

In 2014, Mozambique made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed a new Penal Code which contains provisions on the commercial sexual exploitation of children. The Government also adopted a policy to increase birth registration nationwide, launched a social program to strengthen coordination to address human trafficking, and began conducting research on child labor. However, children in Mozambique are engaged in child labor, including in agriculture and domestic work. Mozambique's legal framework leaves gaps in prohibiting child labor, including its worst forms. The law does not prohibit hazardous occupations or activities for children and education is only compulsory until age 13, leaving children ages 13 to 14 vulnerable to child labor. Current programs target street children and child trafficking victims but do not address other sectors in which children engage in hazardous work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique are engaged in child labor, including in agriculture and domestic work.(1-5) Table 1 provides key indicators on children's work and education in Mozambique.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	22.5 (1,526,560)
Attending School (%)	5-14 yrs.	69.5
Combining Work and School (%)	7-14 yrs.	22.4
Primary Completion Rate (%)		52.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Clusters Survey 3, 2008.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cotton,* sesame,* tea,* cashews,* and tobacco (2, 3, 8-14)
	Fishing,* activities unknown (3, 9)
	Forestry,* activities unknown (3)
Services	Domestic work (8, 9, 12, 15)
	Street work, including car washing, street vending, collecting rubbish and scrap metal, and begging (2, 3, 16-22)
	Selling alcoholic beverages in markets* (22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 16, 20, 23-31)
	Forced labor in agriculture* and domestic work,* each sometimes as a result of human trafficking (2, 28, 31)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Girls from Malawi, Swaziland, and Zimbabwe are trafficked to Mozambique for commercial sexual exploitation and forced domestic work.(2, 28, 29, 31, 32) Within Mozambique, commercial sexual exploitation is especially prevalent in border towns and the urban regions of Beira, Maputo, Nacala, Nampula, and Tete.(2, 16, 20, 23, 24, 26, 27, 31) Commercial sexual exploitation of

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girls occurs in bars, roadside clubs, restaurants, and at overnight stopping points along the southern transport corridor that links Maputo, Swaziland, and South Africa.(2, 31)

Children are trafficked internally and to South Africa for commercial sexual exploitation and forced labor in agriculture, mines, and domestic work.(2, 24, 29, 31, 33-37)




Although primary education is free, access to education in Mozambique is limited because of the lack of schools and teachers. Additionally, the cost of school supplies is prohibitive for many families.(2, 17, 21, 25, 38-41) Despite government efforts to provide birth registration to children, some children may not attend school because they lack birth records needed for enrollment.(2, 26, 42) Even though the National Organization of Professors establishes a code of conduct, verbal, physical, and sexual abuse is common in schools. Teachers often demand sex from female students as a condition for advancement to the next grade.(2, 4, 20, 43) For many girls, this type of abuse leads to withdrawal from school.(2, 20, 42, 43)

Additionally, there are an estimated 740,000 orphaned children, many of whom lost their parents to HIV/AIDS.(44, 45) The Government estimates that nearly 20,000 children are heads of households responsible for their younger siblings.(44, 46) As a result, they are likely to experience poor school attendance and are at risk of engaging in the worst forms of child labor.(20, 47)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mozambique has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 26 of the Labor Law (48)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (48)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 23 of the Labor Law (48)
Prohibition of Forced Labor	Yes		Article 84 of the Constitution; Articles 10 and 11 of Law No. 6/2008 (49, 50)
Prohibition of Child Trafficking	Yes		Articles 10 and 11 of Law No. 6/2008; Article 227 of the Penal Code (49, 51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 10 and 11 of Law No. 6/2008; Articles 226 and 227 of the Penal Code (49, 51)
Prohibition of Using Children in Illicit Activities	Yes		Law No. 3/97 (52)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 1 of the Law on Compulsory Military Service (53)
Minimum Age for Voluntary Military Service	Yes	18	Law on Compulsory Military Service (53, 54)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Compulsory Education Age	Yes	13	Article 41 of the Law of Basic Child Protection (55, 56)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection (55)

The Labor Law states that employers may not engage children under 18 years of age in unhealthy or dangerous work, but it does not identify specific prohibited hazardous activities.(48, 52)

While children age 18 and younger are prohibited from military conscription, the age limit may be lowered during times of war, therefore making children vulnerable to the worst forms of child labor.(3)

In December 2014, the Government passed a new Penal Code with technical support from UNICEF.(5) The Penal Code contains prohibitions on facilitating prostitution and child pornography.(51) Law No. 6/2008 provides penalties for anyone who recruits, sells, and benefits financially from the commercial sexual exploitation of children; however, the law does not prohibit the use of a child for commercial sexual exploitation.(49, 51, 52)

