reintegration support projects, while other DS benefited from the support of multiple sources, due to poor coordination between implementing agencies. This was deemed unfair and non-transparent.

AMODEG considered the following factors, if not addressed urgently, to be potential sources of social unrest:

- Continued lack of pension payment by GOM
- Non eligibility of RENAMO soldiers for severance pension
- Ex-soldiers demobilized before the GPA
- General lack of employment opportunities
- GOM lack of transparency on use of reintegration programming and funds

As the reintegration program draws to a close, AMODEG feels the GOM should start to assume full responsibility for DS problems and to strengthen its role in the reintegration process.

Profile of AMODEG:

- Well represented at provincial and district level, not well represented at the village level
- Observations:

- GOM should take full responsibility for DS programs
- Lack of transparency and misuse of funds allocated to DS by GOM
- Reintegration efforts were valuable where provided, but insufficient
- Consider that reintegration projects were focused on urban, rather than rural areas, lacked appropriate needs assessments, and targeted the most literate
- Poor coordination between donor agencies
- Unfulfilled promises made by donors and GOM
- Potential of social unrest exists but AMODEG does not advocate violence but resolution
- AMODEG will continue to fulfill its mandate to assist DS with problems

G. Other Vulnerable Groups

1. Non GPA Veterans

In some sites visited, groups of ex-soldiers discharged before the General Peace Agreement approached the study team members to express their complaints about the lack of GOM support for their reintegration. The main issues affecting this group of DS are ineligibility for pensions payments, exclusion from reintegration projects and lack of transportation to places of origin. In Ponta D'Ouro (Maputo Province), for example, a group of 15 ex-soldiers from the northern provinces discharged before the GPA still await support to return to their zones of origin. In the meantime, they claim to have had difficulties finding jobs, since priority was always given to the ONUMOZ DS.

2. Ex-Child-Soldiers

During the demobilization process, of the documented 2000 plus children living in military zones, some 800 children were successfully located and removed under the auspices of UNOMOZ. Of these, nearly 85% were reunified with family through the joint efforts of Save the Children/US, UNICEF and ICRC. In the southern provinces, community leaders expressed their concerns regarding the lack of support for these adolescents and young adults who were involved in military activities as children during the war. According to these leaders, the former child-soldiers were not entitled to any reintegration benefits because they were not formally demobilized. Some are disabled or have been wounded, others suffer psychological instability reflected in their difficulties in adapting to school and community life. These youngsters have few options open to them given the general lack of education and employment opportunities. Follow-up activities for these children may exist in some provinces and further study should reveal emergent needs.

3. Women DS

The women DS interviewed for this study (5% of the total interviewees) considered that their situation as ex-soldiers and women makes reintegration much more difficult. The majority of these DS women are divorced and sell goods in the markets and streets to support their children. Given their lack of academic qualifications, access to training or job opportunities is limited. They complained about general discrimination regarding job opportunities, and felt that the majority of reintegration training programs were not suitable to their real life circumstances as single, sole income mothers.

4. Profiles of Vulnerable Groups

Non GPA DS:

- Non GPA DS claim pension entitlements
- Need transportation to zones of origin
- Lack job and training opportunities
- Consider themselves as discriminated against in favor of "ONUMOZ" DS
- Not eligible for reintegration support
- No GOM body to address their needs

Ex-Child-Soldiers:

- Not officially demobilized - not eligible for reintegration benefits
- Some are disabled, wounded or traumatized
- Lack of training opportunities and special programs
- Face difficulties of adaptation to civilian life

Women DS:

- Low academic qualifications
- Majority are divorced and have children
- Survive on small business on the markets
- Feel discriminated against as male DS have had better access to employment and training opportunities

IV. Conclusions

A. Status of Reintegration

Three interesting points emerged during the process of the rural area interviews.

1. DS in rural zones have become difficult to find.
2. Many community members don't recognize the DS as DS but simply as neighbors
3. Community members, when they do know that a DS is a DS, often do not know in which army the individual served (except in ex-military zones).

All team members reported that these were some of the most revealing findings of the study and concluded that if no distinction is made between DS and other community members, social reintegration has by and large been successful from the perspective of both the DS and the communities in which they live. This was supported by evidence of the involvement of DS in all aspects of community life. This leads us to believe that even in the so-called "high risk" areas, DS do not seem to pose any greater threat to social stability than any other disenfranchised group. Thus, reintegration, either supported by reintegration assistance or by self-initiative, has by and large been successfully attained. That is, the DS now find themselves with a similar socio-economic status as that of other non-DS community members.

B. Stages of Rural Reintegration

The findings suggest that reintegration can be divided into two main phases:

1. DS tend to prioritize social reintegration and have been largely successful in attaining it. **Reunification with family and obtaining a place to live are crucial in establishing primary sources of socio-economic support and stability.** The DS turn their attention towards the community and local/traditional leadership for support and away from military structures
2. **When basic social needs have been satisfied or are impossible to attain (ie. lack of family reunification), issues related to economic reintegration become a priority. This is especially true when related to payment of pensions (ie. disabled who have no other means of subsistence) and promotion of self-employment activities**

Given the above, reintegration programs should specifically address reintegration phases by targeting sequenced programs to ensure social and then economic reintegration (the team notes again that conclusions are based on the Mozambican reintegration model which guaranteed the UNOMOZ (RSS) 18 month subsidy payment. The above phases may not be evident in other country programs where no subsidy payment are received during the initial social reintegration phase augmenting the need for more immediate economic reintegration options).

1. Social: Reestablishment of family, dwelling, and community

In all areas visited the need for social reintegration far outweighed economic reintegration. Establishment of family, putting children in school, and obtaining a house in which to live with family members were consistently identified as primary reintegration needs. Even in the areas where there has been little access to reintegration programming DS have had a high rate of success in addressing these issues and considering themselves as needy but as reintegrated into civilian society.

2. Economic: Access to income or means of subsistence

Once the primary social areas have been addressed attention is turned to production and employment. Here problems faced by the DS, even in these most vulnerable areas, seem to be essentially the same as those of other community members. This suggests that the DS do not have special needs which are substantially different from those of the rest of the population and points to a more general demand for overall development (especially rural development).

It is also interesting to note that while jobs are often cited as a means for ensuring reintegration, social reintegration issues and self-employment are given priority. Considering that most of those interviewed were either working (37%) or in school (49%) prior to their military conscription, it might follow that the realities that the DS found when they were demobilized could not match their expectations of civilian opportunities. While the DS may have expected to engage in these activities prior to military service, formal employment and schooling may no longer be either possible or desirable.

Preferred income generating activities were (in rank order):

1. Machamba production
2. Self-employment/micro-enterprise
3. Additional opportunities for formal employment and/or training

[Note: The definitions of "employment", "work" and "job" are not clear as most DS consider themselves as unemployed yet have some form of trade, barter or income from family labor on machambas. Further probing revealed that DS preferred to engage in machamba production and self-employment (especially vendor stands) rather than formal employment especially since formal employment opportunities are limited in rural areas. Statistics which demonstrate high "unemployment" rates in these areas may therefore be misleading.]

The team identified three important needs regarding self-employment:

1. Materials to begin or sustain micro-enterprise activities
2. Small business licenses and transparency of laws, regulations, and rights
3. Transparency regarding fiscal (tax) implications.

While training was also listed as a reintegration goal and desired reintegration outcome, those interviewed did not stress training as a need or indicator for successful economic reintegration except in some cases of the officer class.

C. Conflict

Military structures were cited as a means for resolving problems only in the case of pension payments (a right) and the case of those DS who desired to continue their lives within a military structure. No other purpose or significance was cited related to military structures. Significant reintegration components were family, traditional authorities and community groups which seem to have consistently replaced military structures for conflict resolution, problem solving, and social stability.

No evidence could be found in any of the areas visited to link DS to crime. In fact, local authorities consistently stated that information which indicated that DS were responsible for creating conflict was incorrect and that in many cases it was the DS who assisted authorities to diffuse conflict. DS as well as other community members were apparently also unfairly accused of manipulating supernatural forces in some areas or participating in "Chimuenje" activities (banditry). In all cases, local authorities denied DS involvement in these activities.

It was concluded that the primary problems of DS (securing pension payments, self or formal employment, access to assistance) did not seem to stem from the DS or their failure to effectively reintegrate but were caused by external factors which are beyond their control. The team did not conclude that DS either initiated civil disobedience or were proactive in displaying dissatisfaction with reintegration problems imposed. In all cases reviewed for the study, the DS were responding to inequities or needs they experienced but were not promoting or participating in activities leading to social unrest. Potential conflict, therefore, stemmed from unfulfilled commitments.

D. Reintegration Programs

The education level of DS interviewed in this study was lower than that of DS interviewed in the Internal Review of Activities (CAII, February 1996) who had greater participation in reintegration programs in and around urban areas. Local administrators commented that they perceived most reintegration programming targeting the most literate leaving the least educated (and therefore most vulnerable) with the least support. This view was endorsed by AMODEG and ADEMIMO.

Although most DS had had some contact with IOM, program follow-up, transparency of activity selection process, and a greatly enhanced outreach program supporting rural areas were perceived as lacking (concentrated areas (camps or centers) of disabled, machamba production, promotion of self-employment, and assistance in rural ex-military zones where DS have settled with families). Despite these remaining areas of need, 80% still considered

themselves as reintegrated based mostly on their own initiative and over 90% successful UNOMOZ subsidy (RSS) delivery.

Further Programming Requirements:

On the whole the team concluded that the overall DS population poses no real threat to overall social stability and lasting peace. However, the team did find that enhanced reintegration interventions were needed for the most vulnerable DS in the following prioritized areas:

- Concentrations of disabled DS, often in camps (RENAMO) or centers (FRELIMO)
- Ex-military zones with large communities of DS
- Rural areas needing an enhanced outreach program
- Other vulnerable groups (Children/adolescents, Single mother DS, veterans with no benefit rights)

E. Avoiding high risk and potential conflict

Peace agreements may be acceptable to political parties during peace talks but this does not always translate into acceptance by DS. This was a salient point regarding the eligibility criteria for severance pensions for RENAMO, non-benefit eligibility for pre-GPA DS, and children with war experience. Reintegration programs can only address those issues agreed upon in established peace accords which limit their ability to address other areas of assistance or reform. **This may be an important factor for reintegration implementers to remedy during the peace accord process or to bring to the attention of newly established governments during the reintegration process.** Compliance with such agreements may in itself cause risk once DS have returned to their communities and feel that an inequity in benefits or assistance exists.

In addition, the team concluded that the meaning of "reintegration" differs amongst DS, donors, program implementers, government and local agencies and authorities, and clarification is needed to determine what constitutes a reintegration need, what constitutes community unrest, what constitutes a development need and what constitutes a political intervention. Such a clarification might shift the responsibility for successful reintegration solely from reintegration implementation agencies to a broader stakeholder group including the government agencies responsible for pensions and other legal rights.

The team did not find any correlation between high risk and number of employment opportunities. It was also found that the ratio of disabled or of DS to the general population of a given area was not sufficient evidence to identify the area as being at high risk (although the existence of communities of DS (often brought together by their disabilities and frustrated by problems with pensions) might pose a threat to local social stability).

That being said, team members discovered that reintegration implementation agencies, much like the DS themselves, may face imposed obstacles beyond their control hindering their ability to promote successful reintegration, such as:

Lack of Government reintegration responsibility: failure of GOM to make pension payments and provide for services (especially medical services for the war wounded)

Political interventions: existence of double local administration posts, lack of information or misinformation from political/military authorities to DS, failure to comply with legal DS rights and delivery of benefits; failure to dismantle military groupings sites (especially disabled centers, camps) and failure to demine and destroy arms caches

Development needs: little or no access to schools, health facilities, water, markets, formal employment, roads, electricity, etc.

Community unrest: local crime, manipulation of beliefs in the supernatural, misinformation regarding armed banditry groups

Reintegration programming cannot always address these issues effectively. The problems which DS face, regardless of the extent of their reintegration, are in most cases faced by other civilians as well. The above listed areas which can potentially cause conflict counteract the efforts of reintegration programs and are often the only cause for DS dissatisfaction. While such potential conflict needs to be addressed, the appropriateness and capability of reintegration programming to resolve broader issues should be discussed during the reintegration planning and design phases to ensure compliance post demobilization when **DS and communities are most in need of stability.**

There may be factors which threaten social stability but it would not be accurate to attribute these factors solely to reintegration program failures but rather to failures of all reintegration partners in complying with their DS obligations and commitments. While further assistance is needed in those areas discussed in this report, the overall conclusions reveal that the need for further reintegration assistance in these areas is secondary to the need for compliance and **delivery of agreed upon reintegration benefits.** This means that while all the needs of the DS who participated in this study were not addressed by reintegration programming, remaining high risks lie within the a broader, political and developmental framework which still is in need of being addressed.

V. Recommendations

A. Recommendations for Reintegration Programming

The team recommends that reintegration programs in areas identified as needing enhanced reintegration assistance should:

1. Ensure assistance to the most vulnerable including: disabled; children with war experience; rural dwellers; communities where DS reside; female DS
2. Assist government agencies responsible for the delivery of reintegration benefits to ensure compliance (pensions, land)
3. Take into account social and economic reintegration phasing and implement programs accordingly.
4. Complement urban or peri-urban programs with ample support for rural areas (where formal employment may not an option), especially related to agriculture, agricultural commerce and local markets, including business licenses and provision of information on the fiscal (tax) responsibilities and land laws.
5. Focus interventions on rural ex-military zones since a high percentage of DS may settle there after demobilization
6. Target concentrations of disabled soldiers in ex-military disabled camps or centers with longer term, sustainable interventions related to ensuring pensions, construction of houses, formulation of non-military disabled centers, family reunification
7. Ensure linkages with local and traditional leaders utilizing a community-based model for activity support rather than or in addition to a DS targeted model
8. Provide support to community groups and organizations in which DS participate
9. Ensure that programmatic reintegration commitments of all implementing partners are fulfilled
10. Ensure information dissemination to ensure understanding of legal rights, procedures and benefits, and transparency for participatory project selection criteria
11. Implement activities to demine and dismantle arms caches in collaboration with DS and community leaders

B. Further Recommendations for Reintegration Support

In light of the findings of this study, the team recommends that attention be paid to those factors which impact on the success of reintegration programs but do not necessarily fall under their mandates. For this reason it is advisable to:

1. Distinguish between political risk, community conflicts and unrest, general development needs and the need for DS reintegration assistance
2. Incorporate lessons learned into future planning and implementation of reintegration programming.

C. Areas for Further Study

In addition, the team suggests the following areas for further study:

1. Profiles of urban DS dwellers
2. Role and necessity of the reintegration (RSS) subsidy
3. Role and necessity of demobilization kits
4. The reintegration process, current status and needs of the officer class
5. The reintegration process, current status and needs of children with war experience
6. Border areas which report externally initiated civil disobedience
7. Methodologies for improved information dissemination for DS
8. Activity types which most benefit DS (formal employment vs. microenterprise/self-employment, disabled, women)
9. Models for assisting government to fulfill its reintegration commitments
10. How the reintegration program interacted with, replaced, ignored, or superseded political, community and development realities and how this has enhanced or hindered stability and could help redefine high risk in the reintegration process
11. Construction of a reintegration model based on lessons learned

VI. Appendices

A. Glossary

1. Definition of Terms

<i>Armed conflict</i>	A state of open, armed, often prolonged conflict carried on between nations, states, or parties. While a war can be carried on in different ways, the armed conflict refers to the military actions between fighting parties.
<i>Beneficiary</i>	The individual that has qualified for a service or benefit and had accessed it. Beneficiaries vary by benefit; they always are a sub-set of each targeted population.
<i>Benefits</i>	The set of programs, activities, and services designed and intended exclusively for a targeted group. Basic access to benefits is restricted to those individuals able to prove that they are part of the special target population. Usually estimations of the number of potential beneficiaries are made in the design phase to guarantee the availability of services. Examples of benefits include departure packages, cash payments, training services, and special "soft" credit lines or grants.
<i>Cease-fire</i>	The situation in which parties in conflict temporarily suspend armed conflict. This is always a requirement to discuss and implement demobilization activities. The cease-fire has to be guaranteed by all factions involved. An international monitoring presence has proven highly effective to help make the cease-fire permanent.
<i>Counseling</i>	An intervention designed to provide guidance and advice to ex-combatants in relation to issues surrounding the transition from military to civilian life. Often the most effective channel to provide objective and neutral information about access and requirements for programs and benefits, users benefit the most when the counseling process includes linkage to programs and opportunities. This provides for a one-stop neutral mechanism for ex-combatants to discuss their needs and to access benefits.
<i>Demobilization</i>	The process of discharge from military service related exclusively to the implementation of peace process activities. Demobilization takes place when combatants turn their weapons in for disposal, effectively reducing each faction operational capability and thereby stabilizing the cease-fire period.

<i>Demobilization ID or card</i>	Certification provided by appointed officials or international verification missions to eligible ex-combatants to guarantee access to programs and benefits targeted specifically to demobilized and to facilitate benefits tracking and accountability.
<i>Demobilized</i>	Former combatant group who has been mustered-out from active military service through the implementation of peace agreements and complies with eligibility requirements for access to special treatment or benefits. Demobilized personnel are usually certified through a specially issued demobilization identification.
<i>Disabled</i>	DS who have sustained lasting injuries which result in permanent handicaps as a result of the war
<i>Donor</i>	An organization or individual who contributes something, such as money, to a cause or fund, in this specific case, representative members of the international community assisting the war to peace transition through economic support, technical assistance and peace accords compliance monitoring.
<i>Eligibility Criteria</i>	<p>The set of rules previously agreed by all the involved stakeholders/policy-makers used to determine if a potential beneficiary qualifies for access to a benefit. The basic components of an ex-combatant eligibility criteria should include at least the following definitions:</p> <ul style="list-style-type: none"> • Identification requirements. Defines the minimum documents or certifications required to be identified as part of the targeted population. • Access window or time frames. Determines for how long the opportunity or benefit will be available to interested populations. • Special groups definitions. This can help to define the access rights when a specific sub-set of the targeted population is intended to be served. Examples include gender, age, educational requirements, social situation, geographical origin/destination, and years of service.
<i>Ex-combatant</i>	Any participant in the armed conflict active as a fighting party after the demobilization process took place. This term is usually replaced with <i>demobilized</i> when specific eligibility criteria qualify a sub-set of the ex-combatant population for special treatment or benefits, and <i>veterans</i> for the rest of the ex-combatant population.
<i>Linkage</i>	Liaison between targeted populations, usually unaware of program requirements and access mechanisms, and services or benefits providers. This referral or liaison is most effective when provided through a counseling and referral service.

