

# Mozambique

## Incidence and Nature of Child Labor

The ILO estimated that 31.9 percent of children ages 10 to 14 years in Mozambique were working in 2002.<sup>2788</sup> A joint Ministry of Labor and UNICEF rapid assessment survey of children under 18 working in selected areas estimated that approximately 50 percent of working children begin to work before the age of 12.<sup>2789</sup> Among those sampled, eighty percent of working children are 12 to 15, and the rest of the children are below the age of 12.<sup>2790</sup> Poverty, the HIV-AIDS epidemic, lack of employment for adults, and lack of education opportunities are among the many factors that push children to work at an early age.<sup>2791</sup>

Children work on family farms and in informal work including guarding cars, collecting scrap metal, and selling goods in the streets.<sup>2792</sup> Large numbers of children in the informal sector work in transport, where they are employed as conductors, collecting fares in minibus taxis known as “chapas.”<sup>2793</sup> Other forms of informal work done by children include collecting scrap metal, and selling of food or trinkets in the street.<sup>2794</sup> In rural areas, they work on commercial farms alongside their parents or as independent workers, often picking cotton or tea.<sup>2795</sup> An increasing number of children, mostly girls, also work as domestic servants.<sup>2796</sup> In some cases, children are forced to work in order to settle family debts.<sup>2797</sup> The number of children in prostitution is growing in both urban and rural regions, particularly in Maputo, Nampula, Beira, and along key transportation routes.<sup>2798</sup> Many child victims of commercial sexual exploitation have

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<sup>2788</sup> World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

<sup>2789</sup> Government of Mozambique, Ministry of Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, Geneva, 1999/2000, 36.

<sup>2790</sup> UNICEF, *Child Workers in the Shadow of AIDS: Listening to the Children* (Nairobi, Kenya: UNICEF Eastern and Southern Africa Regional Office, 2001), 52; available from [http://www.synergyaids.com/documents/2646\\_unicefCL.pdf](http://www.synergyaids.com/documents/2646_unicefCL.pdf).

<sup>2791</sup> U.S. Embassy - Maputo, *unclassified telegram no. 1366*, October 13, 2004, UNICEF, *Latest News: Increasing number of orphaned children need care and support*, 2003 [cited August 18, 2004]; available from [http://www.unicef.org/mozambique/latest\\_news\\_12Dez03\\_01.htm](http://www.unicef.org/mozambique/latest_news_12Dez03_01.htm).

<sup>2792</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Mozambique*, February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27740.htm>. See also Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 54. In one sample of working children, over 40 percent of children work as traders and hawkers, see UNICEF, *Child Workers in the Shadow of AIDS*, 58.

<sup>2793</sup> Child Labour News Service Update, *Union Puts Child Labor in Mozambique Under Spotlight*, February 2, 2002 [cited May 24, 2004]; available from [http://www.sweatshopwatch.org/swatch/headlines/2002/childlabour\\_feb02.html](http://www.sweatshopwatch.org/swatch/headlines/2002/childlabour_feb02.html).

<sup>2794</sup> U.S. Embassy - Maputo, *unclassified telegram no. 1366*.

<sup>2795</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6d. See also Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 61-76.

<sup>2796</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6d. See also Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 47.

<sup>2797</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6c.

<sup>2798</sup> *Ibid.*, Section 5.

been infected with HIV/AIDS.<sup>2799</sup> Street children are reported to suffer from police beatings and sexual abuse.<sup>2800</sup> Mozambique is a source country for child trafficking.<sup>2801</sup>

Education is compulsory and free through the age of 12 years, but there is a matriculation fee that is a burden for many families.<sup>2802</sup> Families below the poverty line can obtain a certificate waiving the fee.<sup>2803</sup> Enforcement of compulsory education laws is inconsistent, because of the lack of resources and the scarcity of schools in the upper grades.<sup>2804</sup>

