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MORE THAN A DOCUMENT

Reflections on the structuring and implementation of Mozambique's National Action Plan on Business and Human Rights



Introduction

The preparation and future implementation of the National Action Plan on Business and Human Rights occurs at a time when Mozambique faces challenges and expectations of great magnitude. The national economy has been shaped by the intensive exploitation of natural resources, social transformations linked to large-scale extractive projects, and

growing tensions exacerbated by the insurgency in the north of the country. These dynamics have made more evident the need for an instrument that clearly guides the conduct of companies, the role of the State, and the rights of communities.

The National Action Plan (NAP) is of particular importance because it seeks to establish a



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national commitment to social justice and sustainable business practices. Its approval represents, on the one hand, an important normative advance and, on the other, a shift in how the country conceives development. The economy is no longer envisaged merely as a space for accumulation, but as a platform for inclusion, accountability, and respect for human dignity. The growing presence of international companies, coupled with institutional weaknesses in various sectors, makes a regulatory framework that promotes a balance between economic interests and social and environmental obligations indispensable.

In this context, the NAP offers an opportunity to forge a new vision of the relationship between the State, businesses, and communities.

1. The importance of the NAP at a crucial moment for Mozambique.

The NAP emerges as a strategic tool at a moment when Mozambique faces critical choices about the development model it intends to pursue. Recent history demonstrates that periods of economic growth have not always translated into meaningful improvements for the communities most affected by large-scale projects. This mismatch is related to persistent inadequacies in oversight, lack of transparency in value chains, weaknesses in community consultation processes, and latent tensions over land use.

In this context, the Plan represents an opportunity to correct asymmetries and establish new standards of accountability. Its implementation can contribute to reducing the social and environmental risks of business activities, improving the protection of vulnerable groups, and strengthening trust between public institutions and citizens. The transformative potential of the NAP lies in its ability to articulate the obligations of the State with the responsibilities of the private sector, integrating international principles within a framework adapted to the Mozambican reality.

By introducing clear guidelines for risk management, the NAP can also serve as a mecha-

This vision will only be achieved if the document is understood not as an end, but as a practical guide, designed to influence public policies, improve decision-making processes, and create accountability mechanisms.

The end of force majeure in Palma, coupled with the progressive reactivation of extractive activities and the return of private security actors, makes this a particularly sensitive period. The Plan will only be useful if it is conceived as a living instrument, capable of influencing decisions, preventing abuses, and improving the performance of institutions. Its relevance depends on the ability to transform principles into concrete practices, guided by evidence and driven by the need to produce real changes on the ground.

nism for conflict prevention, especially in regions where the development of large projects has been accompanied by territorial tensions, labor disputes, or claims related to resettlement. The relevance of the Plan is heightened in a country marked by deep regional inequalities and where community expectations are not always met by existing public policies. Investments in gas, rubies, graphite, and other natural resources place Mozambique at a turning point, while simultaneously exposing persistent weaknesses in the governance of the extractive industries. The experience of affected communities demonstrates that economic progress does not automatically translate into social advancement, particularly when development is not accompanied by clear mechanisms for accountability, transparency, and meaningful participation.

The NAP can transform this reality by introducing guidelines for responsible business conduct and for state action in protecting human rights. The document will only fulfill this role if it presents clear priorities, feasible actions, and well-distributed responsibilities among government, businesses, regulators, local authorities, and civil society.

2. Structural challenges in the governance of natural resources

The governance of natural resources remains one of the most sensitive and crucial areas for national stability and development. In several regions, especially in provinces with a strong presence of extractive industries, communities report recurring experiences of exclusion over the years. The fragility of oversight systems, the inadequacy of mechanisms to ensure transparency, and the slow resolution of conflicts make these areas particularly vulnerable.