<i>Opportunities</i>	The set of offerings available only at a certain period, usually non-repeatable, driven basically by social and economic factors, and not intended to be group-specific. Due to the volatile characteristic of the opportunities, the access is generally ruled by a "first come, first served" approach. Examples of these cases can be found in job placement programs and NGO development activities.
<i>Peace Accords</i>	The set of documents produced through peace negotiations defining the terms for the cease-fire and further activities to attain a sustainable peace. In this document the term "peace accord" refers to the General Peace Agreement signed between the Government of Mozambique and the Mozambican National Resistance (RENAMO).
<i>Practitioners</i>	Persons and institutions with an active role in the definition, management or implementation of reintegration programming.
<i>Reconstruction</i>	Programs or activities designed and intended to repair the effects of the armed conflict. These activities usually target damaged infrastructure and basic services with a focus on restoring war damaged social fabric.
<i>Reinsertion</i>	Incorporation of an individual or special group into the mainstream society after a traumatic experience. For the ex-combatants' case, the term is usually interchangeable with <i>reintegration</i> , but in strict terms, reinsertion should refer to a person's holistic return to civil society.
<i>Reintegration</i>	Social and economic rehabilitation of groups or individuals who have been demobilized.
<i>Stakeholder</i>	Any individual or group which has a stake or interest in a given issue. Stakeholders in matters of reintegration may include the demobilized soldiers themselves, their relatives, local communities, representative bodies, government, donors and aid agencies amongst others.
<i>Target Group</i>	The pool of potential beneficiaries for each reintegration activity. Each activity targets a specific group; the individuals who actually accessed the service are the beneficiaries.
<i>Veteran</i>	Ex-combatant who has retired from active service but who fails to meet the eligibility requirements to qualify as a DS (with access to benefits or special treatment). An example could be a combatant who was mustered out from military service before the end of armed conflict.
<i>Vulnerable Groups</i>	Special groups or specific social segments who are disadvantaged in relation to their communities as result of the armed conflict. These groups usually include war wounded or war disabled, orphans, child soldiers, displaced people and refugees.

2. Glossary of Acronyms

AA	Assembly Area
ADEMIMO	<i>Associação dos Deficientes Militares Moçambicanos</i> (Mozambican Association of War Disabled)
AMODEG	<i>Associação Moçambicana dos Desmobilizados da Guerra</i> (Mozambican Association of Demobilized Soldiers)
BDP	<i>Banco Popular de Desenvolvimento</i> (Peoples Development Bank)
CAII	Creative Associates International, Inc.
CORE	<i>Comissão de Reintegração</i> (Reintegration Commission)
CNRS	<i>Comissão Nacional para a Reinserção Social</i> (National Commission for Social Reintegration)
CRT	Conflict Resolution Team
DRP	Demobilization and Reintegration Process
DS	Demobilized soldier(s)
DSS/AM	DS Services Assistant Manager
DPT	<i>Departamento Provincial de Trabalho</i> (Provincial Directorate of Labor), Ministry of Labor
GCI	<i>Grupo de Coordenação e Informação</i> (Coordination and Information Group), Ministry of Labor
GOM	Government of Mozambique
GT	<i>Grupo de Trabalho</i> (Working Group), Ministry of Labor
GTZ	<i>Deutsche Gesellschaft für Technische Zusammenarbeit</i> , the German technical assistance agency
IA	Implementing Agency
ILO	International Labour Organisation
INEFP	<i>Instituto Nacional do Emprego e Formação Profissional</i> (National Institute for Employment and Professional Training)
IOM	International Organisation for Migration
IRS	Information and Referral Service for Demobilized Soldiers (<i>Serviços de Informação e Referência</i> or SIR)
ISCOS	<i>Instituto Sindical per la Cooperazione allo Sviluppo</i>
MINLAB	Ministry of Labor

MINSOC	Ministry for the Coordination of Social Welfare
NGO	Non-Governmental Organization
NOPF/AM	National Opportunities and PF Assistant Manager
ONUMOZ	United Nations Operation for Mozambique
ORF	GTZ's Open Rehabilitation Fund for Demobilized Soldiers (<i>Fundo Aberto de Reintegração</i> or FAR)
OSD	ILO's Occupational Skills Development Programme (<i>Desenvolvimento das Habilitações Ocupacionais</i> or DHO)
PCP	Provincial Coordinator of Programs, IOM
PF	Provincial Fund for Demobilized Soldiers (<i>Fundo Provincial</i> or FP)
RENAMO	<i>Resistencia Nacional de Moçambique</i> (Mozambican National Resistance), the main opposition party
RSS	Reintegration Support Scheme (<i>Eschema de Apoio de Reintegração</i> or EAR)
RTA	Regional Technical Advisor (IRS/PF staff)
UCP	<i>Unidade de Coordenação dos Programas</i> (Unit for Program Coordination), Ministry of Labor
UCPP	<i>Unidade de Coordenação Provincial dos Programas</i> (Unit for Provincial Coordination of Programs), Ministry of Labor
UNDP	United Nations Development Programme (<i>Programas das Nações Unidas de Desenvolvimento</i> or PNUD)
UNOHAC	United Nations Office for Humanitarian Assistance Coordination
USAID	United States Agency for International Development
WFP	World Food Programme

B. Original Scope of Work

In order to utilize remaining resources to reduce situations of unrest and accommodate programming in high risk districts, it is proposed that dissatisfied demobilized soldiers in areas of conflict or unrest are identified and an analysis of the factors causing such unrest conducted. High risk areas may be defined by a. Areas with a concentration of DS; b. The number and type of employment opportunities available; c. Percentage of disabled DS; d. Political tension; e. Incidents of unrest.

Based on IOM classifications of districts at risk, it is proposed that a team of consultants achieve the following:

Task 1: Review existing documentation which describes possible areas of risk throughout the country and derive priority lists of potential "high risk" districts.

Task 2: Engage DS, district administrators, NGOs and other relevant groups in discussions and interviews which point to factors which contribute to "high risk" areas.

Task 3: Conduct site visits to construct "high risk" district and DS group profiles.

Task 4: Determine factors which seem to promote stability and those which seem to contribute to unrest or dissatisfaction.

Task 5: Make recommendations which describe how to utilize remaining resources to best promote programming which contributes to stability.

Task 6: Present findings which describe possible continued post-IRS/PF "high risk" areas and recommendations for reducing such risk.

Methodology

The team will identify districts to be visited and compile information based on site visits. The team will collaborate with the USAID Oxford study team to be sure not to replicate work and to ensure comprehensive reporting.

The consultants will present their findings and submit a draft report in English to IOM for review. A final report will be submitted within 30 days of the approved draft.

Timeframe

Week 1: Document review, initial meetings, development of interview instruments and finalize logistics for site visits.

Week 2-4: Site visits and interviews conducted

Week 5: Submission of draft and debriefing with IOM. Modifications for submission of final draft prior to consultants' departure.

Final report (10 copies in English) submitted within 30 days of approved final draft with Portuguese to follow.

C. Dynamics of the Study

1. Approach

a) Grassroots approach

In conducting this study the team elected to take a grassroots approach. Team members went into the DS' communities and observed them going about their daily lives. They conducted in depth one-on-one interviews in order to capture individual DS perspectives on reintegration.

b) Nature of the data

The report is fundamentally data-driven. The team aimed to capture qualitative as well as quantitative data. The interview techniques were intended to promote discussion rather than amassing large numbers of responses to simple questions. This was in order to allow the team members to understand more fully the circumstances of DS in the areas categorized as "high risk".

2. Definition of Terms

The concept of "reintegration" is not a simple one and has been widely interpreted in Mozambique and in other post-war countries. For this study the team used the definitions set out in the Internal Review of Activities of February 1996 and the Report on the Transition of the Reintegration Program of June 1996, as it felt that these definitions were the most useful and matched most closely the accepted understanding of the concepts by reintegration implementing agencies, the Government of Mozambique and international donors.

Reintegration can be divided into the twin concepts of social and economic reintegration.

Social reintegration is considered to be largely defined by perceptions, both those of the individual and those of the community. Central to the concept of social integration is the eradication of the demobilized soldier as a special case, with special needs and privileges. In general terms the DS can be considered socially reintegrated when both the community and the DS himself/herself consider the DS to be an ordinary, active member of the community. In order to reach this stage, the phasing out of special treatment for DS is essential because as long as this continues the DS will remain an identifiable interest group apart from the rest of the community.

In addition to internal and external perceptions, certain benchmarks are needed to gauge the success of reintegration programs. The CAII evaluation team responsible for the IRS/PF's Internal Review of Activities (February 1996) identified the following indicators to measure the progression of the social reintegration process:

- Reestablishment with family
- Access to shelter
- Reconnection with community through activity in non-military activities such as religion, sports, etc.

Economic reintegration cannot be entirely separated from social reintegration. Self-sufficiency and economic contribution to the community are important aspects of social as well as economic reintegration. Most national and international development institutions and agencies have focused on issues of economic integration as the involvement of DS in economic activities has seemed to be the most appropriate and achievable strategy. In order to benchmark the impact of these interventions, the following indicators have been widely used:

- Incorporation into formal employment mechanisms
- Self employment in the formal and informal sectors
- Any other income generating initiative.

3. Team Composition

The research team comprised of 2 consultants and 3 research assistants. IOM staff from the IRS/PF office in Maputo and staff from the Creative Associates Johannesburg Office provided the team with guidance, support and technical assistance.

Consultants

Abubacar Sultan -Team leader
Montserrat Morales

Research Assistants

Sebastiao Temporario
Rui Neto
Valter Fainda

IOM Support Staff

Philippe Rastrano - Field work support
Candido Grino - Field work support
Abel Penny - Field work support

CAII Staff

Douglas Passanisi (Regional Director - Southern Africa) - Project direction
Edward Burke (Program Development Officer) - Co-ordination, compilation, report writing
Pedro Lihaha (Administrative Assistant) - Logistics and financial support

4. Time Frame

5-12 August - Review of documents, initial meetings, discussion of logistics, preparation of questionnaires, planning of report

12-17 August - Research team met in Beira, conducted interviews in Sofala province

18-27-August - Research team dispersed, conducted interviews in other five provinces

28-30 August - Research team met in Maputo to discuss findings, compilation of data

31 August - 5 September - Writing of draft report in English

6 September - Verbal presentation in English and submission of first draft

5. Areas Visited

Province	District	Locality	Team Members
Sofala	Beira	Beira	All
	Muanza	Muanza-Sede Galinha	
	Buzi	Buzi-Sede Bandua	
	Dondo	Savane	
Manica	Chimoio	Chimoio	Montserrat Morales Abel Penny
	Manica	Manica-Sede Messica	
	Sussundenga	Sussundenga-Sede Dombe	
	Makossa	Nhamagua	
	Guro	Guro-Sede	
Zambezia	Quelimane	Quelimane	Philippe Restano Sebastiao Temporario Valter Fainda
	Alto-Molocue	Alto-Molocue-Sede Nauela Mohiva	
	Mocuba	Mocuba Sede Namanjavira Mugeba Muaquiua	
Gaza	Chibuto	Chibuto Alto-Changane Maqueze Chikovo/Chissimbranine	Abu Sultan Rui Neto

		Changanine	
Inhambane	Hormoine	Pembe Makauleza Chitive Neves	Abu Sultan Rui Neto
Maputo	Maputo City	Maputo City	Abu Sultan
	Matola	Matola	Rui Neto
	Matuituine	Matuituine-Sede Zitundo Ponta D'Ouro Kwalhe	Candido Grino

D. Detailed Findings

Interviews with demobilized soldiers

1. Demographics of the study

Number of interviewees by province:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number of interviewees	29	40	7	37	11	52	176

Gender:

Gender	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Male	28	39	6	37	11	46	95%
Female	1	1	1	0	0	6	5%

Military affiliation during the war:

Military affiliation	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
FRELIMO	18	25	5	26	0	18	52%
RENAMO	11	15	2	11	11	34	48%

Rank:

Rank	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
High level officer	2	1	5	4	5	1	10%
Mid-rank officer	12	24	2	21	4	27	51%
Low-rank officer	15	15	0	12	2	24	39%

Level of education:

Level of Education	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
No education	2	4	0	13	2	3	14%
Standards 1-5	15	18	5	21	2	31	52%
Standards 6-7	9	10	1	0	7	11	21%
Standards 8+	3	8	1	3	0	7	13%

Formal training:

Training	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Formally trained	4	14	2	5	1	11	21%
No formal training	25	26	5	32	10	41	79%

2. Socio-Economic Status

a) *Family and housing*

Marital status:

Marital status	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Married	29	37	5	34	11	49	94%
Unmarried	0	3	2	3	0	3	6%

Total number of family members in household:

Number of family members in household	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
1 (DS is alone)	0	1	3	0	0	0	2%
2	0	14	0	2	1	4	12%
3 or more	29	25	4	35	10	48	86%

Number of children living with DS:

Number of children in household	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
0	0	3	0	4	2	4	7%
1	5	19	1	14	5	16	34%
2 or more	24	18	6	19	4	32	59%

School attendance for children of school-going age:

School attendance	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Attending school	11	22	7	13	5	27	86%
Not attending school	3	1	0	7	0	3	14%

Reasons for children of school-going age not attending school:

Reasons for non-attendance	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Can not afford schooling	2	1	0	3	0	1	50%
Denied access to school	0	0	0	2	0	1	22%
No school in vicinity	1	0	0	0	0	1	14%
Family needs child to work	0	0	0	2	0	0	14%

Sources of support for DS facing difficulties:

Source of support	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total (% of all interviewees)	Reasons for relying on these sources of support
Relatives	19	16	2	7	3	12	34%	Confidence Experience Physical proximity
Traditional authority	1	8	0	9	4	14	20%	Social responsibility Familiarity with community
Friends	5	5	1	5	0	9	14%	No family
GOM	2	6	2	6	0	4	11%	Authority
Church	3	1	1	3	0	0	5%	No family
Political organization	0	4	0	3	2	0	5%	Authority
AMODEG	0	0	0	0	0	4	2%	Information
Employer	0	0	0	1	0	0	1%	No reason given
ADEMIMO	0	0	0	2	0	0	1%	Information
Nobody	0	3	1	0	2	12	10%	No reason given

Place of residence of interviewees:

Place of residence	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Residing in place of origin	14	23	3	13	6	22	46%
Not residing in place of origin	15	17	4	24	5	30	54%

Interviewees' reasons for not returning to their places of origin:

Ranking of reasons	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala
First	Remained in military zone	Family moved to present area	Family moved to present area	Remained in military zone	Remained in military zone	Waiting for pension payments
Second	Better agricultural zone	Better work opportunities	Better work opportunities	Family moved to present area	Family died or disappeared	Family died or disappeared
Third	Family moved to present area	Family died or disappeared		Better work opportunities		Family moved to present area
Fourth	Study/training opportunities					Study/training opportunities
Fifth						Waiting for military orders

Dwelling place of interviewees:

Dwelling place	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Own house	25	36	3	31	8	39	80%
Family's house	3	2	0	3	3	6	10%
Rented house	1	2	0	0	0	5	5%
Borrowed house	0	0	0	3	0	2	3%
No house	0	0	4	0	0	0	2%

Intention of remaining in current location:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Intending to remain	27	36	7	29	9	38	83%
Not intending to remain	2	4	0	8	2	14	17%

Reasons for remaining in current location (ranked)

1. In place of origin
2. United with family
3. Better land
4. Work opportunities

Reasons for not wanting to remain in dwelling place (ranked):

1. Return to place of origin
2. Intending to find family

b) Community Participation

Organizational affiliations:

Affiliation	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number of DS affiliated to one or other organization	13	29	5	25	6	26	59%
Number of DS with no affiliation to any organization	16	11	2	12	5	26	41%
Number of DS who hold position of responsibility in organization	6	9	1	12	1	12	23%

Organization or type of organization	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total (% of all interviewees)
Religious	5	24	3	6	1	18	32%
Political	1	3	2	11	5	2	14%
AMODEG	7	1	0	1	0	6	9%
ADEMIMO	0	8	0	5	0	0	7%
Cultural	0	1	0	0	0	0	1%
Civic	0	1	0	0	0	0	1%
Traditional	0	0	0	1	0	0	1%

c) *Subsistence and Work Opportunities*

Occupation before entering the military:

Occupation	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Worked	13	11	3	19	1	18	37%
Studied	15	21	4	8	8	31	49%
Unemployed	1	8	0	10	2	3	14%

Fields of employment:

Province	Employment
Manica	Industry, commerce, agriculture, gardening, stonemasonry, metalwork, domestic service
Zambezia	Mines in SA, carpentry, healthcare, electrician, civil service, forestry
Maputo	Tailor, textiles
Gaza	Mines in SA, agriculture, mechanics, teaching
Inhambane	Agriculture
Sofala	Agriculture, driving

Employment among DS:

Employment status	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total	Type of employment/survival mechanisms for unemployed
Employed	1	2	1	3	6	6	11%	Employed in organizations/political parties (ADEMIMO, AMODEG, GOM, RENAMO) Commerce Trades
Self-employed	10	6	6	2	0	27	29%	Vendors Small/informal business Machamba
Unemployed	18	32	0	32	5	19	60%	Machamba Small/informal business Pension Family

								Hunting
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Most important factors which would help to ensure reintegration (from the DS perspective):

