

In 2012, Mozambique made minimal advancement in efforts to eliminate the worst forms of child labor. The Council of Ministers approved the new National Plan of Action for Children (2013–2019). The Ministry of Labor trained provincial labor inspectors on child labor, which included material on national and international child labor laws. The Government began preparing the National Plan for Eradication of Child Labor to be presented jointly with the members of the Community of Lusophone Countries at the Global Conference on Child Labor in 2013. However, a number of gaps remain in Mozambique's legal framework. There is no list of hazardous activities prohibited to children and the prohibitions on child prostitution are incomplete. Current social protection programs focus on raising awareness and on street children, but fail to address sectors in which children engage in dangerous work. Children in Mozambique continue to engage in the worst forms of child labor, including dangerous activities in agriculture and domestic service.

Statistics on Working Children and Education

Children	Age	Percent
Working	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		56.2

Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2008.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Mozambique are engaged in the worst forms of child labor, particularly in dangerous work in agriculture and domestic service.(3-8) The largest number of children work in the Inhambane region.(9)

Children working in agriculture work on farms and small plots known as *machambas*. Limited evidence suggests some of these children produce cotton, cashews, copra (dried coconut meat), seaweed, tea, and sugar.(3, 5, 6, 10-13) Children also work in the production of tobacco.(6, 13) Children working



in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(5, 14, 15) Limited evidence suggests that children in agriculture often work with no pay and that there are cases of children used as laborers to pay off family debt.(16-19) Some children in Mozambique are subject to debt bondage.(4, 17-21) Children also work in the forestry sector.(12) Children working in forestry may be exposed to falling from ladders and trees, extreme temperatures, and hazardous chemical substances.(22)

Children in Mozambique perform domestic labor in third-party homes.(6, 7, 10, 13, 23-25) Some domestic servants work up to 15 hours per day and may be subject to physical abuse, including burns.(3, 7, 26, 27)

Children in Mozambique herd livestock. Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(28, 29) Limited evidence indicates that children are involved in fishing.(3, 6, 12) These children may work long hours, perform physically demanding tasks, and face dangers such as drowning.(30, 31)

Mozambique

Mozambique is a source, destination, and transit country for child trafficking.(11, 18, 19) Children are trafficked internally and to South Africa for commercial sexual exploitation and forced labor in agriculture, mines, and domestic service.(17, 18, 32-39) Girls from Zimbabwe, Zambia, and Malawi are trafficked to Mozambique for commercial sexual exploitation and forced domestic service.(4, 8, 18, 40-45) Commercial sexual exploitation is especially prevalent in rural areas, border towns, and in the regions of Maputo, Beira, Napula, Tete, and Nacala.(4, 7, 8, 34, 46-50) There are reports of children working on the streets but specific information on hazards is unknown.(4, 7, 23, 47, 51-54)

Access to education in Mozambique is limited because of teacher shortages, indirect schooling costs, and the lack of schools and sanitation facilities.(4, 11, 20, 48, 53, 55, 56) The Government of Mozambique estimated in 2011 that nearly 200,000 school aged children were out of the school system.(57) Despite government efforts to provide birth registration to children, some children may not attend school because they do not have the birth records needed for enrollment.(49, 58, 59) Even though the National Organization of Professors established a code of conduct, verbal, physical, and sexual abuse is common in schools. It is also common for teachers to demand sex as a condition for advancement to the next grade.(7, 60) For many children, especially girls, this type of abuse leads to withdrawal from school.(4, 7, 8, 11, 20, 58, 60) Additionally, there are an estimated 900,000 orphaned children in Mozambique, many of whom lost their parents to HIV/AIDS.(21, 57, 61, 62) The Government of Mozambique estimates that nearly 20,000 children are heads of households and are responsible for their younger siblings.(57, 63) As a result, these children are particularly vulnerable to poor school attendance and engagement in the worst forms of child labor.(4, 7, 61)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Law establishes the minimum age for employment at 15 and the minimum age for hazardous work at 18. Article 3 of the Labor Law covers a number of special and noncommercial sectors, such as work in the home, domestic service, and work in rural areas, among others, but only “insofar as it is suited to their particular nature and characteristics.”(64) The provision makes it unclear if the Ministry of Labor (MITRAB) has the authority to inspect in these noncommercial establishments.(6, 25) Although Article 259 of the Labor Law gives inspectors authority to enter any establishment, in practice, cases of labor violations are

discovered through investigations rather than inspections.(16) During the reporting period MITRAB offered training to provincial labor inspectors on child labor and national and international laws regarding child labor.(25)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	13
	Free Public Education	Yes

Children between ages 12 and 14 may work with written approval by their legal representative. (6, 64) These children are issued legal documents establishing the conditions under which they are allowed to work and must undergo a prior medical examination.(6, 64) The Labor Law also restricts the conditions under which minors between ages 15 and 18 may work. Minors under age 18 are not permitted to work in unhealthy, dangerous, or physically taxing occupations.(64) The Labor Code prohibits children between ages 15 and 18 from working at night.(64, 65) The Labor Code does not specifically identify hazardous activities from which children are prohibited.(4, 6, 7, 21, 66)