In 2001, the gross primary enrollment rate was 98.9 percent, and the net primary enrollment rate was 59.7 percent.<sup>2805</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance rates are unavailable for Mozambique.<sup>2806</sup> As of 2000, 51.9 percent of children who started primary school were likely to reach grade 5.<sup>2807</sup> At the end of 2003 an estimated 370,000 children in Mozambique were AIDS orphans.<sup>2808</sup> It is estimated that AIDS could lead to a 17 percent decline in teacher numbers by 2010.<sup>2809</sup>

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<sup>2799</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Mozambique*, Washington, D.C., March 31 2003, Section 6f; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18217.htm>. Some young prostitutes in Mozambique choose to have unprotected sex to increase their income, see HIVdent, *Child Laborers at Risk for AIDS*, July 25, 2001 [cited May 24, 2004]; available from <http://www.hivdent.org/pediatrics/pedclarfa072001.htm>. See also chapter on Mozambique in UNICEF, *Child Workers in the Shadow of AIDS*, 49-60.

<sup>2800</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 5.

<sup>2801</sup> *Ibid.*, Section 6f. See also ECPAT International, *Mozambique*, [database online] January 6, 2004 [cited September 2, 2004]; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/index.asp](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp). Reliable numbers on the extent of the problem are not available, but a 2003 study reported that 1,000 women and children were trafficked from Mozambique to South Africa in 2002 to work as prostitutes, in restaurants, and on South African farms. See International Organization for Migration, *The Trafficking of Women and Children in the Southern Africa Region. Presentation of Research Findings*, March 24, 2003, 1. See also U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6f. See also U.S. Embassy - Maputo, *unclassified telegram no. 126543*, June 8, 2004.

<sup>2802</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 5. See also U.S. Embassy - Maputo, *unclassified telegram no. 1366*.

<sup>2803</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 5. See also U.S. Embassy - Maputo, *unclassified telegram no. 1366*.

<sup>2804</sup> In the 1990s almost half of Mozambique's 3,200 primary schools were destroyed, and learning materials were in short supply. See UNICEF, *Child Workers in the Shadow of AIDS*, 55.

<sup>2805</sup> World Bank, *World Development Indicators 2004*.

<sup>2806</sup> For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

<sup>2807</sup> World Bank, *World Development Indicators 2004*.

<sup>2808</sup> UNICEF, *Latest News*, December 1, 2003 [cited May 26, 2004]; available from [http://www.unicef.org/mozambique/late\\_news.htm](http://www.unicef.org/mozambique/late_news.htm).

<sup>2809</sup> UN Committee on the Rights of the Child, *Summary Record of 762nd Meeting. Consideration of Reports of State Parties. Initial report of Mozambique*, February 28, 2003.

## Child Labor Laws and Enforcement

Law 8/98 sets the minimum age for employment at 15 years. In exceptional cases, the law allows children between the ages of 12 and 15 to work with the joint approval of the Ministries of Labor, Health, and Education.<sup>2810</sup> The Law sets restricted conditions on the work minors between the ages of 15 and 18 may perform, limits the number of hours they can work, and establishes training, education, and medical exam requirements.<sup>2811</sup> Children between the ages of 15 and 18 are prohibited from being employed in unhealthy or dangerous occupations or occupations requiring significant physical effort, as determined by the Ministry of Labor.<sup>2812</sup> According to Article 79 of the Labor Law, employers are required to provide children between 12 and 15 with vocational training and offer age appropriate work conditions.<sup>2813</sup> The Constitution prohibits forced labor, except in the context of penal law.<sup>2814</sup> The age for conscription and voluntary recruitment into the military is 18 years.<sup>2815</sup> In times of war, however, the minimum age for military conscription may be changed.<sup>2816</sup>

The Penal Code prohibits the offering or procuring of prostitution of any form, including that of children.<sup>2817</sup> In May 1999, the National Assembly passed a law prohibiting the access of minors to bars and clubs in an effort to address the problem of child prostitution.<sup>2818</sup> Some provisions of the Penal Code protect minors against exploitation, incitement, or compulsion to engage in illegal sexual practices.<sup>2819</sup> There is no law against trafficking, but some police have been trained on how to recognize and investigate trafficking

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<sup>2810</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6d. See also U.S. Embassy - Maputo, *unclassified telegram no. 1366*.