Factor	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	% of DS rating each factor	Reasons given
Self-employment	19	26	1	9	2	24	46%	Sustainable Provides autonomy Profit Facilitates survival Avoid marginalization
Employment	7	16	4	7	11	29	42%	Provides social status Income Long term security
Machamba	4	25	4	9	5	27	42%	Survival Profit Link with tradition
Family reunification	0	20	0	7	6	15	27%	Emotional support Financial support Stability
Building houses	1	13	3	9	7	14	25%	Imparts social status Provides DS with permanent address
Pension payments	4	13	0	6	1	17	23%	No reasons given
Development of infrastructure	1	15	0	5	2	8	18%	Job opportunities Better living conditions Community development
Cattle	0	0	0	19	4	0	13%	No reasons given
Social groups	0	12	0	0	1	4	10%	Means of social integration Support
Provision of work materials	2	1	0	4	1	8	9%	Support for self-employment
Support of local leaders	0	2	0	0	0	9	6%	Social integration
Provision of training/study	1	0	2	0	0	2	3%	No reasons given
Provision of civilian documentation	0	0	0	0	0	1	1%	No reasons given
Provision of transport	0	0	0	0	0	1	1%	No reasons given

Assistance with starting businesses	0	0	0	0	0	1	1%	No reasons given
More donor money	0	0	0	0	0	1	1%	No reasons given

Most important factors impeding reintegration of DS (from DS perspective):

Factor	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Shortage of cash for projects	23	17	5	17	5	0	38%
Unemployment	5	11	1	6	5	8	22%
Non-payment of pensions	0	0	0	4	0	11	9%
No difficulties	0	0	1	4	1	8	8%
Poverty	0	6	0	6	0	0	7%
Disability	0	3	0	5	2	0	6%
No houses	0	1	2	4	0	0	4%
Shortage of training/study	1	0	1	0	0	0	2%
Absence of family	0	2	0	0	0	0	2%
Illiteracy	0	0	0	0	1	0	1%
Discrimination by GOM against RENAMO	0	0	0	0	1	0	1%

Factors which would most aid DS's personal reintegration:

Factor	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	% of DS rating each factor
Assistance with self employment	17	23	4	6	5	25	45%
Employment	7	7	2	9	5	0	17%
Pension	0	3	0	6	0	12	12%
Cattle	0	0	2	16	0	0	10%
House	0	0	2	5	0	10	10%
Assistance with machamba	2	0	0	0	0	11	7%
Rehab /work for the disabled	0	0	0	0	0	12	7%
Training	2	3	2	0	1	0	5%
Family	0	0	0	0	0	6	3%
Material support	2	0	0	0	0	0	1%

Number of people contributing to family income:

Number of people contributing	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Just DS	0	4	5	4	0	6	11%
DS and wife	16	26	2	14	3	22	47%
More than two people	13	10	0	17	8	23	40%
Other person	0	0	0	2	0	1	2%

DS desires for the future (ranked):

1. Self employment
2. Employment
3. Training
4. Housing
5. Machamba
6. Payment of pensions
7. Family reunification
8. Freedom
9. Cattle
10. Continued peace

Access to UNOMOZ subsidies:

Access to subsidy	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Received subsidy	29	36	7	35	10	50	95%
Did not receive subsidy		4	0	2	1	2	5%

Reasons for soldiers not receiving subsidies (ranked):

1. No information from RENAMO
2. Lost documents
3. Sick
4. Fled demobilization area

What will you do now that there are no subsidies?

Survival strategy	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	% of total responses
Open machamba	12	19	2	9	4	20	42%
No difference	0	0	0	3	2	25	19%
Self employment	6	12	0	4	1	0	15%
Can not survive	6	0	5	0	1	7	12%
Rely on pension	5	1	0	10	1	0	11%
Work	0	0	0	0	1	0	1%

3. Reintegration Status

a) *Level of Reintegration and New Civilian Status*

DS perceptions of current status:

Perception of self	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total	Reasons given
Civilian	28	28	7	34	10	37	82%	Feel themselves to be civilians Outside of military structure No arms Have been demobilized (with DS cards) Civilian rights Forcibly recruited
Demobilized soldier	1	12	0	1	1	13	16%	Waiting for pensions No job, no support Fear of being drafted Conditions worse than those of civilians
Soldier	0	0	0	2	0	2	2%	Disabled and depend on the state Waiting for orders

DS perceptions of own reintegration:

Perception of self	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total	Reasons given
Reintegrated	24	31	4	33	8	41	80%	Same situation as rest of community Reunified with family Working on machamba Civilian rights Accepted by community Free from the army Suffered in the military No longer subject to military discipline Behave as civilians Own house Have returned to origin Employed Money and projects
Not reintegrated	5	9	3	4	3	11	20%	Cannot support family No house Dependent upon others Unemployed No opportunities (training, goods, etc.) Disabled No money No dignity

Desire for demobilization (at end of war):

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Wanted to be demobilized	28	38	7	33	11	49	94%
Did not want to be demobilized	1	2	0	4	0	3	6%

Reasons for wanting to be demobilized (ranked):

1. Tired of fighting
2. Forced recruitment

3. Completed conscription period
4. Needed by families
5. Wounded

Reasons for not wanting to be demobilized (ranked):

1. Military career
2. Better conditions in military
3. Community for disabled

Intentions at time of demobilization:

- Work
- Return home
- Reunification with family
- Build a house
- Return to machamba
- Training

Realization of these intentions after demobilization:

Extent of realization of intentions	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Intentions realized	3	6	4	4	1	8	15%
Intentions partially realized	5	8	0	15	5	12	26%
Intentions not realized	21	26	3	18	5	32	59%

Possibility of DS voluntarily returning to the military:

View on returning	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total	Reasons given
Would not return	29	39	7	37	11	50	98%	War is destructive Reunified with family Employed Forced recruitment Feel reintegrated

								Disabled Fear for survival DS wasted part of their lives in the military
Would return	0	1	0	0	0	2	2%	Would return if called upon to do so Would like a military career

DS contact with IOM field offices:

Contact with field offices	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number of DS who contacted IOM	19	23	5	13	3	22	48%
Number of DS who did not contact IOM	10	17	2	24	8	30	52%

Reasons for not contacting IOM:

Reason for not contacting IOM	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Were contacted through IOM's outreach efforts	0	7	1	10	3	16	37%
Could not reach its offices	10	10	0	8	0	6	34%
Heard of it but did not know where to find its offices	2	2	0	6	2	6	18%
Had no need of its aid	1	0	1	0	1	4	7%
Never heard of IOM	0	1	0	0	2	1	4%

Types of assistance provided by IOM:

Type of assistance	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Projects funded through PF	8	25	6	5	0	19	59%
Assistance with finding training	3	0	0	0	1	5	8%
IRS	2	3	0	1	0	1	7%
Micro-enterprise kits	1	1	0	4	0	0	6%
Aid in finding employment	0	2	0	0	1	3	6%
Assistance with pensions	0	0	0	2	0	4	6%

Transport aid	2	0	0	1	0	2	5%
RSS	2	0	0	0	0	0	2%
Medical assistance	0	0	0	0	2	0	2%
Food aid	0	0	0	0	0	1	1%

b) Maintaining Peace and Encouraging Development

How DS feel that they can contribute to maintaining the peace (ranked):

1. Work
2. Contribution to development efforts
3. Participation in civilian social and political activities
4. Civic education
5. Assist in demining
6. Positive social behavior
7. Supporting family structures
8. Obedience to laws
9. Avoid conflict

DS' views on resolving conflicts through use of force:

View	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Should not be resolved through force	29	39	7	37	11	51	99%
May be resolved through force	0	1	0	0	0	1	1%

4. The Disabled and Disability Pensions

Physical disability as a result of the war (out of all 176 interviewees):

Disability	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Some disability	8	10	2	16	5	24	36%
No disability	21	30	5	21	6	28	64%

Number of disabled DS interviewed:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number interviewed	8	10	1	16	5	24	64

Medical examinations:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number who received medical examination before UNOMOZ program	0	1	1	1	0	2	8%
Number who received medical examination during UNOMOZ program	2	5	0	6	2	4	30%
Number who received medical examination after UNOMOZ program	2	2	0	3	3	17	42%
Number who did not receive medical examination	4	2	0	6	0	1	20%

Reasons for not receiving medical examination (ranked):

1. Absent from demobilization zone
2. No examination team available
3. Poor information from UNOMOZ
4. Not identified for examination
5. Inequitable access to examinations

Pensions:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total	Reasons given
Number who received pension	0	1	1	3	0	5	17%	No reasons given
Number who did not receive pension	8	9	0	13	5	19	83%	Non-standard methods of evaluation Still waiting for payment

Other assistance provided for the disabled:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Received other assistance for rehabilitation	0	4	0	4	1	11	31%
Did not receive other assistance for rehabilitation	8	6	1	12	4	13	69%
Received assistance for reintegration	0	0	0	2	0	6	13%
Did not receive assistance for reintegration	8	10	1	14	5	18	87%

Socio-economic requirements for sustainable reintegration:

Province	Requirements
Manica	Self employment, pension, machamba, employment, training
Zambezia	Employment, information on disabled rights, self-employment, pension
Maputo	Machamba, wheelchairs
Gaza	Prosthetics, employment, money for projects, housing, pension, access to school for children
Inhambane	Funding for projects, medical assistance, pension, housing
Sofala	Pension, job, self employment, machamba

Other concerns:

1. Pension payment process is slow
2. DS with right to both pensions do not receive either

3. Lack of social and psychological assistance
4. Lack of medical assistance
5. Programming should address needs rather than potential threats
6. Lack of information

5. Severance (Reforma) Pensions

Number of DS eligible for reforma pensions:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number interviewed	10	11	1	17	0	10	49

Team's concerns:

- DS have little access to information regarding reforma pensions
- DS are not aware of their rights to pensions
- RENAMO soldiers do not know that they are not eligible for reforma pensions
- Eligible DS do not know how to apply for pensions

Number of interviewees who receive their reforma pension and number who have received other assistance with reintegration:

	Manica	Zambezia	Maputo	Gaza	Sofala	Total
Number who receive pension	5	3	1	6	5	41%
Number who do not receive pension	5	8	0	11	5	59%
Other assistance received	1	1	0	1	4	14%
No other assistance received	9	10	1	16	6	84%

Reasons for not receiving pension:

- Bureaucratic errors
- Do not know
- Were never registered for pensions

Note: In most cases assistance received came solely from IOM

Socio-economic requirements for sustainable reintegration:

Province	Requirements
Manica	Self employment, training, employment, machamba, goods
Zambezia	Self employment, machamba, pension, job
Maputo	Training
Gaza	Pension, self employment, employment
Sofala	Pension, employment, training, self-employment, goods

Other comments:

In some areas little assistance was available to DS
Slow pension payment process
Shortage of information
DS eligible for two pensions often did not receive either
Unequal payments for DS of same rank and service
Bureaucratic problems
Irregular payments
Some DS felt that further assistance is still needed to facilitate their reintegration

Interviews with other stakeholders

Number of interviewees:

	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
Number of interviewees	11	13	4	9	1	14	52

Organizations interviewed:

Stakeholder group	Manica	Zambezia	Maputo	Gaza	Inhambane	Sofala	Total
GOM	4	5	1	4	0	5	37%
AMODEG	3	2	1	0	0	2	15%
ADEMIMO	0	0	2	2	0	1	10%
NGOs	0	3	0	0	0	2	10%
Church	1	1	0	0	0	2	8%
Traditional Authority	1	1	0	1	0	1	8%
RENAMO	1	0	0	1	1	0	6%
Police	0	0	0	1	0	1	4%
IOM	1	1	0	0	0	0	4%

Role in reintegration:

Stakeholder group	Type of contact with DS	Further role in supporting reintegration
GOM	Link NGOs and DS, link to donors, provide information/documentation, sensitization, pensions lists, access to employment opportunities, control access to land, prescreening of projects for funders	Monitor and follow-up reintegration programs, enlist community support for DS, civic education, provide better information on payments of pensions, payment of pensions seek employment opportunities for DS allow greater access to land, local administration should seek solutions further up GOM hierarchy
AMODEG	Link donors and DS, sensitization, civic education, support vulnerable families, lobby for DS, pensions, seek employment opportunities for DS, provides projects for female DS	Contact NGOs for projects, seek training opportunities, bring DS together for projects, civic education
ADEMIMO	Links donors and DS, assistance with pensions, assistance with documentation, facilitates access to rehabilitation,	Civic education, create more projects for disabled, solve pending problems

	lobbying for disabled DS	
NGOs	Provide funding for projects, transportation for DS with disabilities	Involve DS in other vulnerable group projects, community development
Church	Mediation and counseling	Reconciliation
Traditional Authority	Facilitate community integration, conflict resolution, problem solving, counseling	Traditional ceremonies, house construction, reconciliation, productive activities, access to land, community reintegration
RENAMO	Encourage non-violence, problem solving, seek employment opportunities for DS	Promote sensitization, seek employment opportunities for DS, encourage DS to work in machambas
Police	Law enforcement, mediation, sensitization	Conflict resolution, legal awareness
IOM	Funding of projects, outreach efforts, mediation, information	Closing down operations

Problems and conflicts:

Province	Problems encountered in interaction with DS	Potential future conflicts
Manica	Lack of employment opportunities, lack of sustainable source of income, NGOs not keeping promises, little involvement of local government, lack of payment of pensions, lack of government support	Non-payment of pensions could result in conflict. Lack of reforma pensions for RENAMO officers is resulting in resentment. Soldiers demobilized before the AGP feel that they deserve benefits. Armed bandits (chmuenges) may threaten the peace.
Zambezia	Lack of employment opportunities, low standards of education, pensions payments, poverty, lack of accurate information on DS for pension payments, lack of GOM support, female DS discriminated against	DS have threatened to assault local GOM office. DS resent exploitation by tax collectors. Manipulation of beliefs in supernatural against DS.
Maputo	Pensions payment, lack of GOM support, lack of psychological support, FRELIMO DS resent lack of justification of ranking of RENAMO officers (higher ranks receive larger pensions), lack of coherent policy on disabled DS, officials feel that there are not enough projects aimed at them, reintegration programs appear to give DS special status	Zitundo - Double administration (FRELIMO and RENAMO) results in political tension. RENAMO soldiers living together and not attempting to reintegrate into civil society. Soldiers discharged before the AGP feel that they deserve benefits. Particularly concentrated in Ponto D'Ouro.
Gaza	Drug and alcohol abuse, slow payment of pensions, lack of employment and training opportunities, lack of assistance for disabled	Grouping together of DS with unresolved problems could lead to unrest. Changanine - Double administration (FRELIMO and RENAMO) results in political tension. High concentrations of RENAMO DS with unpaid pensions, lack of opportunities and assistance. No reintegration programs for former child soldiers.

Inhambane	Pensions payments, poverty, lack of GOM support, lack of employment/training opportunities	High concentrations of RENAMO DS with unpaid pensions, lack of opportunities and assistance.
Sofala	Pensions payments, low standards of education, RENAMO officials refusing employment in physical labor projects, lack of sustainable employment, lack of integration of RENAMO nurses and teachers into official structures	DS resent paying taxes when pensions are not being paid out - this is leading to tensions in some areas. Arms caches and minefields still need to be removed from former conflict zones - e.g. Muanza, Cheringoma. Purchase of land by South African business people could be a source of future conflict.

Note: All groups in all areas stressed that DS have not, on the whole, been responsible for violent conflict and that the potential for future conflict is extremely small

Attitudes of communities towards DS:

Province	Attitudes of other stakeholders
Manica	Problems are being satisfactorily resolved DS projects have improved relationships between DS and community
Zambezia	Good relationship between DS and community DS in similar socio-economic position to that of rest of population
Maputo	Good relationship between DS and community Some instances of community discriminating against RENAMO DS and disabled DS
Gaza	Good relationship between DS and community Solidarity with DS No resentment against DS DS well integrated
Inhambane	No distinction between DS and rest of population Solidarity with DS
Sofala	Good relationship between DS and community Solidarity with DS No distinction between DS and rest of population

DS' contribution to peace and development:

Province	How the DS have contributed to peace and development	Possible role of the DS in maintaining peace
Manica	Participation in development of infrastructure Observance of law Payment of taxes Avoidance of conflict	Continue positive behavior Focus on working instead of banditry Embracing patriotism instead of partisanship
Zambezia	Productive activities Avoidance of politics Participation in civic education initiatives Voluntarily surrendering arms	Collaborate with food for arms programs Help to protect communities Participate in post-war programs and civic education
Maputo	Productive activities Reporting hidden arms Participation in community work Initiation of associations (AMODEG and ADEMIMO) to address DS problems	Participate in reconciliation initiatives Help communities to solve problems Disperse in areas where high concentrations of DS Show greater initiative in solving own problems
Gaza	Productive activities Efforts to become civilians Avoidance of conflict Efforts to solve their own problems Establishment of families	Start businesses Exhibit good civilian behavior Collaborate with police in solving conflicts Show greater initiative in solving own problems
Inhambane	Productive activities Avoidance of violence Establishment of families	Continue to participate in productive activities
Sofala	Productive activities Participation in projects and training Resolution of problems through dialogue rather than force Positive social behavior Avoidance of criminal activities	Participate in rural development and demining Show greater initiative in solving own problems Continue to participate in productive activities

Stakeholders' perceptions of the reintegration program:

Stakeholder group	Positive factors	Negative factors
GOM	Good impact of IRS and PF Demobilization kits successful and more useful than any other	Support was generally insufficient NGOs did not fulfill their commitments

	<p>mechanism for reintegration support Support was valuable where provided IDIL/DHO projects operated in transparent manner</p>	<p>Some districts and rural areas overlooked by programs DHO not based on market studies No follow-up of projects (DHO, GTZ, IOM) Projects targeted individuals rather than groups Poor coordination between IOM and local GOM Greater coordination should occur between NGOs and GOM Criteria for selection for IOM projects not transparent</p>
AMODEG	<p>Support was valuable where provided</p>	<p>Support was generally insufficient Promises unfulfilled (e.g. Nhanhamagua, Makossa) Projects concentrated more in urban than in rural areas Funds given to recipients who lacked management capabilities Poor coordination between IOM and GTZ IOM and GTZ promises not met Discrimination against female DS GOM misuses funds allocated to DS</p>
ADEMIMO		<p>Insufficient monitoring of projects Projects tended to benefit the most literate (and therefore less vulnerable) DS IOM downsizing was unexpected - occurred just as projects were gaining momentum IOM's information on projects undertaken is exaggerated</p>
NGOs		<p>Projects not based on market studies Insufficient follow-up of projects</p>
Church	<p>External assistance helped to resolve conflicts</p>	<p>Some districts and rural areas overlooked by programs</p>
Traditional Authority		<p>Traditional authorities not consulted re reintegration efforts</p>
RENAMO		<p>Insufficient funding of projects in RENAMO areas Outreach services insufficient</p>
Police	<p>IOM projects helped to maintain peace</p>	<p>IOM did not fulfill commitments</p>
IOM	<p>Projects made positive impact on communities Projects facilitated acceptance of DS into communities</p>	

Other issues raised:

AMODEG - GOM should take full responsibility for DS

General: Agricultural commerce should be organized and assisted through national bodies

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E. Reintegration Support for the Demobilized

The Mozambican Civil War officially ended in October 1992 with the signing of the General Peace Accord. The demobilization process took place in 1993-4 over a period of several months. The reintegration support process for the demobilized was coordinated through the United Nations Humanitarian Assistance Coordination Unit (UNOHAC) and the Commission for Reintegration (CORE). Under CORE four mechanisms were created to address the reintegration issue:

1. The Information and Referral Service (IRS)

A service providing counseling and information on benefits and opportunities to demobilized soldiers, as well as mapping the opportunities available to and problems facing demobilized soldiers at a provincial level. This program was designed and provided with technical support by CAII, administered by IOM and funded by the United States Agency for International Development (USAID).

