

## **MOZAMBIQUE**

### **Penal Code** (change in 2014)

In December 2014, the Mozambique government authorized “abortion-on-demand in the first 12 weeks of pregnancy, or up to 16 weeks in case of rape. ... The provision allowing abortion if pregnancy threatens the life or health of the mother, and if a fetal abnormality is diagnosed, is also maintained” (*LifeSiteNews.com*, December 19, 2014).

### **Penal Code.**

*(imperfect translation)*

#### **Article 358.**

One who purposely does an abortion on a woman, employing violence for this purpose, or beverages, or drugs, or any other means, if the crime is committed without consent of the woman, will be sentenced in a major prison sentence of two to eight years.

1. If the crime is committed with the consent of the woman, shall be punished with a penalty of two to eight years imprisonment.
2. The woman who consents and makes use of the means provided artificially, or who voluntarily seeks abortion herself, will be punished with the same penalty, if the abortion followed.
3. If, however, in the case of the previous paragraph, the woman committed the crime to hide her disgrace, the penalty will be imprisonment.
4. The doctor or surgeon or pharmacist who, abusing their profession, have voluntarily contributed to the execution of this crime, or supplied the means to do it, respectively incurs the same penalties, aggravated by the general rules.

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### **Código Penal.**

#### **Article 358.**

Aquele que, de propósito, fizer abortar uma mulher pejada, empregando para este fim violências ou bebidas, ou medicamentos, ou qualquer outro meio, se o crime for cometido sem consentimento da mulher, será condenado na pena de prisão maior de dois a oito anos.

1. Se for cometido o crime com consentimento da mulher, será punido com a pena de dois a oito anos de prisão maior.
2. Será punida com a mesma pena a mulher que consentir e fizer uso dos meios subministrados, ou que voluntariamente procurar o aborto a si mesma, seguindo-se efectivamente o mesmo aborto.
3. Se, porém, no caso de parágrafo antecedente, a mulher cometer o crime para

ocultar a sua desonra, a pena será a de prisão.

4. O médico ou cirurgião ou farmacêutico que, abusando da sua profissão, tiver voluntariamente concorrido para a execução deste crime, indicando ou subministrando os meios, incorrerá respectivamente nas mesmas penas, agravadas segundo as regras gerais.