Furthermore, many resettlement processes lack adequate follow-up. Several communities continue to face difficulties related to a lack of water, unproductive land, the absence of social infrastructure, and loss of livelihoods. The lack of effective participation in decisions that shape the territory deepens feelings of injustice. CDD

assessments show that this scenario is aggravated when human rights defenders and community leaders face restrictions or intimidation when attempting to raise legitimate concerns¹.

The insurgency in Cabo Delgado intensified existing inequalities and highlighted the link between weak governance, social vulnerability, and conflict. These dynamics demonstrate that the NAP cannot simply be a compilation of best practices, but needs to confront structural problems that have historically hampered the relationship between the state, businesses, and communities. Its strength depends on its ability to transform how institutions operate on the ground and how projects are designed and implemented. In the governance of natural resources.

3. Transforming principles into practice: What is needed for effective implementation?

Transforming the NAP into an effective instrument depends on an implementation structure that combines strategy, coherence, and practical capacity. The Plan must establish priorities that allow the State to direct efforts to essential areas without dispersion². The identification of these priorities must be based on reliable data, risk assessments, and comprehensive consultations that include communities, businesses, academics, and civil society organizations.

Another crucial element is defining a sequence of actions that respects the country's institutional pace. Structural reforms such as improving oversight systems, strengthening regulatory institutions, and creating national coordination mechanisms require prior preparation and adequate resources. In parallel, other initiatives can move forward simultaneously, such as training civil servants, strengthening community dialogue platforms, and developing instruments to improve transparency.

To ensure implementation, the NAP must in-

spire a cross-cutting political commitment. Clarifying responsibilities within the government, integrating the provinces into the process, and defining the role of businesses are essential conditions to guarantee continuity over the years. The Plan's effectiveness increases when there is an institutional environment that encourages continuous learning, periodic review of actions, and correction of practices that do not produce the expected results.

Timelines must be realistic and adapted to the Mozambican context. Without deadlines adjusted to the capacity of institutions, the NAP risks becoming a mere formality, without concrete results. Responsibilities need to be clearly defined, avoiding overlaps that often lead to stagnation. The role of businesses, provincial governments, traditional authorities, and civil society organizations must be recognized as part of a common effort.

Financial and technical resources must be secured from the outset. Plans without a budget

¹ <https://cddmoz.org/wp-content/uploads/2025/03/Contextualizing-Mozambique's-Commitment-to-Business-and-Human-Rights-1.pdf#:~:text=As%20a%20result%2C%20in%202024%2C%20Mozambique%20presented,en%2D%20sure%20the%20protection%20of%20human%20rights>.

² https://unec.org/DAM/hlm/projects/UNDA-9th_tranche/Documents/Guidelines_on_drafting_and_implementation_of_the_NAPs_final.pdf

are unlikely to materialize and tend to depend on the goodwill of individual actors, creating vulnerability and loss of continuity. The country

also needs monitoring indicators that assess the impact of measures on the ground, not just their implementation.

4. Lessons from Kenya and Uganda

Drawing on lessons learned from other African countries that have gone before us, such as Kenya and Uganda, experience shows that a National Action Plan (NAP), when properly structured, can become not merely a political symbol, but a living and effective tool to protect communities, regulate business conduct, and promote sustainable development.

In Kenya, the first African country to formalize a National Action Plan (NAP) under the UN Guiding Principles, the government established a multi-sectoral Implementation Committee composed of state actors, human rights institutions, labor authorities, private sector representatives, and civil society organizations.³ This Committee did more than remain inactive: within a few months, it developed a detailed work plan, defining clear policy actions, responsible

actors, timelines, budgets, and monitoring indicators. As a result, the NAP became more than a declaration; it became an operational roadmap guiding business and human rights governance, with links to national development goals⁴.

In Uganda, which adopted a five-year National Action Plan (NAP) in 2021, the plan prioritized eight thematic areas directly relevant to contexts such as that of Mozambique: land and natural resources, environment, labor rights, fiscal transparency, provision of social services by private actors, consumer protection, access to redress, and the rights of vulnerable groups⁵. The plan's design emphasized institutional coordination among various ministries, resource mobilization for monitoring, capacity building for state and non-state actors, and community participation, particularly in areas affected by extractive industries⁶.