2. The Reintegration Support Scheme (RSS)

A scheme, implemented by the United Nations Development Program (UNDP) which provided payments to demobilized soldiers for eighteen months, beginning six months after demobilization. During the initial six month period the government took responsibility for demobilization payments. The scheme provided DS with economic support for a limited time period in which to begin social and economic reintegration. The payments were made on a two-monthly basis and amounted to between 75,000 and 100,000 MT per month.

3. The Occupational Skills Development Program (OSD)

A vocational training program implemented by the International Labor Organization (ILO) which provides training and vocational kits to demobilized soldiers in order promote useful vocational skills to find employment or start their own enterprises in civil society.

In November 1994 a fourth program was added:

4. The Provincial Fund (PF) and Open Reintegration Fund (ORF)

This was designed to complement the activities of the IRS in Maputo, Gaza, Zambesia, Niassa, Nampula and Cabo Delgado. It is implemented by IOM, funded by USAID, and provides for the creation of opportunities in the provinces through the funding of community level projects which would provide employment opportunities to demobilized soldiers.

In the central provinces of Inhambane, Sofala, Manica and Tete, the Open Reintegration Fund (ORF), is administered by the Gesellschaft für Technische Zusammenarbeit (GTZ), performs similar functions to those of the PF.

F. Structure and Review of the IRS/PF Activities

1. The IRS/PF Structure

The IRS/PF is composed of a head office in Maputo with provincial offices in each of the ten provinces. From the beginning of the project the IRS/PF has operated outreach activities which engage in problems and opportunities mapping, counseling and referrals, and information gathering at the district level.

At a national level the IRS/PF is headed by the Program Manager, under the supervision of the Chief of Mission. The Program Manager, according to the IOM job description, is "responsible for overall coordination within the IRS/PF program, for program design and orientation, and for external relations with [the] wider development community". Reporting to the Project Manager are the Regional Technical Advisors, who provide technical advice and monitoring of IRS/PF activities in their assigned regions, the Assistant Manager for Opportunities and Development Fund Portfolio, and the Assistant Manager for DS Services.

At a provincial level the Provincial Coordinator of Programs (PCP) reports to the Assistant Managers. Reporting to the PCP are, on the PF side, the Opportunities and PF Officer, and his/her Opportunities and PF Assistant, and, on the IRS side, the DS Services counselor, with his/her Benefits Assistant and Advising and Referral Assistant. Over a hundred staff administer the day to day operations of the IRS/PF at the provincial level.

2. Direct Services offered by IRS/PF from Provincial Offices and Districts

The purpose of the IRS, according to the original USAID grant agreement, was "to assist ex-combatants to integrate into civilian life by directing them to possibilities for employment, training and vocational kits, and promoting realistic expectations". Its function has been to provide information and counseling to DS and to serve as a direct link between DS and those institutions which provide benefits to DS.

The IRS provides DS with referral services to companies, organizations and Government offices with regard to a number of areas including :

- Employment placement
- Training opportunities
- Assistance with pensions, RSS checks, replacement ID cards etc

The PF was created as a tool of the IRS, a small, flexible grant-making mechanism to be involved in the financing or co-financing of local initiatives at provincial and district levels.

It makes available funding for the setting up of small businesses and supports community-level projects which employ, train and apprentice DS.

The project has provided funding for various types of projects including:

- Professional training
- On the job training
- Promotion of permanent employment
- Reconstruction and maintenance projects of high labor intensity (roads; water supply, drainage and irrigation; land reclamation, soil conservation and forestry; public services and infrastructures; etc.)
- **Self-employment (mainly handicraft and informal sector, assisted through small grants for professional kits and running capital)**
- Small business (promoted through a credit system and additional financial, technical and management assistance, supported by specialized private and/or public institutions - formal credit - or associations and NGOs - informal credit)
- Relocation of still dislocated DS with specific reintegration support (through inter-provincial/inter-district coordinated actions)
- Area based projects (promoting the DS reintegration through the community development activities including other vulnerable groups, and addressing the **community's economic and social needs**)
- **Institutional support (oriented to increase the capacity of the institutional framework related to reintegration).**

3. Collaborative Services Offered by the IRS/PF

The nature of the IRS/PF's work in funding and referrals has meant that it has had to work closely with a number of other organizations.

The Deutsche Gesellschaft fur Technische Zusammenarbeit (GTZ) runs a fund called the Open Reintegration Fund (ORF) which undertakes activities similar to those of the PF in the central region of Inhambane, Manica, Sofala and Tete. The IRS/PF structure has provided support services to this fund and been responsible for the identification of the beneficiaries and their needs in the central region through outreach activities, project pre-screening and reintegration impact monitoring.

The IOM collaborates with the ILO's Occupational Skills Development project (OSD) by identifying opportunities for training courses and DS requirements. The ILO periodically visits the provinces to meet with the local instructors and institutions and to select instructors and participants. The ILO provides the IRS/PF's provincial staff with all information regarding its program for the IOM's database.

IOM has a cooperative agreement with the Instituto Sindical per la Cooperazione Allo Sviluppo (ISCOS) and the Instituto Nacional do Emprego e Formaço Profissional

(INEFP) whereby the PF provides micro-enterprise start up grants for selected DS who have completed training courses by ISCOS. In addition the IRS provides ISCOS with information on potential DS trainees.

In the early phases of the reintegration effort the IRS acted as reference centers to assist DS with RSS payments, although UNDP later set up its own field operations to deal with RSS monitoring and support.

The IOM also cooperates with numerous other public institutions, NGOs and private sector enterprises to implement PF projects. These include IBIS, ADPP, KULIMA, UGC, AMODEG, CAM, Handicap International, Halo Trust and others.

G. Annexes

1. *Interview Guides*

2. *Supporting Documentation*

Guião para as Entrevistas dos Soldados Desmobilizados

Data: _____ Entrevistador: _____

Local da Entrevista: _____ Província _____

Distrito _____

Localidade _____

I. IDENTIFICAÇÃO

1. Nome: _____

2. Idade 3. Sexo

4. Origem: Província _____ Distrito _____ Localidade _____

Se não esta a viver na sua localidade de origem, indique as causas _____

5. Habilitações literárias 6. Estado Civil

7. O que fazia **antes** da vida militar?

Actividade

Trabalhava

Estudava

Desempregado

8. Teve alguma formação profissional? Sim Não

9. Em que exercito serviu? FRE REN

10. Patente: Oficial superior Subalterno Soldado

11. Porque foi desmobilizado? AGP Ferido Outro

12. Queria ser desmobilizado? Sim Não Porque?

13. O que queria fazer após a desmobilização?

Conseguiu materializar os seus desejos após a desmobilização?

14. E portador de alguma deficiência física devido a guerra? Sim Não

(Se sim, preencher a secção IV)

II. SITUAÇÃO SOCIO-ECONOMICA ACTUAL

1. A casa em que vive e de quem?

Própria Da família Alugada Empréstada Sem Casa

2. Vai ficar a viver nesta localidade? Sim Não Porque? _____

3. Total de membros do agregado familiar incluindo o entrevistado:

Quantos filhos Os que estão em idade escolar, vão a escola?
Sim Não

Se não, indique as razões: Falta de acesso
Falta de escola perto
Falta de meios
Outras prioridades Quais? _____

4. Quantos contribuem para o sustento do Agregado? (dinheiro e outras formas)

Só o entrevistado
O entrevistado e esposa
Mais de duas pessoas

5. Quanto dinheiro o agregado familiar consegue juntar por mês?

6. Ocupação

Empregado Actividade _____ Empregador _____
Auto-empregado Actividade _____
Desempregado Como sobrevive? _____

7. Recebeu o subsidio da ONUMOZ do BPD? Sim Não

O que esta a acontecer agora que pararam os pagamentos? _____

8. E membro de alguma organização? Sim Não

Religiosa Cívica
Política Tradicional
Cultural/Desportiva Outro tipo Qual? _____

Ocupa algum cargo de responsabilidade nessa organização? Sim Não

9. A quem recorre frequentemente quando enfrenta dificuldades? _____

Porque? _____

III. REINTEGRAÇÃO

1. Ja foi aos escritorios da OIM? Sim Não
Se não, Porque? Nunca ouviu falar
Não sabe onde fica
Fica longe e inacessível
Não precisa da assistência da OIM
Recebeu visita de OIM na sua localidade

Se sim, que tipo de assistência solicitou? _____

2. Quais são os factores mais importantes para assegurar a sua reintegração na vida civil?

Porque?

Emprego	<input type="checkbox"/>	_____
Auto-emprego	<input type="checkbox"/>	_____
Reunificação com a família	<input type="checkbox"/>	_____
Machamba	<input type="checkbox"/>	_____
Grupo social	<input type="checkbox"/>	_____
Apoio dos líderes locais	<input type="checkbox"/>	_____
Pagamento das pensões	<input type="checkbox"/>	_____
Desenvolvimento das infraestructuras locais	<input type="checkbox"/>	_____
Materiais de trabalho	<input type="checkbox"/>	_____
Construção de uma casa	<input type="checkbox"/>	_____

Outro(s) _____

3. Que factores impedem ou dificultam a sua reintegração na vida civil?

4. Neste momento, considera-se: Civil Militar Desmobilizado

Porque? _____

5. Considera-se reintegrado na vida civil:

Sim Porque? _____

Não Porque? _____

6. O que poderia facilitar ou melhorar a sua reintegração na vida civil?

7. Neste momento, quais são os seus principais desejos em relação ao futuro?

8. Como pensa que os desmobilizados poderão contribuir para assegurar a paz no país?

9. Acha que os conflitos devem ser resolvidos pela força? _____

10. Considerando a sua vida actual, alguma vez lhe ocorreu regressar a vida militar?

Sim Não Porque? _____

IV. PARA OS QUE DEVEM RECEBER PENSÕES

A. INVALIDEZ

1. Fez a junta medica para a avaliação do seu nível de deficiência? Sim Não

Se não, porque? _____

Data da junta medica? _____

2. Esta a receber a pensão de invalidez? Sim Não

Explique _____

3. Qual e o tipo de apoio que recebe para a reabilitação? (saúde, próteses, transporte, construção da casa, projectos, etc.)

4. Recebe qualquer outra forma de assistência para apoiar a sua reintegracao?

5. Quais são as suas necessidades (sócio/económicas) para a sua reintegração sustentável? _____

6. Outros comentários _____

IV. PARA OS QUE DEVEM RECEBER PENSÕES

B. REFORMA

1. Tem direito a pensão? Sim Não Se sim, esta a receber? Sim Não

Se não, porque? _____

2. Quais são as suas necessidades (sócio/económicas) para a sua reintegração sustentável? _____

3. Recebe qualquer outra forma de assistência para apoiar o processo de reintegração? _____

4. Outros comentários _____

Guiao para as Entrevistas de Outras Entidades

Data: _____ Entrevistador: _____

Local da Entrevista: _____ Provincia: _____

Distrito: _____

Localidade: _____

I. IDENTIFICAÇÃO

1. Nome: _____

2. Organização: _____

3. Posição: _____

II. CONSIDERAÇÕES DA REINTEGRAÇÃO

1. Qual e o tipo de contacto que tem com os desmobilizados? _____

2. Que problemas, conflitos encontrou relacionados com os desmobilizados?

3. Como e por quem tem sido resolvidas estas situacoes? _____

4. Qual a atitude da comunidade em relação aos desmobilizados? _____

5. De que forma os desmobilizados tem contribuído para a paz e desenvolvimento?

6. Quais são as suas perspectivas sobre o papel dos desmobilizados na manutenção da paz? _____

7. Como avalia o apoio que os desmobilizados receberam? (OIM, GTZ, DHO, etc)

8. Quais são os conflitos potenciais que podem ameaçar a reintegração?

9. Qual é o papel da sua organização ou comunidade para apoiar este processo?

10. Outros comentários: _____

“Chimuenjes” existem em Moçambique

— defende ministro Alfredo Gamito

SANTOS ARTUR

O MINISTRO da Administração Estatal, Alfredo Gamito, é de opinião que os “chimuenjes” existem realmente. Aquele governante sustenta essa sua posição num documento entregue a propósito da questão levantada ao Executivo por alguns partidos da oposição política não-armada representados na província de Manica.

Na sua óptica, aquando da eclosão do fenómeno, tais partidos, agindo por conta própria, foram ao terreno e produziram um circunstanciado documento sobre o assunto, que

entre outros aspectos continha até alguns dos nomes dos principais líderes desse grupo de indivíduos, sobre quem pesam atrocidades diversas cometidas contra populações indefesas no interior de Moçambique.

Para o ministro Gamito, que falava ontem a jornalistas em Chimoio, “os “chimuenjes” efectivamente existem. Estarão agora num processo de desintegração”, questionou-se, para acrescentar que “eventualmente que sim. Daí que me apoiem nesse posicionamento feito por aqueles partidos e que julgo ter sido feito com muita

seriedade e com muito detalhe” — repisou.

Respondendo a uma outra pergunta relacionada com os pronunciamentos sobre a matéria feitos pelo deputado pela bancada da Renamo, José Mascarenhas, que contrariam a sua existência, o ministro Gamito apoiou-se nos desenvolvimentos subsequentes do assunto.

Segundo aquele governante, conforme veio a tornar-se público, o outro deputado que fazia parte dessa comissão da Assembleia da República encarregue do estudo do assunto no terreno, Edgar Cossa, da Frelimo, este último distanciou-se das declarações proferidas pelo seu colega.

“Ele disse que não concordava com aquele documento apresentado pelo seu colega, pois, segundo ele, o mesmo foi feito numa altura em que ele ainda estava a elaborar o relatório e que estava a tratar toda a informação que ele tinha conseguido colher sobre isso. Se vão chegar à mesma conclusão, isso é que não sei” — disse.

Por seu turno, o Governador de Sofala, Felisberto Tomás, outro dos dirigentes contactados pelo “Notícias”, opinou que existem efectivamente “grupos de elementos desestabilizadores, que devem ser energicamente combatidos”.

Questionado sobre o envolvimento da unidade especial da Polícia de Intervenção Rápida de Sofala nas acções de perseguição desse grupo de malfeitores, o timoneiro de Sofala esclareceu ser isso um

Em Chipandzane

Homens armados guarnecem esconderijo de armamento

— suspeita o primeiro-secretário da Frelimo em Inhambane

HOMENS armados, cujo número ainda não está especificado, movimentam-se desde o fim do conflito armado na zona de Chipandzane, posto administrativo de Mapinhane, no distrito de Vilankulo. Suspeita-se que os referidos homens estejam a guarnecer um arsenal de armas, porquanto Chipandzane foi outrora um acampamento da Renamo, segundo Maurício Vieira, primeiro-secretário provincial da Frelimo em Inhambane.

A existência de homens armados naquela zona foi denunciada pela população local durante um comício popular orientado pelo Secretário-Geral da Frelimo, Manuel Tomás, que visitou a província há cerca de duas semanas. Os populares mostram-se inquietos pela existência de tais homens armados e equipados de rádios transmissores de alta potência.

Para Maurício Vieira, os referidos homens pertencem ao ex-movimento rebelde

dzane, lugar onde se encontram neste momento acuartelados, foi outrora um acampamento da Renamo e suspeita-se que eles estejam a guarnecer algo estranho, ou seja armamento.

Questionado pelo “Notícias” sobre se o assunto é ou não do conhecimento das estruturas administrativas de Chipandzane, Maurício Vieira disse não se tratar de um assunto novo, daí que afirmou estar em curso um trabalho visando esclarecer ou desvendar o verdadeiro objectivo da existência daqueles homens armados em Chipandzane.

Aquele dirigente partidário não afastou a possibilidade de tais homens estarem ali a guarnecer um esconderijo de armas, dado que estão constantemente a comunicar-se através de rádios que possuem no local.

A nossa Reportagem soube que uma brigada que esteve recentemente a fazer propaganda do início do censo-piloto, que decorreu no distrito de Vilankulo e inaugurado em Belane, teria sido impedida de penetrar na zona de

sob o pretexto de haver minas.