The Law of Basic Child Protection provides free and compulsory education through primary school.(55) Primary school covers 7 years, making education compulsory until age 13, while the minimum age for work is 15. This gap between the end of compulsory education and the minimum age for work leaves children ages 13 to 14 vulnerable to child labor, including its worst forms.(56)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRAB)	Carry out child labor inspections and receive child labor complaints.(3)
Labor Inspectorate General	Enforce criminal law, including forced child labor and child trafficking, along with the National Police Force and the Criminal Investigation Branch (PIC).(3)
The National Police Force	Enforce all criminal laws, including forced child labor, child trafficking, commercial sexual exploitation of children, and the use of children for illicit activities.(3)
PIC	Investigate and refer cases to the Attorney General's Office. Has a seven-person unit devoted to anti-trafficking and violence against women and children.(3)
Attorney General's Office	Lead the Government's anti-human trafficking efforts and receive prosecution-ready cases from the PIC. During the reporting period, the Attorney General's Office established human trafficking reference groups in three additional provinces, resulting in nationwide coverage.(31, 57)

Criminal law enforcement agencies in Mozambique took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions to combat child labor, including its worst forms.

Labor Law Enforcement

During the reporting period, the Ministry of Labor (MITRAB) had 135 labor inspectors.(5) Inspectors are poorly trained, making them limited in their ability to effectively enforce labor laws. Moreover, there are not enough inspectors to cover the entire population, especially when most of the population works in remote areas in agriculture.(3, 58)

MITRAB does not provide data on the number of inspections carried out for different labor law violations. Therefore, there is no information available on the number of inspections, violations found, and citations or penalties issued for child labor.(59) Between January and November 2014, the hotline Speak Child-116 received 537 complaints of child abuse and exploitation, nine of which were related to child labor.(5) Inspectors are able to conduct unannounced inspections through site visits. MITRAB does not undertake targeted child labor inspections; child labor is integrated into overall labor inspections.(5)

MITRAB officials can refer victims of child labor to either the police or to social workers from the Ministry of Gender, Children, and Social Action (MGCAS) to do a family assessment and potentially place children in a foster home.(59)

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Criminal Law Enforcement

Research did not find information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor. However, during the reporting period, police officers received training on protection of human trafficking victims, rights of children, domestic abuse, and child custody law.(3, 5)

In 2014, research did not identify information on the number of investigations, prosecutions, or convictions related to the criminal worst forms of child labor.(3)

In January 2013, Mozambican authorities worked with South African authorities who had rescued five Mozambican girls in forced prostitution in South Africa.(60) The case was investigated and prosecuted by South African authorities; however, in 2014, the Government of Mozambique coordinated with an NGO to provide travel to South Africa for the parents of the five victims. The Government also agreed to have South African officials provide initial rehabilitation for the young women, and planned to coordinate their repatriation to Mozambique from South Africa for final reunification with their families.(57)

There are standardized procedures for courts to refer victims of human trafficking to MGCAS' offices throughout the country, to provide support and reintegration services.(61) However, research did not find referral mechanisms for victims of other worst forms of child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Council on the Rights of the Child (CNAC)	Coordinate efforts to promote the welfare of children. Led by the Ministry of Gender, Children, and Social Action (MGCAS) and composed of civil society representatives and the Ministries of Justice, Education, Health, and Youth and Sports.(9)
National Commission on Children's Rights	Oversee and report on children's rights in Mozambique to the African Charter and other international bodies, and perform consultations and deliberations on national action plans and legislation.(59) Inter-ministerial body created in 2010; includes representatives from the Ministries of Gender, Children and Social Action (MGCAS), Education, Health, Interior, and Justice; civil society organizations; and religious organizations.(3, 59)
The Ministry of Interior's Women and Children Victim Assistance Units (GAMC)	Provide services to child victims of commercial sexual exploitation and human trafficking.(31) In 215 police stations, a specialist is specifically designated to help women and children that have been victims of crimes including human trafficking, sexual abuse, domestic violence, and sexual assault.(31) Through February 2014, 490 specialists have been trained to assist victims.(60)
Ministry of Gender, Children, and Social Action (MGCAS)	Provide support and reintegration services to victims of human trafficking, including placing victims with other people or a family so as to avoid stigma and help the victims reintegrate into society.(57)

Although CNAC exists, research found no evidence that the committee functions as a coordinating mechanism to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Mozambique has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Community of Portuguese-Speaking Countries (CPLP) Action Plan to Combat Child Labor	Establishes four target areas to combat child labor. Includes the exchange of information and experiences; awareness-raising campaigns; use of statistical methodologies to collect child labor data; and technical cooperation and training.(62)
Employment and Vocational Training Strategy (EEFP) (2006–2015)	Reduces poverty and unemployment by working with employers, workers, and members of civil society. Conducts child labor research on different topics and sectors to help design and implement government interventions.(9) Establishes support for participating institutions; implements policies and legislation on child labor; and provides training on child labor for institutions, stakeholders, and civil society.(9)

Table 7. Policies Related to Child Labor (cont)