5. What do these experiences teach us, and what should Mozambique learn from them?

First and foremost, a National Action Plan (NAP) must be institutionalized from the outset. Kenya's Implementation Committee, with a clear mandate and members from diverse sectors, demonstrates that multi-sectoral coordination is feasible and effective. Without this structure, there is a risk that the plan will remain merely on paper, subject to bureaucratic inertia.

Secondly, the NAP should incorporate concrete and sector-sensitive priorities, especially in areas relevant to Mozambique, such as land and natural resource governance, environmental protection, labor rights, social service provision, and access to redress. Uganda's thematic focus demonstrates that a broad, yet clear, scope helps address the multiple dimensions of human rights risks related to business activities, particu-

larly in the extractive or natural resource sectors.

Third, inclusion and participation are fundamental. The extensive consultations carried out in Kenya, encompassing the government, civil society, traditional authorities, and vulnerable groups, contribute to the legitimacy of the National Action Plan and ensure that it reflects the real concerns of those most likely to be affected. A human rights-based approach, attentive to issues of gender, disability, and social marginalization, increases the likelihood of the National Action Plan achieving equitable outcomes.

Fourth, a National Action Plan (NAP) must be supported by resources, timelines, and monitoring mechanisms. Kenya's early adoption of a detailed work plan with actors, timelines, budgets, and indicators illustrates that, without these

³ https://bhr.knchr.org/AboutUs/NAPImplementationCommittee.aspx?utm_source=chatgpt.com

⁴ https://www.monitor.co.ke/2021/04/09/the-role-of-national-action-plans-on-business-human-rights/?utm_source=chatgpt.com

⁵ https://www.business-humanrights.org/en/latest-news/uganda-adopts-a-national-action-plan-on-business-and-human-rights/?utm_source=chatgpt.com

⁶ https://mglsd.go.ug/wp-content/uploads/2023/07/Approved-National-Action-Plan-on-Business-and-Human-Rights.pdf?utm_source=chatgpt.com

elements, even well-intentioned policies can stagnate. Having measurable indicators to track progress helps ensure accountability and course correction over time.

Finally, and perhaps most importantly, the implementation of the NAP must begin without delay, as soon as it is approved. The timing is crucial. For Mozambique, the rise of force majeure in Palma and the continued relevance of

extractive projects, combined with unresolved conflicts and challenges to human rights in mineral-rich regions, make this a critical period for action. If the NAP is delayed, left without structure or guaranteed funding, there is a real risk that investments and commercial operations will resume in a vacuum, with disastrous consequences for communities, the environment, and social stability.

Strategic recommendations for effective implementation

Practical and prioritized recommendations are presented to guide the implementation of the NAP (National Action Plan).

Create a National Implementation Committee with a legal mandate and technical representation from the provinces, the private sector, and civil society, capable of harmonizing policies and managing a fund for priority activities.

To define a sequenced plan with annual priorities and quarterly targets, where structural reforms precede activities dependent on those reforms.

To secure initial funding that covers coordination, monitoring, training, and rapid-impact initiatives, combining public resources and external partnerships with state matching funds.

Establish local consultation mechanisms and monitoring platforms so that communities can file complaints, participate in mitigation plans, and validate remediation measures.

Adopt public policies to protect human rights defenders and whistleblowers, with secure reporting channels and rapid response protocols.

To create mediation units and rapid response teams with technical skills for risk assessment and conflict resolution, and to integrate social evaluation into impact studies.

Establish a monitoring system with process, outcome, and impact indicators, and publish annual reports that are accessible to the public.

Aligning the NAP with EITI, the Voluntary Principles Working Groups and local grievance mechanisms to avoid duplication and leverage synergies.

Develop a communication strategy that explains objectives, responsibilities, and results, strengthening the legitimacy of the Plan.



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