“Disseram-nos que havia minas e que não podíamos ir àquela zona”, — contou um dos elementos da referida brigada, para depois dizer que “eu duvido da seriedade daquelas afirmações”, tendo concluído que, “não se tratava de minas, mas sim de algo estranho que não podíamos ver”.

O primeiro-secretário provincial da Frelimo em Inhambane disse estar em curso um trabalho de investigação. Entretanto, não forneceu mais detalhes “para não permitir a fuga de informações”, mas assegurou que o problema era do conhecimento do Governo local.

Entretanto, a nossa Reportagem soube em Inhambane que o assunto está já a “mexer” com a Renamo naquela província, incluindo parlamentares da bancada do partido liderado por Afonso Dhlakama, no sentido de encontrar a

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BOLETIM DA REPÚBLICA

PUBLICAÇÃO OFICIAL DA REPÚBLICA POPULAR DE MOÇAMBIQUE

3.º SUPLEMENTO

SUMÁRIO

Conselho de Ministros:

Decreto n.º 3/88:

Aprova o Regulamento de Previdência Social e Reforma nas Forças Armadas de Moçambique.

CONSELHO DE MINISTROS

Decreto n.º 3/86

de 25 de Julho

Pelo Decreto n.º 5/83, de 12 de Novembro, foi aprovado o Regulamento Básico do Militar nas Forças Armadas de Moçambique (FPLM) o qual tem por objectivo definir os direitos e deveres dos militares e assegurar uma alta organização, disciplina e eficiência das Forças Armadas.

Como Regulamento Básico que é, torna-se necessário proceder ao detalhamento de alguns aspectos nele versados.

Um dos aspectos que assume presentemente uma importância fundamental é o da previdência social e reforma dos militares.

Nestes termos, ao abrigo da alínea c) do artigo 60 da Constituição da República Popular de Moçambique, o Conselho de Ministros decreta:

Artigo 1. É aprovado o Regulamento de Previdência Social e Reforma nas Forças Armadas de Moçambique, em anexo ao presente decreto e que dele faz parte integrante.

Art. 2. O Ministro da Defesa Nacional e o Ministro das Finanças determinarão, por diploma ministerial conjunto, as alterações que a execução do regulamento venha a mostrar recomendáveis, em tudo o que se refira exclusivamente a aspectos de execução e à instrução dos processos.

Art. 3 — 1. Por diploma ministerial conjunto do Ministro das Finanças e do Ministro respectivo, as disposições do presente regulamento poderão também aplicar-se, no todo ou em parte, às forças policiais e de segurança, ou a determinadas ocupações específicas do Ministério do Interior e do Serviço Nacional de Segurança Popular.

2. O diploma ministerial referido no número anterior determinará, quando seja o caso, as adaptações específicas do regulamento que devam ter lugar no que se refere à instrução dos processos de constituição das diferentes pensões nele previstas.

Art. 4 — 1. Os impressos a utilizar na execução do presente regulamento serão, sempre que possível e recomendável, de modelo uniforme, a aprovar pelo Ministro das Finanças.

2. Tratando-se de modelos a adoptar ou a emitir pelos órgãos competentes das forças armadas, a aprovação dos mesmos será conjunta.

Art. 5. As dúvidas que se suscitarem na execução do regulamento serão resolvidas por despacho conjunto do Ministro da Defesa Nacional e do Ministro das Finanças, ou por despacho simples do Ministro das Finanças, consoante a matéria a que respeitem.

Art. 6. O Ministro da Defesa Nacional e o Ministro das Finanças expedirão, pela forma adequada, as instruções detalhadas que se mostrem necessárias para a correcta execução do regulamento.

Art. 7. O presente decreto entra em vigor no prazo de noventa dias após a sua publicação.

Aprovado pelo Conselho de Ministros.

O Presidente da República, Marechal da República
SAMORA MOISÉS MACHEL.

REGULAMENTO DE PREVIDENCIA SOCIAL E REFORMA NAS FORÇAS ARMADAS DE MOÇAMBIQUE

CAPITULO I

Disposições gerais

ARTIGO 1

(Objecto e âmbito de aplicação)

1. O presente regulamento estabelece as normas que regem a constituição do direito e o pagamento dos seguintes abonos:

- a) Pensões de reforma e de invalidez;
- b) Pensão de sobrevivência;

e) Pensão por serviços excepcionais e relevantes prestados ao País.

2. Beneficiam do esquema de pensões e demais benefícios estabelecidos pelo presente regulamento os veteranos a luta de libertação nacional, os militares do quadro permanente e os seus familiares que sejam herdeiros hábeis.

3. Os militares a prestar o Serviço Militar Obrigatório os seus familiares apenas são abrangidos pelas disposições do regulamento nos casos em que tal seja expressamente indicado.

4. Assiste o direito à constituição da pensão por serviços excepcionais e relevantes prestados ao País mesmo quando os actos que a originam hajam sido praticados por civil.

5. A pensão de sangue poderá igualmente ser instituída a favor de civis incorporados nas forças militares ou com as colaborando por ordem da autoridade competente, nas condições estabelecidas no regulamento.

ARTIGO 2

(Interpretação e uso dos termos)

1. As seguintes palavras e expressões utilizadas no presente regulamento terão o significado que para cada uma delas vai indicado:

Regulamento Básico — significa o regulamento aprovado pelo Decreto n.º 5/83, de 12 de Novembro;

Regulamento de Vencimentos — significa o regulamento aprovado pelo Decreto n.º 6/83, de 29 de Dezembro;

Tempo de serviço — significa o tempo contado de acordo com as disposições aplicáveis do presente regulamento, com as bonificações que hajam de acrescer-se ao tempo de serviço efectivo por força do tratamento especial previsto no artigo 4;

Vencimento — significa a remuneração mensal total devida ao militar nos termos do Regulamento de Vencimentos, incluindo os subsídios de antiguidade previstos no seu artigo 25, mas com exclusão dos subsídios a que se refere a parte final do artigo 35 do mesmo diploma;

Veteranos da Luta de Libertação Nacional (ou, abreviadamente *Veteranos*) — significa qualquer cidadão nacional que tendo tido participação activa na luta de libertação da Pátria, nas frentes da luta armada e da luta clandestina, no trabalho organizativo de apoio aos militantes da Frelimo, no combate diplomático e da informação e propaganda, na batalha intransigente pelo reconhecimento dos direitos dos homens, dos povos e pelo triunfo da Independência, Democracia e Paz, desde que, para efeitos de habilitação de benefícios estabelecidos pelo presente regulamento tenha sido integrado ou venha a sê-lo, ainda que a título póstumo, nos quadros das Forças Armadas de Moçambique (FPLM).

2. Os veteranos que actualmente se encontrem ou que estejam em estado, por determinação do Partido ou do Estado, a trabalhar em ocupações civis igualmente poderão habilitar-se às pensões previstas neste regulamento quando sejam mais favoráveis do que as previstas noutro sistema de previdência social de que, alternativamente, pudessem beneficiar.

ARTIGO 3

(Contagem do tempo de serviço)

Nos casos em que a constituição da pensão dependa

enunciadas nos artigos 54 e 55 do Regulamento de Vencimentos, cuja aplicação se conjugará com as disposições dos números seguintes.

2. Para efeitos de constituição das pensões de reforma e de invalidez e da pensão de sobrevivência é contado todo o tempo de serviço relativamente ao qual o militar tenha satisfeito ou venha a satisfazer os encargos respectivos previstos no presente regulamento.

3. Quando a contagem do tempo de serviço não perfaça um número inteiro de anos, deixará de contar-se a parcela correspondente aos meses ou dias adicionais, não sendo permitidas quaisquer aproximações de tempo.

4. O tempo em que os militares permaneçam em qualquer situação pela qual tenham direito à percepção apenas parcial de vencimentos é sempre contado para efeitos do estabelecimento de determinada pensão, desde que tenham contribuído ou venham a contribuir com os descontos correspondentes à respectiva remuneração total como se se achassem em situação normal.

5. As ausências injustificadas ao serviço e o tempo de serviço descontado por motivo de pena disciplinar nunca serão contados para efeitos de constituição de qualquer das pensões previstas neste regulamento.

6. O tempo de serviço prestado em organismos civis sem perder a condição de militar apenas será contado quando o interessado satisfaça ou venha a satisfazer o encargo correspondente, calculado com base no vencimento da respectiva patente ou posto.

ARTIGO 4

(Aumento do tempo de serviço para efeitos de reforma)

1. Quando os interesses da Nação assim o exigirem, poderão ser fixados, por despacho conjunto do Ministro da Defesa Nacional e do Ministro das Finanças, mediante proposta dos comandantes das armas e serviços respectivos, determinados locais ou especialidades com tratamento especial na contagem do tempo de serviço e as bonificações respectivas.

2. Os veteranos da luta de libertação nacional beneficiarão do acréscimo de 100 por cento na contagem do tempo de serviço prestado até 7 de Setembro de 1974, incluído o tempo de prisão política que hajam sofrido.

ARTIGO 5

(Isenção de encargos)

É isento do encargo fixado no artigo 15, mas será contado para efeitos do cálculo da pensão devida:

- O tempo de serviço prestado antes da entrada em vigor do presente regulamento;
- O tempo do Serviço Militar Obrigatório;
- O tempo em que o militar esteja como cadete ou aluno nos cursos ou em escola de formação de oficiais e sargentos, quando nas situações previstas no artigo 29, alínea b), e no artigo 31 do Regulamento de Vencimentos.

ARTIGO 6

(Encargos sobre o tempo de serviço não contado)

1. Os encargos correspondentes ao tempo de serviço que, por qualquer motivo, não tiver sido oportunamente contado, podem ser satisfeitos directamente e a prorrogação pelos interessados, ou por meio de descontos nos vencimentos ou pensões que auferirem no momento do pedido da contagem, a promissar em prestações mensais e seguintes.

de montante não inferior à quota normal para compensação de reforma.

2. No caso de o devedor se encontrar já desligado do serviço para efeitos de reforma, ou quando a contagem de tempo seja requerida pelos herdeiros hábeis do militar falecido para efeitos de constituição da pensão de sobrevivência, as importâncias em dívida serão descontadas na primeira pensão que vier a ser abonada ou nas pensões seguintes até perfazer o respectivo total mas, salvo pedido de maior desconto, este não deverá exceder 15 por cento do valor da pensão normal.

3. Os encargos a que se refere o presente artigo serão calculados sobre o vencimento actual dos postos, patentes ou cargos em relação aos quais é requerida a contagem.

4. Quando a contagem de tempo seja requerida pelos herdeiros hábeis do militar já falecido, para efeitos de constituição da pensão de sobrevivência, o encargo correspondente a considerar será de apenas 1 por cento.

5. A fixação dos encargos e a instrução para o processamento dos descontos compete à Direcção de Finanças do Ministério da Defesa Nacional tratando-se de militares ainda no serviço activo e ao Ministério das Finanças nos restantes casos e terá por base as certidões de efectividade do militar.

ARTIGO 7
(Reintegração)

1. Quando, por virtude de decisão da autoridade militar ou de sentença proferida pelos tribunais competentes, um militar deva ser reintegrado, com a reparação dos vencimentos não abonados, ou deva receber vencimentos que, com o tempo respectivo, haviam sido declarados perdidos, o tempo de serviço correspondente será contado para efeitos de reforma, com incidência do encargo fixado no artigo 15.

2. A publicação de amnistia não faz recuperar o tempo de serviço para efeitos de reforma que porventura haja sido declarado perdido em virtude de sanção disciplinar.

ARTIGO 8
(Competência para a contagem do tempo de serviço)

1. O tempo de serviço é contado pela Direcção de Quadros do Ministério da Defesa Nacional mediante a competente certidão de efectividade passada pela Direcção de Finanças ou de ordem de serviço da qual conste qualquer anterior contagem de tempo.

2. As certidões de efectividade, para que possam servir como base da contagem de tempo, deverão conter certificação obrigatória quanto à situação dos descontos processados a título de compensação de reforma.

ARTIGO 9
(Acumulação de benefícios)

1. A atribuição de uma das pensões previstas neste regulamento elimina automaticamente o direito a outra pensão a que, com fundamento no mesmo facto ou acto, pudesse haver lugar.

2. Quando posteriormente a ter-se iniciado o abono de determinada pensão, fixada a título provisório ou definitivo, venha a ser concedida ao respectivo beneficiário outra pensão mais favorável, será a primeira cancelada, com o correspondente acerto de contas relativamente ao período em que se verifique sobreposição de direitos.

3. Exceptua-se o caso do subsídio de morte, cuja atribuição é sempre independente da instrução e decisão do processo de constituição de qualquer das pensões previstas

CAPITULO II

Da reforma

SECÇÃO I

Suas modalidades e tipo de pensões

ARTIGO 10
(Modalidades)

1. A reforma pode ser voluntária ou obrigatória.
2. É voluntária quando tem lugar a requerimento do interessado, nos casos em que a lei lha facultar; é obrigatória quando se verifique por limite de idade, simples determinação da lei ou por motivo de reorganização dos serviços.

ARTIGO 11
(Facto ou acto determinante)

1. São determinantes da reforma:
 - a) O despacho que confirma a declaração de incapacidade feita pela competente Junta Médica Militar;
 - b) O despacho pelo qual se reconhece o direito à reforma, quando requerida;
 - c) A decisão, transitada em julgado, que impõe a passagem compulsiva à reserva;
 - d) A data em que se atingir o limite de idade.

2. O facto ou acto determinante da reforma fixa o regime jurídico desta e a ele se reportarão os cálculos do tempo de serviço e da respectiva pensão.

ARTIGO 12
(Tipo de pensões)

1. Ao militar reformado é atribuída, consoante o caso, uma das seguintes pensões:

- a) Pensão de reforma;
- b) Pensão de invalidez.

2. Assiste o direito à pensão de invalidez nos casos de desmobilização por incapacidade permanente resultante das causas enunciadas no artigo 17.

SECÇÃO II
Pensão de reforma

ARTIGO 13
(Aquisição do direito)

1. Têm direito à pensão de reforma os veteranos da luta de libertação nacional e os militares do quadro permanente que, cumulativamente:

- a) Tenham satisfeito ou venham a satisfazer os encargos prescritos no artigo 15;
- b) Preencham qualquer dos requisitos seguintes:
 - hajam completado 35 anos de serviço, independentemente da idade;
 - tenham 60 ou 55 anos de idade, consoante sejam do sexo masculino ou feminino, respectivamente;
 - tendo, pelo menos, dez anos de serviço, forem julgados absolutamente incapazes.

2. No caso das especialidades mencionadas no n.º 3 do artigo 157 do Regulamento Básico, o limite de idade a que se refere a alínea b) do número anterior poderá ser ajustado de conformidade com regulamento próprio

Alternativamente, o Estado poderá garantir aos militares abrangidos ocupação compatível, civil ou militar.

3. A mera incapacidade para continuar a prestar o serviço militar não determina, por si só, o direito à pensão de reforma, mas o Estado promoverá condições para que ao militar do quadro permanente desmobilizado, por causas que representem desvalorização apenas parcial da capacidade geral de ganho, seja oferecido ocupação civil compatível ou possibilidades adequadas para o seu desempenho.

ARTIGO 14

(Reforma obrigatória por limite de idade)

1. Tem sempre direito à pensão de reforma o militar passado à reserva nos termos do n.º 1 do artigo 157 do Regulamento Básico.

2. O limite de idade pode ser prorrogado anualmente e por um número máximo de cinco anos, por determinação do Chefe do Estado-Maior General ou dos comandantes das Armas e Serviços perante pedido do interessado e parecer favorável da competente Junta Médica Militar.

3. A título excepcional, por determinação do Comandante-em-Chefe das Forças Armadas de Moçambique, poderá ser afastado o limite de cinco anos a que se refere o número anterior.

ARTIGO 15

(Encargos relativos à constituição da pensão)

1. Todos os militares do quadro permanente são obrigados a descontar, a título de compensação de reforma, 7 por cento do vencimento que compeir à respectiva patente ou posto, ou ao cargo exercido.

2. O desconto previsto no número anterior cessa, mediante pedido do interessado, a partir do mês seguinte àquele em que o militar completar 35 anos de serviço.

3. O pagamento de quotas para compensação de reforma em relação a determinado período de tempo não envolve só por si o reconhecimento à contagem desse tempo para efeitos de reforma.

ARTIGO 16

(Cálculo da pensão)

1. O montante da pensão de reforma será sempre proporcional ao número de anos de serviço contados, até ao máximo de 35, e é calculado pela seguinte fórmula:

$$\text{Pensão} = \frac{\text{Vencimento actual} \times \text{tempo de serviço}}{35}$$

2. O vencimento a considerar para o cálculo da pensão será sempre o que corresponder à patente ou posto militar à data do acto ou facto determinante da reforma.

3. Quando, à data do acto ou facto determinante da reforma, o militar se encontrar há mais de dois anos na situação prevista no n.º 6 do artigo 3, poderá optar pela aposentação nos termos estabelecidos para os funcionários civis do Estado, desde que satisfeitos os encargos adicionais a cuja fixação haja lugar.

SECÇÃO III

Pensão de invalidez

ARTIGO 17

(Do direito à constituição da pensão)

1. Tem direito à pensão de invalidez quaisquer militares, incluindo os que se encontrem a prestar o Serviço Militar Obrigatório e independentemente do tempo de serviço

contado, quando se verifique a situação de incapacidade permanente, absoluta ou parcial, resultante de:

- a) Acidente ou acção inimiga, quando em operações
- b) Acidente de outra natureza, directamente relacionado com o serviço, desde que não haja culpa ou negligência do acidentado.

2. O direito à pensão de invalidez é ainda extensivo aos casos de incapacidade permanente absoluta proveniente de moléstia contraída pelo militar no exercício das suas funções e por motivo do seu desempenho.

3. Haverá lugar a atribuição da pensão por motivo de incapacidade permanente parcial apenas no caso em que a natureza da lesão ou o coeficiente de desvalorização não permitam que o militar acidentado permaneça no exercício de funções, mesmo que em regime moderado ou nos serviços auxiliares, ou quando, alternativamente, não lhe possa ser garantido pelo Estado emprego adequado, na área civil.