The Constitution guarantees the right to education for all.(67) The Child Protection Act provides for free and compulsory education through primary school.(65) However, evidence suggests these goals have not been met.(11, 56, 58) Primary school covers a period of 7 years and begins at age 6, making education compulsory until the age of 13.(6, 20, 68) This standard makes children ages 13 to 14 vulnerable to the worst forms of child labor, as they are not required to be in school but are under the minimum age to work.(6) Additionally,

although the Child Protection Act was passed in 2008, the procedures and regulatory frameworks to put the law into practice have not yet been implemented.(11)

The Constitution prohibits forced labor.(67) The Law on Military Service sets the age for military conscription at age 18, which can be lowered in times of war.(69, 70) Act 3/97 prohibits the use of children in the transport and sale of illegal drugs.(21)

While the Child Protection Act does not directly provide children protection from sexual exploitation, it requires the Government to adopt legislation protecting children from all forms of sexual exploitation. However, legislation has not yet been adopted to meet this requirement.(4, 65)

Article 405 of the Penal Code establishes penalties for the prostitution of a minor, which include imprisonment and a fine.(8, 71) Children are protected from exposure to pornographic materials and acts, under article 64 of the Children's Code, which provides sanctions, although unspecified, for inciting, coercing, abusing, using, or procuring of minors for prostitution or any other illicit sexual activity.(4, 7, 8, 65)

The Trafficking in Persons (TIP) Law forbids international and domestic trafficking for forced labor, prostitution, slavery, involuntary servitude or debt bondage.(16, 72, 73) Despite the lack of implementing regulations, there were police and prosecutorial enforcement actions, prosecutions, and convictions including 16 ongoing investigations carried into 2012.(10, 12, 16, 58, 74-76) However, information on TIP cases did not identify the number of cases involving children.(16) (21, 35) Implementing regulations would clarify the roles and responsibilities of the ministries involved in anti-trafficking efforts.(76)

The Government is in the process of revising the Penal Code and provisions to protect children from all forms of trafficking are expected to be included.(4, 21, 24, 75)

Institutional Mechanisms for Coordination and Enforcement

The Government of Mozambique does not have a specific mechanism to coordinate policies on the worst forms of child labor. However, the National Council on the Rights of the Child (CNAC), an interagency commission led by the Ministry of Women and Social Action (MIMAS), coordinates efforts

to promote the welfare of children.(12, 17) The Council is comprised of religious and civil society representatives and the Ministries of Labor, Justice, Education, Health, Interior, and Youth and Sports.(3, 4, 10, 12, 58, 77)

MITRAB is responsible for the enforcement of child labor laws in an operating environment that is accepting of child labor as a response to poverty or the death of parents due to HIV/AIDS.(3, 10, 78-80) Within MITRAB, the Labor Inspection Office employs 130 labor inspectors who primarily inspect commercial establishments.(3, 10, 12, 25) In 2012, MITRAB had a budget of \$40,000 for child labor-related issues.(81) This office routinely lacks resources to conduct inspections.(3, 10, 12) Information was not found on the type of inspections nor what kind of labor law violations were detected.(12, 17, 82) There is no mechanism in place for the public to report labor law violations.(3)

The National Police Force, the Criminal Investigation Branch (PIC), and the Labor Inspectorate General (LIG) share responsibilities for the enforcement of all criminal laws, including forced child labor, child trafficking, the commercial sexual exploitation of children, and the use of children for illicit activities.(3) The Government of Mozambique has special gender-sensitive police units.(3) In addition, the PIC has a seven-person unit devoted to anti-trafficking. Further, there is a system in place for reporting instances of the sexual exploitation of children.(3, 4, 10, 12, 40, 76) A telephone hotline Speak Child-116 was established in 2009 to report cases of child abuse and exploitation.(83) Between January and March 2012, the hotline registered 366 cases, of which 51 were referred to the police, 45 to the Women and Children Victim Assistance Unit (GAMC), and 33 to the Family Council.(84) The Government also maintains approximately 215 help desks where trafficking victims can go to police stations to file complaints and receive assistance.(16, 40, 75, 81) In addition, there are twenty Victims of Violence Centers run by the GAMC that can provide temporary shelter to children who have been victims of trafficking.(81) However, evidence suggests the Government lacks procedures to identify victims of child trafficking as well as services for child victims of commercial sexual exploitation.(4, 48, 85) Despite these efforts, the Ministries of Justice and Interior, including the police and the LIG, have insufficient financial and human resources to improve their effectiveness in enforcing laws pertaining to children.(6, 12, 58, 81, 82)

Mozambique

Government Policies on the Worst Forms of Child Labor

The Council of Ministers approved the second National Plan of Action for Children (PNAC II) 2013–2019 during the reporting period.(81, 86) The four key priority areas are: child survival, child development, child protection, and child participation. The PNAC II establishes 13 goals which include an increase in birth registrations, access to education, decrease in child marriage, and an increase in participation of children in social protection programs. Efforts under the PNAC II are coordinated by the CNAC.(81, 86)