Policy	Description
National Action Plan for Children II (PNAC) (2013–2019)	Establishes four priority areas: (1) child survival, (2) child development, (3) child protection, and (4) child participation. Aims to reduce child labor in the area of child protection.(63)
National Poverty Reduction Action Plan (PARP) (2011–2014)*	Promotes inclusive economic growth and seeks to reduce poverty and vulnerability in the country. Aims to increase production and productivity in the agriculture and fishery sectors; encourage human and social development; and promote employment.(64) Also includes the Government's strategy for implementing the 2010–2014 Five-Year Plan.(9, 64)
Five-Year Government Plan (PQG) (2010–2014)*	Ensures access to basic education for all children, giving privilege to the most vulnerable children.(9) The primary school enrollment rate increased from 79.4 percent in 2013 to 94.0 percent in 2014.(64)
Civil Registration and Vital Statistics (CRVS) Investment Plan*†	Plans to strengthen legislation, raise awareness, and increase the registration of vital events, including birth registration.(65) Includes UNICEF and WHO working with the Mozambican Ministries of Justice, Health, Interior, and the National Institute of Statistics.(65, 66)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2014, MITRAB submitted the draft National Action Plan on Child Labor to a tripartite consultative committee composed of representatives from various government ministries, as well as unions, and private-sector employers. The draft remains under review.(5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Mozambique funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor and forced labor through data collection and research in Mozambique.(67)
Research Study on Child Labor†	MITRAB program to conduct a small-scale study on child labor in partnership with the University of Eduardo Mondlane.(5)
Decent Work Country Program (2011–2015)	Contributes to the national priorities of inclusive and sustainable growth and poverty reduction by providing opportunities for decent work for all. Special emphasis placed on the most vulnerable groups in the labor market.(21) Provides the Labor Inspectorate with a mandate to focus on eliminating child labor.(21)
Strengthening Coordination to Respond to Trafficking in Persons and Ensure Justice and Protection for All Victims of Trafficking in Mozambique†	\$750,000, USDOS-funded 3-year project implemented by IOM to support the establishment and institutionalization of a national human trafficking referral mechanism, including for child victims of trafficking. Includes upgrading shelter facilities, training staff to meet the minimum requirements for offering aftercare services to victims of TIP, and providing comprehensive protection services.(68)
Cash Transfer Program for Children Heads of Households*‡	USAID and Government-funded program that provides cash transfers to children who are head of households. No data are available on how many children benefit from this program, but the Government has been steadily increasing funding to social protection mechanisms since 2011.(3, 69)
Programs For Street Children	Government and civil society-organized programs that provide shelters and schooling to prepare street children for reintegration into society. Regulations being drafted to define minimum standards for assessing foster care providers and more clearly define standards for the reintegration of street children into families.(69)
Direct Support to Schools Program (ADE)*‡	\$17.3 million, Government-funded program that provides funds to school councils and parent associations to use in improving access to and quality of education.(59, 69)
UNICEF Radio Program	UNICEF program with the Government to communicate issues of child abuse, including child labor, on national and community radio broadcasts.(59, 70)
Victims of Violence Centers*‡	Government program operated by the GAMC that provides temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime. There are 22 centers located throughout the country.(31)

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Table 8. Social Programs to Address Child Labor (cont)

Program	Description
Prison School (<i>Prisões Escola</i>)*	Ministry of Justice program that provides study opportunities for children who have been in trouble with the law.(9)
Permanent Shelter for Vulnerable Children‡	MGCAS and Save the Children coordinate to run a permanent shelter with two psychologists for vulnerable children, including trafficking victims.(60)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Mozambique.

Although the Government of Mozambique has implemented programs for street children and child victims of commercial sexual exploitation and human trafficking, research found no evidence that it has carried out programs to assist children in agriculture and domestic work. Additionally, the scope of existing programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mozambique (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law establishes specific hazardous occupations or activities prohibited for children, including all relevant sectors in Mozambique.	2009 – 2014
	Ensure children under age 18 are prohibited from military conscription in all circumstances.	2010 – 2014
	Ensure that the law prohibits use of a child for commercial sexual exploitation.	2014
	Raise the age of compulsory education to be consistent with the minimum age for employment.	2009 – 2014
Enforcement	Allocate sufficient resources to MITRAB in order to (1) increase the number of labor inspectors to ensure coverage throughout the country, including rural areas; and (2) provide labor inspectors with adequate training on child labor.	2009 – 2014
	Make information publicly available on the number of labor inspections conducted, the number of child labor violations found, the number of citations or penalties issued, as well as the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, and the number of investigations, prosecutions, and convictions.	2009 – 2014
	Establish referral mechanisms to link all victims of the worst forms of child labor with the appropriate social welfare services.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2010 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
Social Programs	Take measures to ensure all children, particularly girls and orphans, have access to good quality education and are safe in schools, including through providing supplies and ensuring a sufficient number of teachers and classrooms. Prosecute teachers who demand sex with students as a condition for advancement.	2010 – 2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Institute programs to address child labor in agriculture and domestic work and expand existing programs in order to address the scope of the child labor problem.	2010 – 2014

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