4. O militar que, embora portador de incapacidade permanente, continuar a prestar serviço por não ter sido julgado totalmente incapaz, mesmo que em ocupação civil nos termos da última parte do número anterior, poderá ser reformado, com direito à correspondente pensão de invalidez, logo que a Junta Médica Militar declare a sua incapacidade permanente absoluta, por virtude do acidente sofrido ou da doença contraída.

ARTIGO 18

(Apresentação à Junta Médica e tabela de incapacidade)

1. Às incapacidades dos militares são avaliadas por Junta Médica Militar, constituída de harmonia com regulamento específico dos serviços de saúde militares.

2. A tabela de incapacidade a observar será adoptada por despacho conjunto dos Ministros da Defesa Nacional e da Saúde.

ARTIGO 19

(Cálculo da pensão)

1. Nos casos de incapacidade permanente absoluta, o valor da pensão de invalidez será encontrado por utilização da fórmula estabelecida no artigo 15, n.º 1, considerando-se o tempo de serviço equivalente a 35 anos.

2. Quando a desvalorização sofrida na capacidade de ganho for apenas parcial, a correspondente pensão de invalidez será igual à soma das seguintes parcelas:

- a) Montante da pensão relativo ao número de anos de serviço contado para efeitos de reforma, calculado por aplicação da fórmula mencionada no número anterior;
- b) Fracção adicional relativa ao número de anos que faltarem para 35, em percentagem igual à do grau de desvalorização sofrida segundo a tabela de incapacidade mencionada no artigo anterior.

3. O vencimento a considerar para o cálculo da pensão será o que corresponder à patente ou posto do militar à data do despacho que confirma a declaração de incapacidade, o qual, no entanto, nunca poderá ser inferior ao mínimo correspondente ao vencimento que, na mesma data, vigorar para os soldados e marinheiros do quadro permanente.

4. Para efeitos da constituição da pensão de invalidez, os encargos fixados no artigo 15 só incidirão sobre o tempo de serviço efectivamente prestado.

SECÇÃO IV
Do processo de reforma

ARTIGO 20

(Requerimento de passagem à reserva)

1. A reforma voluntária terá por base requerimento do militar solicitando a passagem à reserva para efeitos de reforma, no qual o interessado indicará logo os motivos em que fundamenta o seu pedido.

2. A reforma obrigatória por limite de idade poderá também ser concedida a requerimento do interessado, formulado nos termos indicados no número anterior.

3. A apresentação à Junta Médica Militar para efeitos de reforma baseia-se igualmente em petição feita pelo interessado, podendo ainda ser ordenada pelo comandante da respectiva unidade.

ARTIGO 21

(Reforma obrigatória)

1. A constituição do processo de reforma obrigatória terá por base:

- a) A decisão da competente autoridade militar que determinar a passagem à reserva ou à disponibilidade, aguardando a fixação da pensão de reforma ou de invalidez;
- b) O trânsito em julgado da decisão que impõe a passagem compulsiva à reserva.

2. As formalidades e requisitos próprios, e demais condições particulares, a observar na instrução do processo de reforma por motivo de reorganização dos serviços serão especificadas pelo diploma que a determinar.

ARTIGO 22

X (Obrigatoriedade do auto por acidente em serviço)

1. A constituição da pensão de invalidez carece sempre da prévia confirmação, a apor pela Direcção competente do Ministério da Defesa Nacional, das conclusões do respectivo auto, designadamente quanto à qualificação da ocorrência como acidente em serviço, ao apuramento de responsabilidades e à inexistência de culpa ou negligência da parte do acidentado.

2. Tratando-se de doença contraída pelo militar no exercício das suas funções e por motivo do seu desempenho, deverá o parecer da Junta Médica Militar certificar expressamente o facto.

ARTIGO 23

(Instrução e apresentação do processo)

1. Para instrução do processo de constituição da respectiva pensão, o militar fica obrigado a apresentar, dentro do prazo de seis meses contados a partir da data do conhecimento do facto ou acto determinante da reforma, os seguintes documentos:

- a) Certidão ou fotocópia autenticada do documento que comprove o referido facto ou acto, ou cópia da ordem de serviço de que conste a respectiva transcrição;
- b) Documento comprovativo do respectivo posto ou patente à data da passagem à reserva, ou do último cargo exercido;
- c) Certidão de efectividade ou cópia da ordem de serviço da qual conste a contagem do tempo para efeitos de reforma;

d) Declaração indicando a província em que pretende que o pagamento da pensão seja feito e o respectivo local de residência.

2. A apresentação dos documentos enumerados será feita na secretaria da unidade pela qual o interessado esteja a ser abonado da pensão provisória prevista no artigo 25 ou, no caso em que o acidentado se encontrasse a cumprir o Serviço Militar Obrigatório, na secretaria da unidade pela qual se verificou a passagem à disponibilidade.

3. A não apresentação dos documentos dentro do prazo, por falta ou omissão do interessado, implica a suspensão do abono da pensão provisória em relação ao período decorrido entre o seu termo e a data de entrega dos documentos em falta.

4. Logo que recebidos ou reunidos, em boa ordem, os documentos mencionados no n.º 1, o comandante da unidade fará remessa dos mesmos à Direcção de Quadros do Ministério da Defesa Nacional, capeados por officio no qual se discriminarão:

- a) A identificação do militar, com indicação do respectivo posto ou patente;
- b) A natureza do facto ou acto determinante da reforma e a data da respectiva ocorrência;
- c) A relação dos documentos juntos.

5. Aos sectores que, em cada unidade, tenham a gestão do respectivo efectivo cabe diligenciar no sentido de que a apresentação e elaboração dos documentos exigidos e a sua remessa se façam no tempo mínimo indispensável, promovendo também officiosamente a junção daqueles que por essa via possam ser obtidos.

ARTIGO 24

(Confirmação pelo Ministério da Defesa Nacional)

1. A Direcção de Quadros do Ministério da Defesa Nacional cabe organizar a verificação dos processos enviados nos termos do n.º 4 do artigo anterior, fazendo posterior remessa dos mesmos, com os elementos que os constituem devidamente confirmados, ao Departamento competente do Ministério das Finanças, em prazo não excedente a quarenta e cinco dias.

2. Tratando-se de processo para constituição de pensão de invalidez, deverá juntar-se igualmente a confirmação exigida nos termos do artigo 22.

SECÇÃO V

Fixação e pagamento das pensões

ARTIGO 25

(Pensão provisória)

1. O militar do quadro permanente que se encontre a aguardar a fixação da correspondente pensão de reforma ou de invalidez será abonado, a título de pensão provisória, de 50 por cento do vencimento respeitante ao seu posto ou patente à data de desmobilização ou da passagem à reserva, ou ao último cargo exercido.

2. O direito à percepção da pensão provisória e o respectivo quantitativo constarão obrigatoriamente da ordem de serviço em que for publicada a determinação referente à desmobilização ou à passagem à reserva.

3. O abono da pensão provisória será feito relativamente a todo o período desde a desmobilização até ao mês em que ocorra o envio ao Ministério da Defesa Nacional dos documentos a que alude o artigo 23 e nos quatro meses seguintes.

4. O pagamento da pensão provisória ocorrerá pela unidade onde o militar se encontrava colocado antes da desmobilização ou da passagem à reserva, salvo quando a unidade diferente seja indicada, para esse efeito, na ordem de serviço que a determina.

5. O encargo resultante do pagamento da pensão será portado pela verba de vencimentos do orçamento do Ministério da Defesa Nacional.

ARTIGO 26

(Concessão da pensão definitiva)

1. No prazo de sessenta dias após a recepção do processo a que se refere o artigo 23, devidamente confirmado pela Direcção de Quadros do Ministério da Defesa Nacional nos termos do artigo 24, o Ministério das Finanças procederá à fixação da correspondente pensão definitiva, e reforma ou de invalidez.

2. A fixação da pensão retroage, nos seus efeitos, à data em que se haja verificado a desmobilização ou a passagem à reserva do militar, iniciando-se o seu pagamento a partir do mês seguinte ao da publicação do despacho de concessão no *Boletim da República*.

3. No caso dos militares do quadro permanente reformados, os acertos retroactivos a que haja de proceder-se, relativamente às importâncias entretanto abonadas a título de pensão provisória, processar-se-ão nos termos indicados no artigo seguinte.

4. Tratando-se de pensionistas que se encontrassem a cumprir o Serviço Militar Obrigatório aquando da verificação do facto determinante do direito ao estabelecimento da pensão, o abono das mensalidades respeitantes ao período decorrido desde a passagem à disponibilidade far-se-á de uma só vez, no momento do primeiro pagamento a pensão.

5. A denegação do direito à pensão definitiva não implica restituição das importâncias recebidas de boa fé a título de pensão provisória.

ARTIGO 27

(Acerto das importâncias liquidadas a título de pensão provisória)

1. O reformado do quadro permanente fica obrigado a apresentar no Departamento competente do Ministério das Finanças ou, quando for o caso, na Direcção Provincial de Finanças pela qual corra o pagamento da pensão definitiva, guia de abonos, emitida pela unidade através da qual esteve a ser pago da pensão provisória a que se refere o artigo 25, certificando as datas de início e de termo dos pagamentos efectuados a esse título, o respectivo montante mensal e a importância total abonada.

2. De posse da guia mencionada no número anterior, os serviços competentes do Ministério das Finanças ordenarão o pagamento, de uma só vez, de quaisquer importâncias adicionais que se mostrem devidas por acerto com os valores da pensão definitiva concedida.

3. Quando os valores abonados a título de pensão provisória se mostrem superiores aos da pensão definitiva, relativamente às mensalidades já vencidas, serão as importâncias em excesso descontadas nas mensalidades futuras da pensão, processando-se o desconto por tantos meses quantos os necessários até completar o valor da diferença encontrada.

4. O número de descontos a que haja de proceder-se nos termos do número anterior será determinado por forma tal que não deixe ao interessado importância líquida inferior a 70 por cento do valor mensal da pensão.

5. Quando o interessado não faça apresentação da guia mencionada no n.º 1 nos dois meses imediatos ao da publicação do despacho de concessão da pensão, será o respectivo abono suspenso até ao suprimento da falta, sem prejuízo de solicitação officiosa da mesma guia à unidade competente para a respectiva emissão.

CAPÍTULO III

Da pensão de sobrevivência

SECÇÃO I

Do direito à pensão

ARTIGO 28

(Facto originário)

Origina o direito à pensão de sobrevivência o falecimento:

- a) Dos militares do quadro permanente que, tendo satisfeito os encargos fixados para a compensação de reforma, hajam prestado o mínimo de cinco anos de serviço;
- b) Dos veteranos da luta de libertação nacional;
- c) De qualquer cidadão a favor do qual tivesse sido constituída anteriormente pensão de invalidez, por facto ou acto ocorrido durante o cumprimento do Serviço Militar Obrigatório.

ARTIGO 29

(Titulares do direito)

1. Têm direito à pensão de sobrevivência, como herdeiros hábeis do militar ou do pensionista falecido, observados os requisitos que para cada caso se estabelecem:

- a) O cônjuge sobrevivente, desde que:
 - se encontrasse a viver com o falecido à data do óbito ou, estando separados de facto, não tenha dado motivo à separação;
 - sendo do sexo masculino, sofra de incapacidade permanente absoluta para o trabalho ou haja completado 65 anos de idade à mesma data.
- b) O ex-cônjuge, divorçado ou separado judicialmente de pessoas e bens, desde que tivesse direito a receber do falecido, à data da sua morte, pensão de alimentos fixada ou homologada judicialmente;
- c) Os filhos, incluindo os nascituros e os adoptados plenamente, de qualquer dos sexos, solteiros, enquanto não completarem os 18 anos ou quando:
 - sendo estudantes, frequentem com aproveitamento, até aos 21 anos, o ensino médio ou equiparado e, até aos 24 anos, o ensino superior ou equiparado;
 - independentemente de qualquer outro requisito, sofram de incapacidade permanente absoluta para o trabalho.
- d) Os netos, desde que, além de reunirem as condições que na alínea anterior se estabelecem para os filhos, se encontrem nalguma das seguintes situações:
 - sejam órfãos de pai e mãe;
 - sendo órfãos de pai ou havendo impossibilidade de exigir deste, pensão de ali-

mentos, a mãe não tenha meios para prover à sua sustentação;

— sendo órfãos da mãe, o pai sofre de incapacidade permanente absoluta para o trabalho e não tenha meios para prover à sua sustentação;

— os pais se encontrem ausentes em parte incerta e não provejam ao seu sustento.

e) Os ascendentes, quando estivessem a exclusivo cargo do falecido.

2. Os herdeiros referidos nas alíneas a), b), c) e d) do número anterior preferem aos designados na alínea e).

3. Os filhos que forem herdeiros hábeis preferem aos netos de que sejam progenitores.

4. Os ascendentes consideram-se a cargo do falecido quando não possuam, por si ou pelo seu cônjuge, rendimentos suficientes para prover à sua subsistência e, cumulativamente, sendo do sexo masculino, sofram de incapacidade permanente absoluta para o trabalho ou tenham mais de 65 anos.

5. A qualidade de herdeiro hábil define-se em relação à data da morte do militar ou pensionista falecido.

6. A união de facto, quando reconhecida judicialmente, produz os mesmos efeitos que o casamento, como requisitos de habilitação à pensão.

ARTIGO 30

(Quantitativo da pensão)

1. O quantitativo da pensão é igual a 50 por cento da pensão de reforma ou de invalidez que o falecido se encontrasse a receber à data do óbito, ou a igual percentagem da pensão de reforma a que teria direito se na mesma data fosse reformado.

2. No cálculo da pensão considerar-se-á sempre o tempo de serviço cuja contagem seja requerida nos termos do n.º 4 do artigo 6.

3. A pensão vence-se a partir do mês seguinte àquele em que ocorrer o falecimento ou, quando excepcionalmente o pedido de constituição seja admitido fora do prazo regulamentado para a respectiva apresentação, desde a data do despacho de concessão.

ARTIGO 31

(Concorrência de herdeiros hábeis)

1. A pensão, havendo mais do que um herdeiro hábil, distribuir-se-á entre eles nos seguintes termos:

a) Se concorrerem entre si apenas herdeiros incluídos nas alíneas a) e b) do n.º 1 do artigo 29, ou só herdeiros mencionados na alínea c) do mesmo número, ou somente herdeiros abrangidos na alínea e), a pensão será dividida por todos em partes iguais;

b) Se concorrerem apenas os herdeiros referidos na alínea d) do n.º 1 do mesmo artigo, a pensão será dividida em tantas partes iguais quantos os filhos representados por netos, subdividindo-se por estes a parte que corresponda a cada estirpe;

a) Se concorrerem entre si herdeiros mencionados nas alíneas c) e d), a pensão será dividida em tantas partes iguais quantos os filhos com direito a ela e os filhos representados por netos, subdividindo-se por estes últimos a parte correspondente a cada estirpe;

d) Se concorrerem herdeiros incluídos nas alíneas a) ou b) com herdeiros abrangidos na alínea c), na alínea d) ou em ambas, a pensão dividir-se-á em duas partes iguais, cabendo uma aos herdeiros das alíneas a) ou b) e a outra aos restantes.

2. As duas metades da pensão a que se refere a alínea d) do número anterior serão subdivididas nos termos das alíneas a), b) e c) do mesmo número entre os herdeiros que concorreram a cada uma delas.

3. A pensão será sempre atribuída ao cônjuge sobrevivente quando na dependência dele vivam os herdeiros hábeis.

ARTIGO 32

(Reversão)

1. A extinção da qualidade de pensionista relativamente a um dos beneficiários determinará nova distribuição da totalidade da pensão pelos restantes, a qual se fará de acordo com as regras enunciadas no artigo anterior.

2. A pensão correspondente ao mês em curso na data em que ocorrer conhecimento do facto determinante da reversão será abonada, na totalidade, ao beneficiário do direito extinto, ou aos seus herdeiros; e só começará a ser abonada àqueles para quem reverter ao início do mês imediato.

SECÇÃO II

Do processo de concessão

ARTIGO 33

(Petição)

1. A concessão da pensão depende de requerimento do interessado, ou de quem legalmente o represente, dirigido ao Ministro das Finanças, contendo:

a) Identificação tão completa quanto possível do falecido, designadamente o nome, último posto ou patente, e residência;

b) Número de pensionista do falecido, quando a seu favor tivesse já sido constituída pensão de reforma ou de invalidez;

c) Indicação da unidade militar correspondente à última colocação, tratando-se de militar falecido no serviço activo ou, depois da desmobilização, antes da fixação definitiva da pensão;

d) Enumeração dos factos em que o interessado fundamenta a sua petição.

2. Os requerimentos serão individuais, um por cada um dos interessados que possa habilitar-se à concessão da pensão, salvo nos casos seguintes:

a) O cônjuge viúvo ou o ex-cônjuge divorciado ou separado judicialmente de pessoas e bens incluirão no mesmo requerimento a pensão para si e para os demais herdeiros hábeis que vivam na sua dependência;

b) O tutor englobará no mesmo requerimento o pedido referente a todos os tutelados;

a) Os ascendentes podem formular os seus pedidos no mesmo requerimento.

ARTIGO 34

(Instrução do processo)

1. Os interessados instruirão os seus requerimentos com as certidões, atestados e demais documentos que provem

os factos demonstrativos do direito à pensão, designadamente os seguintes:

- 1. Certidão comprovativa do parentesco com o falecido;
- 2. Certidão de óbito;
- 3. Atestado comprovativo de que o interessado se encontrava a cargo do falecido, passado pela autoridade administrativa;
- 4. Sendo o falecido já pensionista, documento certificador da última pensão abonada.