During the reporting period, the Government continued to support and implement several policies that include components to combat child labor in Mozambique. The National Action Plan on Birth Registration aims to clear away a backlog of birth registrations and to strengthen and decentralize the birth registration system nationwide.(11, 61) The Strategic Plan for Education and Culture (2006-2010/2011) aims to ensure primary education is free and compulsory through higher primary school (grades six and seven) and to improve post-primary education.(87) The Plan also proposes to increase access to education for female students, support the construction of new schools, and encourage the training and recruitment of teachers.(87) The Employment and Professional Training Strategy (2006-2015) aims to raise awareness of, and disseminate information on, labor laws, including the laws pertaining to the worst forms of child labor.(55, 77)

In 2009, the Government adopted the Strategic Plan of Action on Combating Trafficking in Persons, Especially Women and Children in the Southern African Development Community (SADC).(11, 77) The Government and civil society representatives also form part of the Southern African Regional network against Trafficking and Abuse of Children (SANTAC).(44)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government of Mozambique made efforts to combat the worst forms of child labor. It continued partnerships with NGOs to provide anti-trafficking seminars for new police officers throughout the country.(12) Anti-trafficking training now forms part of the regular training curriculum for new officers. Mozambique's Center

for Judicial Training included a session on trafficking that was provided to 50 judges.(12, 82) Furthermore, 20 Mozambican judges were trained in Brazil and produced an electronic manual on TIP.(12) Despite these efforts, the Government of Mozambique has devoted limited resources for assisting trafficking victims, including a lack of safe houses and no formal referral system.(4, 12, 19, 76, 82)

In 2012, Mozambique participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is active in approximately 40 countries. In Mozambique the project aims to improve the evidence base on child labor and forced labor through data collection and research.(88) Additionally, the Government continued to participate in a 2-year \$500,000 USDOL-funded project that assisted participating countries in developing a National Plan for Eradication of Child Labor and promoted south-south cooperation between Lusophone-speaking countries for the purpose of eliminating worst forms of child labor.(89, 90) During the reporting period, the Community of Portuguese Speaking Countries (CPLP) met jointly with the ILO to discuss progress and planning for the Global Conference on Child Labor to take place in Brazil in 2013, and produced a documentary regarding child labor in the member countries.(91-93)

The Government continued to partner with civil society organizations to provide a reintegration process for street children. The program provided shelters and schooling to prepare children for reintegration.(4) Minors, who are head of households, receive small amounts of cash from the Government until age 18. The cash disbursements amount is determined by household size.(82)

Government officials received training from UNICEF on the use of radio broadcasts to communicate to the public about issues of child abuse, including child labor.(3) The Government of Mozambique is also participating in a 10-year UNESCO Literacy Initiative.(21) The impact of this Literacy Initiative on child labor has yet to be assessed.

The Government is not currently involved in social programs to eliminate the worst forms of child labor in sectors where the majority of children work such as in agriculture and domestic service.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Mozambique:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend the Labor Law to identify hazardous activities from which children are prohibited.	2009,2010,2011,2012
	Raise the age of compulsory education to be consistent with the minimum age for employment.	2009, 2010,2011, 2012
	Ensure children under age 18 are prohibited from military conscription in all circumstances.	2010, 2011, 2012
	Amend the revised Penal Code and Child Protection Act to include protection for all children from all forms of sexual exploitation, including child prostitution, child pornography, child trafficking, and child sex tourism.	2010, 2011, 2012
	Adopt implementing regulations for the Trafficking in Persons Act and the Child Protection Act.	2009, 2010, 2011, 2012
	Clarify whether MITRAB has the authority to conduct labor inspections in non-commercial establishments.	2011, 2012
Coordination and Enforcement	Create a mechanism to coordinate policy and efforts on the worst forms of child labor.	2010,2011,2012
	Allocate sufficient resources to MITRAB to conduct inspections.	2009, 2011, 2012
	Ensure the Labor Inspection Office targets sectors where children are known to work, including agriculture.	2009, 2010, 2011, 2012
	Create mechanisms to identify victims of child trafficking and commercial sexual exploitation.	2011, 2012
	Use the provisions from the Child Protection Act prohibiting sexual exploitation to prosecute those involved in sexual exploitation of children	2012
	Make information publicly available on the sectors in which inspections were carried out and sanctions imposed for child labor violations.	2009, 2010, 2011, 2012
Policies	Ensure the National Plan of Action for Children (2013–2019) has the resources necessary for implementation.	2012
	Take measures to ensure children, particularly girls, have access to quality education and safety in schools, including prosecuting teachers who demand sex with students as a condition for advancement.	2010, 2011, 2012
	Assess the impact that existing educational and other policies may have on child labor.	2010, 2011, 2012
Social Programs	Develop social protection programs that assist children working in sectors such as agriculture, domestic service and for victims of trafficking.	2010, 2011,2012
	Assess the impact of the UNESCO literacy program on child labor.	2010, 2011, 2012

Mozambique

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