2. Nos casos em que não exista constituída do antecedente pensão de reforma ou de invalidez, além dos documentos mencionados no número anterior deverão juntar-se mais os seguintes, relativamente à situação do militar falecido:

- a) Cópia autenticada da ordem de serviço da qual conste a última contagem de tempo para efeitos de reforma;
- b) Certidões de efectividade relativas ao tempo de serviço não incluído na contagem de tempo anterior, com indicação dos descontos efectuados para compensação de reforma;
- c) Documento comprovativo do posto ou patente do militar falecido à data do óbito ou da passagem à reserva, ou do último cargo exercido;
- d) Guia de vencimentos, emitida pela unidade na qual o falecido estivesse coicocado.

3. As certidões de efectividade previstas na alínea b) do número anterior deverão, sendo caso disso, incluir indicação relativa à situação dos descontos que viessem sendo processados ao militar nos termos do n.º 1 do artigo 6, bem como de quaisquer encargos adicionais contados nos termos dos n.ºs 2 e 4 do mesmo artigo.

4. A autenticação dos documentos mencionados no n.º 2, quando deva ter lugar, será feita pela Direcção de Quadros do Ministério da Defesa Nacional.

5. A incapacidade permanente absoluta dos herdeiros, no caso em que este seja requisito condicionante da atribuição da pensão, será confirmada por mapa da Junta Nacional de Saúde, devidamente homologada pelo Ministério da Saúde.

ARTIGO 35

(Prazo de apresentação)

1. O prazo para apresentação do pedido de constituição da pensão é de cento e oitenta dias, contados desde a data do falecimento do militar ou pensionista.

2. Sendo a requerente a viúva, com mais de 40 anos a data da morte do marido, ou não sabendo ler e escrever, sem que existisse separação de facto e sem que se tenham verificado entretanto novas núpcias ou situação de união de facto, o pedido de constituição da pensão poderá ser aceite a qualquer momento, mesmo depois de expirado o prazo fixado no número anterior, mas aplicando-se neste caso o disposto na última parte do n.º 3 do artigo 30.

3. Quando a petição se mostre deficientemente instruída e o facto não possa ser suprido nos termos do artigo seguinte, o interessado deverá completá-la com os elementos que lhe forem solicitados, no prazo que para tal fim se lhe fixar, sob pena de ser dada sem efeito.

4. O prazo fixado no n.º 1 não se aplica aos incapazes enquanto durar a incapacidade e não tiverem quem os represente.

ARTIGO 36

(Suprimento officioso de elementos do processo)

1. As autoridades militares e civis deverão facilitar a aquisição dos documentos necessários para a instrução dos processos, bem como orientar os interessados relativamente à correcta organização da sua petição.

2. Os documentos referidos na alínea d) do n.º 1 e do n.º 2 do artigo 34 poderão sempre ser emitidos officiosamente, a solicitação ou por iniciativa quer do Departamento competente do Ministério das Finanças quer da Direcção de Finanças ou da Direcção de Quadros do Ministério da Defesa Nacional.

3. Caso quaisquer dos documentos exigidos constem já do processo do pensionista falecido, ou de processo de constituição de pensão de reforma ou de invalidez que corresse os seus trâmites à data da morte do militar, arquivados no Ministério das Finanças, a prova requerida poderá ser feita mediante informação dos serviços e junção do processo anterior.

ARTIGO 37

(Prazo da decisão e início dos pagamentos)

1. O prazo para a decisão dos pedidos apresentados é de sessenta dias e contar-se-á desde a data de recepção, pelo Departamento competente do Ministério das Finanças ou em qualquer das Direcções Provinciais de Finanças, da petição dos interessados ou do último documento que, nos termos do n.º 3 do artigo 35, haja sido solicitado para a instrução do processo.

2. Concedida a pensão, proceder-se-á em seguida à comunicação do despacho e aos assentamentos que devam ter lugar, não dependendo o início dos pagamentos de qualquer outra formalidade.

CAPITULO IV

Do subsídio por morte

ARTIGO 38

(Do direito ao subsídio)

1. Em caso de falecimento do militar, a sua família terá direito ao subsídio previsto no artigo 53 do Regulamento de Vencimentos, cuja determinação e abono passarão a regular-se nos termos das disposições deste capítulo.

2. O direito ao subsídio é extensivo à família dos militares que se encontrem a prestar o Serviço Militar Obrigatório.

3. Tem igualmente direito ao subsídio por morte a família do militar:

- a) Na situação de reforma, com direito à percepção de pensão de reforma ou de invalidez;
- b) Que se encontrasse a aguardar, após a desmobilização, a fixação de qualquer das pensões mencionadas na alínea anterior.

4. Não confere direito ao subsídio a morte do militar ocorrida nas situações seguintes:

- a) Quando no cumprimento de pena de prisão, ainda que pela prática de delito comum;
- b) No gozo de licença ilimitada;
- c) Na reserva, sem direito à percepção de pensão de reforma ou de invalidez.

ARTIGO 39
(A quem pode ser pago)

1. O subsídio por morte é abonado à pessoa de família a cargo do militar por ele previamente indicada em declaração depositada na unidade ou no serviço processador do respectivo vencimento ou da pensão.

2. Na falta, extravio ou inoperância de tal declaração, o abono será feito a favor do familiar que a ele venha a habilitar-se, pela forma indicada no artigo 42, de acordo com a seguinte ordem de precedência:

- a) O cônjuge sobrevivente, se não houver separação, judicial ou de facto;
- b) O mais velho dos descendentes do grau mais próximo;
- c) A um dos ascendentes do falecido ou, na sua falta, do seu cônjuge do grau mais próximo;
- d) Outro parente, segundo a ordem de sucessão legítima, e, em igualdade de circunstâncias, o mais velho.

3. Se o direito à percepção do subsídio recair em indivíduo menor ou interdito e não se apresentando a exercício o respectivo representante legal, a liquidação poderá ser feita à pessoa de família que tenha ficado com o encargo da sua manutenção ou, não se verificando este caso, a pessoa idónea sob cuja dependência se encontre o menor ou interdito.

ARTIGO 40

(Valores a considerar e sua liquidação)

1. O valor do subsídio a abonar será o correspondente a seis meses de vencimento ou à pensão devida em igual período, sendo um deles a título de vencimento ou pensão do mês em que ocorrer o falecimento.

2. A liquidação a fazer obedecerá às seguintes normas:

- a) Em relação ao mês em que ocorrer o falecimento, os abonos e os respectivos descontos, assim como quaisquer deduções, são os do mês completo, determinados conforme os elementos a que o respectivo processamento, feito ou a fazer, normalmente deva atender;
- b) Em relação aos restantes meses, os abonos a fazer são os correspondentes à totalidade do vencimento ou da pensão sem quaisquer deduções ou descontos, salvo o disposto no n.º 5.

3. As penas disciplinares não produzem efeitos nos abonos para além dos do mês em que se der a morte, salvo os casos de despromoção, passagem compulsiva à reserva e expulsão.

4. Estando o militar já desmobilizado à data do falecimento, aguardando a fixação da pensão de reforma ou de invalidez a que tivesse direito, a liquidação do subsídio observará a tramitação especial estabelecida no artigo 44.

5. Aos quantitativos liquidados, incluindo aqueles a que se refere o artigo seguinte, deduzir-se-ão as importâncias que eventualmente tivessem sido abonadas ao militar por antecipação ou com carácter de adiantamento, salvo se outra forma de reembolso estiver legalmente prevista.

ARTIGO 41

(Regularização de outros abonos)

1. Quaisquer importâncias devidas pelo Estado ao militar falecido, referentes a remunerações em atraso que não estejam abrangidas pelo artigo anterior e que tenham sido

ou devam ser calculadas de harmonia com o serviço efectivamente prestado, acrescerão às que forem liquidadas nos termos do mesmo artigo.

2. De modo idêntico se procederá, no caso dos pensionistas, relativamente à regularização de quaisquer abonos em atraso ou em dívida, no momento em que ocorra o falecimento.

ARTIGO 42

(Instrução e trâmites processuais)

1. Em face da declaração prevista no n.º 1 do artigo 39, a liquidação do subsídio por morte poderá ter lugar officiosamente, por iniciativa da unidade ou do serviço processador dos vencimentos ou da pensão do falecido, logo que haja confirmação do óbito.

2. Na falta, extravio ou inoperância da declaração, o direito será deduzido mediante petição dos interessados, a apresentar no serviço processador no prazo de quarenta e cinco dias a contar da recepção do aviso que para o efeito os serviços deverão dirigir à família do militar ou pensionista falecido.

3. As petições dos interessados e a declaração referida no n.º 1 serão feitas em impresso de modelo uniforme, a aprovar pelo Ministério das Finanças.

4. As petições serão acompanhadas de comprovativo do parentesco e de certidão ou cópia do boletim de óbito, podendo a apresentação deste último documento ser diferida, em casos devidamente justificados. A certidão comprovativa do parentesco poderá ser substituída por informação dos serviços quando já conste do processo do falecido.

5. O aviso a que se refere o n.º 2 será expedido no prazo máximo de cinco dias a contar da data em que ocorrer conhecimento do óbito; se posteriormente à liquidação do subsídio vierem a apurar-se novos créditos, deverá também proceder-se a aviso, no mais curto prazo.

6. Não sendo possível notificar a família, esta não fica inibida de deduzir a sua petição, tendo para o efeito o prazo de sessenta dias, contados a partir do dia seguinte ao da verificação do óbito.

7. Os serviços processadores devem assegurar, com a maior brevidade possível, a verificação das petições e da documentação que as acompanhe, completando-as com os necessários elementos de informação sobre as quantias em dívida e submetendo-as seguidamente para autorização.

ARTIGO 43

(Competências)

A apreciação do direito, a concessão do subsídio e o seu pagamento são da competência:

- a) Do órgão processador dos respectivos vencimentos, no caso de falecimento do militar ocorrer no serviço activo ou na situação a que se refere a alínea a) do n.º 1 do artigo seguinte;
- b) Do Ministério das Finanças e suas Direcções Provinciais, nos restantes casos.

ARTIGO 44

(Especialidades do processo quando o falecimento ocorra no decurso dos trâmites para a fixação da pensão de reforma)

1. No caso a que se refere o n.º 4 do artigo 40, a dedução do direito e a liquidação do subsídio obedecerão às seguintes regras:

- a) Sendo a petição apresentada na unidade militar por onde eram processados os vencimentos do

falecido ou a pensão provisória a que se refere o artigo 25, a instrução e a decisão do processo correm pela mesma unidade e a liquidação do subsídio far-se-á com base no valor de pensão provisória, salvo se antes tiver já sido emitida a guia de vencimentos nos termos e para os efeitos do disposto no artigo 27, n.º 1;

- b) Tendo já sido emitida a guia de vencimentos, a petição será encaminhada ao Departamento competente do Ministério das Finanças e a liquidação do subsídio será feita com base no valor da pensão de reforma que ao falecido devesse corresponder à data do óbito.

2. Quando da liquidação do subsídio nos termos da alínea a) do número anterior resulte um prejuízo para a família, poderá o interessado apresentar nova petição, dirigida ao Departamento competente do Ministério das Finanças, reclamando a liquidação das diferenças relativamente ao quantitativo que se mostre devido por aplicação da regra da alínea b).

3. O interessado instruirá a nova petição com junção de documento certificativo da primeira liquidação efectuada e com o original ou cópia autenticada da guia de vencimentos do falecido.

ARTIGO 45

(Reclamações)

Dos atrasos injustificados, da recusa do abono do subsídio a que assista direito e das demais irregularidades verificadas no processo, de que resulte prejuízo para a família do militar falecido, cabe reclamação a dirigir ao Ministro da Defesa Nacional ou ao Ministro das Finanças, consoante a entidade responsável pela tramitação do processo.

CAPÍTULO V

Da pensão de sangue

SECÇÃO I

Do direito à pensão

ARTIGO 46

(Factos originários)

1. Origina o direito à pensão de sangue o falecimento:

- a) De militar ao serviço da Nação por acidente ocorrido em ocasião de serviço e em consequência do mesmo, ou quando a morte resulte de acidente ou doença adquirida ou agravada em virtude de serviço de campanha ou de manutenção da ordem pública;
- b) De civil incorporado, mesmo que em serviço temporário, nas forças militares ou paramilitares e com elas colaborando por ordem da autoridade competente, quando se verifique qualquer das circunstâncias referidas na alínea anterior.

2. Para efeitos do estabelecimento da pensão, considera-se equivalente ao falecimento o desaparecimento em campanha e em perigo das pessoas indicadas no número anterior.

3. Na situação a que se refere o número anterior será asturado ao ausente um auto por desaparecimento em campanha e em perigo, cuja instrução se regulará pelas normas militares aplicáveis.

4. Na liquidação observar-se-ão sempre as regras estabelecidas no artigo 40, n.ºs 2, 3 e 5, bem como o disposto no artigo 41.

5. Não se procederá a qualquer liquidação adicional quando o somatório das diferenças apuradas na situação a que refere o n.º 2 seja inferior a duzentos metcais.

ARTIGO 47

(Titulares do direito)

1. A pensão de sangue é estabelecida em benefício das pessoas que, reunindo os demais requisitos indicados neste artigo, se encontrem em alguma das situações seguintes relativamente ao falecido:

- a) Cônjuge sobrevivente ou ex-cônjuge, divorciado ou separado judicialmente de pessoas e bens, pessoa que o tenha criado e sustentado e descendentes;
- b) Ascendente de qualquer grau;
- c) Irmã ou irmão.

2. Os beneficiários de cada grupo preferem aos do grupo ou grupos seguintes; os filhos preferem aos netos de que sejam progenitores.

3. O direito a receber a pensão só é reconhecido as pessoas que, incluindo-se em algum dos grupos referidos no n.º 1, além disso:

- a) Satisfaçam os requisitos de habilitação que para a respectiva situação e grau de parentesco se estabelecem no artigo 29;
- b) Tratando-se da pessoa que haja criado e sustentado o falecido:

- seja um dos respectivos ascendentes e satisfaça os requisitos de habilitação para estes últimos fixados no artigo 29, n.º 1;
- não existam outras pessoas sobre quem impenda a obrigação legal de fornecer-lhe alimentos ou, existindo, não estejam em condições de providenciá-los.

- c) Sendo irmã ou irmão, reúna as condições e esteja em alguma das situações que no artigo 29 se enumeram para os netos.

4. A pessoa que criou e sustentou o falecido, quando à data da morte do autor da pensão não se encontrar em situação de lhe ser reconhecido o direito a recebê-la, fica garantida a faculdade de a todo o tempo a requerer se entretanto vier a reunir os requisitos condicionadores da atribuição.

ARTIGO 48

(Quantitativo da pensão)

1. O quantitativo da pensão é de 70 por cento do vencimento do falecido, adicionados de uma importância fixa, a estabelecer por despacho do Ministro das Finanças, por cada beneficiário além de um.

2. Relativamente aos civis incorporados nas forças militares ou paramilitares, a percentagem indicada no número anterior será calculada com base no vencimento da patente, posto ou graduação a que estivessem equiparados; e, não havendo graduação, no mínimo estabelecido no número seguinte.

3. O vencimento mínimo a considerar para o cálculo da pensão será sempre o que, à data da morte do autor, vigorar para os soldados e marinheiros do quadro permanente.

4. Se tiver havido promoção a título póstumo, a pensão será calculada sobre o vencimento da patente ou graduação para a qual a promoção se haja verificado.

5. A importância fixa que tiver acrescido à pensão nos termos da parte final do n.º 1 será anulada, na parte correspondente, sempre que qualquer beneficiário perca o direito à respectiva quota-parte.

6. A pensão começa a vencer-se a partir do dia seguinte ao da verificação do facto que a determina, mas em nenhum caso serão abonadas pensões para além dos doze meses anteriores à data da entrega da petição, ou do pedido de constituição da pensão provisória, na primeira instância oficial.

7. A limitação estabelecida na segunda parte do número anterior não se aplica aos menores, aos interditos e aos maiores privados de razão, enquanto durar a incapacidade ou não tiverem quem os represente.

ARTIGO 49

(Concorrência de beneficiários)

1. Concorrendo vários beneficiários, são aplicáveis na divisão da pensão as regras estabelecidas no artigo 31, salvo nos casos especificados nos números seguintes.

2. Sendo beneficiária a pessoa que haja criado e sustentado o falecido e quando, simultaneamente:

- a) Concorram o cônjuge sobrevivente ou o ex-cônjuge, divorciado ou separado judicialmente de pessoas e bens, e descendentes: a estes últimos caberá metade da pensão, subdividindo-se a outra metade pelos demais beneficiários;
- b) Haja concurso apenas do cônjuge sobrevivente ou do ex-cônjuge, divorciado ou separado judicialmente de pessoas e bens: os beneficiários dividirão entre si, em partes iguais, a pensão;
- c) Concorram só descendentes: a parte da pensão correspondente a estes últimos será de metade ou dois terços, consoante sejam em número de um ou mais.

3. Verificando-se concorrências de irmãos entre si, a pensão será distribuída por todos eles, em parte iguais.

ARTIGO 50

(Representação e reversão)

1. A pensão será sempre atribuída ao cônjuge sobrevivente quando na dependência dele vivam os demais beneficiários.

2. A mãe bínuba representará os filhos que tenham direito à pensão, para efeitos do recebimento desta, enquanto tiver a administração dos bens deles: a mãe solteira igualmente terá a representação dos filhos com direito à pensão se os mesmos estiverem a seu cargo.

3. A extinção da qualidade de pensionista relativamente a um dos beneficiários da mesma pensão determinará o reajustamento, de conformidade com o disposto no n.º 5 do artigo 48, do respectivo quantitativo global e a sua redistribuição pelos restantes pensionistas, a qual se fará de acordo com as regras enunciadas no artigo anterior.

4. O novo valor da pensão vence-se a partir do mês imediato ao da verificação do facto determinante da reversão, observando-se em tudo o mais o disposto no n.º 2 do artigo 32.

SECÇÃO II

Do processo de concessão

ARTIGO 51

(Constituição provisória do direito à pensão)

1. Quando o facto determinante da pensão seja o falecimento em operações, por acidente ou acção inimiga, ou o desaparecimento em campanha e em perigo, as pessoas

que reúnam os requisitos de habilitação fixados no artigo 47 poderão requerer a constituição imediata de uma pensão provisória, fixada com base em processo sumário instruído na forma indicada nos números seguintes.

2. A habilitação à constituição da pensão provisória faz-se mediante apresentação de impresso, devidamente preenchido, de modelo a aprovar por despacho do Ministro das Finanças, do qual deverá constar a declaração passada pela competente autoridade militar, comprovativa do falecimento ou desaparecimento em campanha e em perigo da pessoa que origina o direito à pensão.

3. A entidade militar que comunicar o óbito à família do falecido deverá remeter-lhe o impresso mencionado no número anterior, já informado com a declaração referida na parte final do mesmo número.

4. A petição, instruída sumariamente com documento certificativo do grau de parentesco e com declaração da autoridade administrativa atestando a idoneidade cívica do interessado, será apresentada em qualquer unidade militar, a esta competindo enviá-la, com a maior brevidade, à Direcção de Finanças do Ministério da Defesa Nacional. Depois de informado por esta quanto ao vencimento correspondente à patente, posto ou graduação do falecido, será o processo assim organizado remetido ao Ministério das Finanças, para informação final e decisão.

5. O quantitativo da pensão provisória é de 75 por cento da pensão de sangue a que presumivelmente haja direito, vencendo-se a partir do dia imediato ao do falecimento da pessoa que origina o direito à pensão, se for requerido no prazo de seis meses, a contar dessa data; e a partir do dia da apresentação da petição na primeira instância oficial, quando requerido para além daquele prazo.

6. Se a pensão de sangue vier a ser concedida definitivamente, os interessados terão direito a receber, desde o dia em que ela se comece a vencer, a diferença entre o seu quantitativo e o da pensão provisória.

7. O direito à pensão provisória cessa:

- a) Se as pessoas a quem tiver sido concedida não requererem a fixação definitiva da pensão de sangue no prazo de seis meses, a contar do despacho que a concedeu;
- b) A partir do fim do mês em que vier a ser proferido o despacho concedendo ou negando a atribuição da pensão definitiva.

8. As pessoas a quem seja concedida a pensão provisória com base em declarações prestadas de má fé são obrigadas a repor nos cofres do Estado a totalidade das importâncias indevidamente recebidas.

ARTIGO 52

(Requerimento para constituição da pensão definitiva)

1. A concessão da pensão a título definitivo depende de requerimento do interessado, ou de quem legalmente o represente, com a identificação tão completa quanto possível do falecido e da unidade militar ou paramilitar a que encontrasse adstrito à data dos factos em que se fundamente o pedido.

2. Os requerimentos serão individuais, um por cada interessado, salvo nos casos indicados no n.º 2 do artigo 33.

ARTIGO 53

(Instrução do processo)

1. Os interessados instruirão os seus pedidos com as certidões, atestados e demais documentos que provem os factos em que se fundamentem, entregando-os à auto-

ridade administrativa da localidade onde residam, ou em qualquer unidade militar.

2. No caso de a pessoa cuja morte motivou a petição ter falecido na qualidade de licenciado, na reserva ou com baixa de serviço por incapacidade física, devem os requerentes da pensão apresentar certidão de teor do óbito, mencionando a doença que a vitimou, e, se esta não figurar no boletim de óbito emitido pelo médico que o verificou, atestado passado pelo médico ou médicos que trataram o falecido, do qual conste a doença de que foi tratado e aquela que o vitimou.

3. Os processos e os documentos necessários para os instruir, incluindo certidões de casamento, filiação e óbito, serão gratuitos e isentos do imposto do selo.

4. Na instrução e posterior tramitação dos processos observar-se-ão ainda, no que seja aplicável, as disposições do n.º 5 do artigo 34 e do artigo 36.

ARTIGO 54

(Prazo de apresentação)

1. O prazo para apresentação do pedido de constituição da pensão é de vinte e quatro meses contados desde a data da morte do autor ou da comunicação do seu desaparecimento em campanha e em perigo, salvo encontrando-se o interessado nalguma das situações previstas no n.º 2 do artigo 35 e no n.º 4 do artigo 47.

2. É igualmente aplicável ao processo de constituição das pensões de sangue o disposto nos n.ºs 3 e 4 do artigo 35.

ARTIGO 55

(Trâmites processuais)

1. A entidade na qual os interessados façam entrega dos seus requerimentos passará delcs recibo, enviando-os imediatamente à Direcção competente do Ministério da Defesa Nacional.

2. Recebido o processo no Ministério da Defesa Nacional será aí elaborado auto de averiguações sobre os factos em que se fundamenta o pedido, cuja instrução se regulará pelas normas militares aplicáveis.

3. Cabe ao Ministro da Defesa Nacional decidir, face aos elementos de prova reunidos no auto, se o acidente, doença ou desaparecimento ocorreu em alguma das situações previstas no artigo 46, ouvidos, quando a morte seja atribuída a doença adquirida ou agravada em serviço de campanha ou de manutenção da ordem pública, os serviços de saúde militares, para determinação da causa.

4. No caso de dúvida, poderá o Ministro da Defesa Nacional mandar completar a matéria dos autos ou determinar quaisquer outras diligências julgadas necessárias ao apuramento da causa da morte ou das circunstâncias em que ocorreu o desaparecimento, devolvendo, para o efeito, o processo à Direcção competente.

5. Residindo a dúvida na identificação da causa determinante da morte, por a mesma não constar do boletim de registo do óbito ou por falta deste, poderá ser ordenado o inquérito, a realizar por medico militar, acerca da doença que vitimou o falecido, suas causas e circunstâncias que possam ter concorrido para o seu agravamento.

6. Sempre que o tempo decorrido desde a ocorrência e as circunstâncias supervenientes não permitam uma decisão conclusiva, mas tratando-se de ocorrência a propósito da qual a entidade militar competente tenha oportunamente emitido a declaração prevista na parte final do n.º 2 do artigo 51, será este facto tido como pronunciado perante a entidade competente.

7. Exarado o despacho do Ministro da Defesa Nacional, e após os averbamentos e assentamentos que devam ter lugar por parte da Direcção competente, será todo o processo enviado ao Ministério das Finanças, para informação final e decisão.

8. Concedida a pensão, proceder-se-á em seguida pela forma indicada no n.º 2 do artigo 37.

CAPITULO VI

Da pensão por serviços excepcionais e relevantes prestados ao País

SECÇÃO I

Do direito à pensão

ARTIGO 56

(Facto originário)

Origina o direito à pensão por serviços excepcionais e relevantes prestados ao País a prática por cidadão nacional, militar ou civil, de feito de valor ou acto heróico no campo de batalha, actos de abnegação e coragem cívica ou altos e prestigiosos serviços à humanidade ou à Pátria.

ARTIGO 57

(Titulares do direito)

1. A pensão por serviços excepcionais e relevantes prestados ao País é estabelecida em benefício:

- a) Do próprio autor do facto que a origina, enquanto vivo;
- b) Quando do facto resulte a morte do autor, das pessoas indicadas no artigo 47.

2. Se a pensão tiver sido concedida em vida do autor do facto, transmite-se, após a sua morte, às pessoas que a poderiam requerer pelo seu falecimento.

3. Para determinação da titularidade do direito e atribuição da pensão observar-se-á em tudo o mais o disposto nos artigos 47, 49 e 50.

ARTIGO 58

(Quantitativo da pensão)

1. O quantitativo da pensão é determinado pela regra estabelecida para as pensões de sangue no artigo 48, tratando-se de militar ou civil incorporado nas forças militares ou paramilitares.

2. Não se encontrando o autor nas situações indicadas no número anterior, mas sendo funcionário do Estado, a pensão será igualmente determinada pela fórmula estabelecida no n.º 1 do artigo 48, considerando-se como vencimento a totalidade das remunerações permanentes do seu último cargo ou ocupação profissional, na parte sujeita a compensação de aposentação.

3. Tendo havido promoção a título póstumo, observar-se-á sempre o disposto no n.º 4 do artigo 48.

4. Fora dos casos mencionados nos n.ºs 1 e 2, o vencimento a considerar para o cálculo da pensão será determinado por equiparação com os funcionários do Estado na mesma ocupação profissional; e, quando tal equiparação não seja possível, o quantitativo da pensão será o que for estabelecido no decreto de concessão, com o mínimo

ARTIGO 59

(Desde quando é devida)

A pensão por serviços excepcionais e relevantes prestados ao País vence-se sempre a partir da data do respectivo decreto de concessão, salvo quando de outro modo nele expressamente se determine.

SECÇÃO II

Do processo de concessão

ARTIGO 60

(Iniciativa da proposta e organização do processo)

1. O processo de concessão da pensão é organizado, em todos os casos, por iniciativa do Governo, no Ministério ao qual, consoante a natureza do acto praticado ou a situação do autor, tal iniciativa deva caber.

2. A proposta para instrução do processo poderá partir da unidade militar ou paramilitar em que se encontre ou encontrasse incorporado ou adstrito o autor, dos respectivos serviços ou de qualquer entidade que tome conhecimento dos actos ou factos em que se fundamente a proposta e da situação de carência do autor ou, quando do acto tenha resultado a morte desse, dos eventuais beneficiários.

3. Do processo constarão obrigatoriamente:

- a) Relatórios que hajam sido elaborados sobre os actos ou factos que informam a proposta, autos que sobre a ocorrência se tenham instaurado, bem como quaisquer outros documentos, da mesma natureza, que possam permitir a reconstituição, tão completa quanto possível, dos actos, factos ou ocorrências relatados e demais circunstâncias relevantes;
- b) Auto de averiguações instaurado, a partir dos elementos referidos na alínea a), para o necessário apuramento da verdade quanto aos factos relatados, verificação de enquadrarem-se os mesmos na tipificação enunciada no artigo 56 e certificação de que os eventuais beneficiários reúnem os requisitos de habilitação exigidos pelo presente regulamento e carecem da pensão.

ARTIGO 61

(Decisão e execução)

1. A concessão da pensão por serviços excepcionais e relevantes prestados ao País, que deverá constar de decreto, é da exclusiva competência do Conselho de Ministros.

2. Compete ao Ministro das Finanças a apresentação do processo ao Conselho de Ministros, procedendo quaisquer pareceres que devam previamente ser obtidos quanto à matéria em que se fundamente ou outras diligências empreendidas para completar a respectiva instrução.

3. Publicado o decreto de concessão, iniciar-se-á, sem mais formalidades, o abono da pensão.

CAPITULO VII

Disposições finais e transitórias

SECÇÃO I

Disposições diversas

ARTIGO 62

(Direito a reparação no caso de acidente em serviço)

1. Todos os militares, incluindo os que se encontrem

reparação em caso de incapacidade permanente resultante de acidente compreendido na enumeração do artigo 17.

2. A reparação consistirá na prestação de assistência médica e medicamentosa e no fornecimento de próteses, de acordo com a natureza da lesão sofrida pelo militar acidentado.

3. O direito à reparação compreende ainda, no caso dos militares do quadro permanente, a acção coordenada do Ministério da Defesa Nacional e da Secretaria de Estado do Trabalho no sentido de possibilitar ao acidentado a ocupação de um posto de trabalho, civil ou militar, que seja compatível com a natureza da lesão e o grau de desvalorização resultante.

4. Os eventuais beneficiários, ou os seus representantes serão chamados aos autos sempre que necessário, designadamente para obtenção dos elementos documentais necessários, incluindo certidões, atestados e quaisquer outros que possam fazer fé.

5. Cabe ao Ministro respectivo decidir, face aos elementos reunidos no auto de averiguações a que se refere a alínea b) do n.º 3, da existência de matéria suficiente para o encaminhamento subsequente do processo ao Ministério das Finanças, ou ordenar, consoante o caso:

- a) Que o processo seja arquivado, quando os elementos de prova já reunidos forem suficiente para se concluir que os actos ou factos investigados não se enquadram em qualquer das situações tipificadas no artigo 56;
- b) As diligências adicionais necessárias para completar a instrução do processo.

6. Completada a instrução do auto de averiguações no Ministério proponente e exarado despacho definitivo do respectivo Ministro, será todo o processo remetido ao Ministério das Finanças, para tramitação final.

ARTIGO 63

(Integração orçamental)

1. Os encargos correspondentes ao pagamento das pensões estabelecidas pelo presente diploma correm por conta de verba própria do orçamento do Estado gerida pelo Ministério das Finanças, excepto quando procedimento diferente venha expressamente indicado.

2. Os descontos correspondentes à compensação de reforma a que se refere o artigo 15 constituem receita do orçamento do Estado, competindo ao Ministério das Finanças estabelecer as normas que regularão a sua entrega aos cofres do Estado.

3. Sem prejuízo da isenção de encargos prevista na alínea a) do artigo 5, não haverá lugar a restituição de quaisquer descontos, a título de «previdência social» ou outro equivalente, processados antes da entrada em vigor do presente regulamento.

ARTIGO 64

(Periodicidade e local dos pagamentos)

1. Logo que todos os trâmites relativos à concessão de determinada pensão estejam concluídos, o respectivo beneficiário deve ser inscrito na correspondente lista de pensionistas da forma

2. O pagamento das pensões será efectuado, em princípio, numa base mensal, podendo para determinadas classes de pensionistas vir a considerar-se o abono trimestral, de acordo com procedimento a regular por despacho do Ministro das Finanças.

3. O pagamento das pensões será assegurado em cada província junto da respectiva Direcção Provincial de Finanças e, na cidade de Maputo, directamente pelo Departamento competente do Ministério das Finanças.

4. O Ministério das Finanças, em colaboração com a banca estatal, estabelecerá mecanismos visando permitir que futuramente os pagamentos venham a processar-se nos distritos da residência dos beneficiários, eventualmente com a remessa de vales postais.

ARTIGO 65

(Confirmação periódica do direito à pensão)

1. Quando do primeiro pagamento de qualquer das pensões previstas neste regulamento será entregue ao pensionista um título, no qual se devem mencionar sempre as circunstâncias em que os interessados perdem o direito à pensão e a obrigação de apresentarem no primeiro trimestre de cada ano declaração das autoridades administrativas competentes, autenticada com o selo branco, comprovativa de que estão vivos, de que se conservam no estado civil em que se encontravam à data da concessão da pensão e de que têm bom comportamento moral e cívico.

2. Quando a existência de aproveitamento escolar seja requisito de habilitação exigido, igualmente devem os interessados juntar à declaração mencionada no número anterior o necessário comprovante, emitido pelo estabelecimento de ensino que frequentem.

3. As declarações serão de modelo uniforme, a estabelecer por despacho do Ministro das Finanças, e serão passadas gratuitamente, isentas do imposto do selo ou de qualquer outra importância, seja a que título for.

4. A não apresentação dos documentos previstos neste artigo implica a suspensão dos abonos da pensão, que só serão reatados a partir do mês em que venha a ser suprida a falta.

ARTIGO 66

(Falsas declarações)

Os petiçãoários que prestem falsas declarações, bem como as autoridades e funcionários que subscrevam as respectivas confirmações, serão solidariamente responsáveis perante o Estado pelo reembolso das importâncias indevidamente liquidadas, com prejuizo da responsabilidade criminal ou disciplinar que lhes couber.

ARTIGO 67

(Reclamações e recursos)

1. Do despacho que negar o direito a qualquer das pensões previstas no presente regulamento cabe recurso contencioso para o Tribunal Administrativo, com isenção e custas, a interpor no prazo de noventa dias contados a respectiva comunicação.

2. Os processos que tiverem merecido indeferimento poderão ser revistos a qualquer momento, a requerimento dos interessados, e sujeitos a novo despacho, quando se apresentem elementos de prova não considerados anteriormente.

ARTIGO 68

(Penhorabilidade)

1. As pensões concedidas ao abrigo do presente regulamento só poderão ser penhoradas nos mesmos termos em que podem sê-lo as remunerações.

2. O direito à percepção do subsídio por morte é inalienável e impenhorável.

ARTIGO 69

(Extinção do direito)

1. A qualidade de pensionista extingue-se:

a) Com a morte do pensionista;

b) Quando deixe de verificar-se qualquer dos requisitos condicionadores da atribuição do direito à pensão;

c) Por renúncia do direito à pensão;

d) Por condenação do pensionista em alguma das penas maiores estabelecidas na lei penal, ou ainda em pena correcional por crime denoso.

2. A pronúncia por crime a que corresponda alguma das penas previstas na alínea d) do número anterior implica a suspensão do pagamento da pensão.

3. A condenação em pena de suspensão dos direitos políticos implica perda da pensão, mas só durante o período em que aquela durar.

4. A união de facto produz os mesmos efeitos que o casamento, sempre que a verificação deste último seja causa de extinção do direito.

SECÇÃO II

Disposições transitórias

ARTIGO 70

(Pensões concedidas do antecedente)

1. Mantêm-se pelos seus valores actuais as pensões que até aqui vêm sendo pagas, ainda que a título de subsídio, a favor de veteranos da luta de libertação nacional já desmobilizados, por limite de idade ou por incapacidade, sempre que tais valores excedam a pensão que resultaria da aplicação das disposições do presente regulamento.

2. A transferência, para o Ministério das Finanças, dos encargos referentes a tais pensões operar-se-á em data a estabelecer por despacho conjunto dos Ministros da Defesa Nacional e das Finanças, mediante simples listas nominais, a fornecer pela Secretaria de Estado dos Antigos Combatentes, com a discriminação dos necessários elementos de identificação dos beneficiários e a indicação do quantitativo mensal da pensão correspondente a cada um.

ARTIGO 71

(Herdeiros hábeis de militares já falecidos)

1. Os herdeiros hábeis dos veteranos falecidos antes da publicação do presente regulamento poderão, no prazo de dezoito meses contados a partir da data de sua entrada em vigor, habilitar-se à constituição da pensão de sobrevivência ou da pensão de sangue a que se julguem com direito, ficando o processo de constituição da respectiva