<sup>2811</sup> U.S. Embassy - Maputo, *unclassified telegram no. 1366*. See also U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6d.

<sup>2812</sup> U.S. Embassy - Maputo, *unclassified telegram no. 1366*. For children under 18, the maximum workday is seven hours, and the maximum workweek is 38 hours.

<sup>2813</sup> UN Committee on the Rights of the Child, *CRC Initial Report of Mozambique*. UNICEF estimates that only about 14 percent of employers paid for school fees for boys employed in trade. See UNICEF, *Child Workers in the Shadow of AIDS*, 53.

<sup>2814</sup> *Constitution of Mozambique, 1990*, (November 1990), Article 88(3) [cited May 27, 2004]; available from <http://confinder.richmond.edu/MOZ.htm>.

<sup>2815</sup> U.S. Embassy- Maputo, *unclassified telegram no. 2544*, September 2001.

<sup>2816</sup> Coalition to Stop the Use of Child Soldiers, *Mozambique*, May 2001 [cited May 28, 2004]; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/fffd058ae1d99d80256adc005c2bb8/271431570d2ec5d980256b1e004dc637?OpenDocument&Highlight=0,mozambique>.

<sup>2817</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 5. See also *Criminal Code of Mozambique*, as cited in The Protection Project Legal Library, [database online] [cited May 27, 2004]; available from <http://209.190.246.239/ver2/cr/Mozambique.pdf>.

<sup>2818</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Mozambique*, Washington, D.C., March 4, 2002; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8394.htm>.

<sup>2819</sup> Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 80.

cases.<sup>2820</sup> Three pilot programs were set up in police stations in the provinces to assist child trafficking victims.<sup>2821</sup>

The Ministry of Labor has the authority to enforce and regulate child labor laws in both the formal and informal sectors.<sup>2822</sup> Labor inspectors may obtain court orders and use the police to enforce compliance with child labor legislation.<sup>2823</sup> Child labor inspectors have not received specialized training. The police are responsible for investigating complaints relating to child labor offences punishable under the Penal Code.<sup>2824</sup> According to the U.S. Department of State, both the Labor Inspectorate and police lack adequate staff, funds, and training to investigate child labor cases, especially outside the capital.<sup>2825</sup> In theory, violators of child labor laws would be subject to fines ranging from 1 to 10 times the minimum wage.<sup>2826</sup> The Government of Mozambique has recently launched a review of its existing laws regarding children for the purpose of undertaking legal reforms in areas including child labor, child trafficking, child prostitution, and child sexual abuse.<sup>2827</sup>

### Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mozambique is collaborating with UNICEF and ILO-IPEC to implement a plan of action which calls for the prevention of child labor and for the protection and rehabilitation of child workers.<sup>2828</sup>

Government policies to assist the poor and most vulnerable, such as child laborers, include its Poverty Alleviation Action Plan, and a multi-sectoral approach to HIV/AIDS,<sup>2829</sup> which

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	6/16/2003	✓
Ratified Convention 182	6/16/2003	✓
ILO-IPEC Member		
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan		

<sup>2820</sup> U.S. Department of State, *Trafficking in Persons Report- 2003: Mozambique*, June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21276.htm>. Prosecution of cases of sexual assault and rape, some which are trafficking-related, have increased.

<sup>2821</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*.

<sup>2822</sup> U.S. Embassy- Maputo, *unclassified telegram no. 2817*, October 12, 2001.

<sup>2823</sup> *Ibid.*

<sup>2824</sup> *Ibid.*

<sup>2825</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 6d.

<sup>2826</sup> U.S. Embassy- Maputo, *unclassified telegram no. 2817*.

<sup>2827</sup> Republic of Mozambique, "Speech of the Minister of Justice, His Excellency Jose Abudo on the occasion of the launch of the Study of Legal Reform for the Protection of Children in Mozambique," (September 1, 2003); available from [http://www.unicef.org/mozambique/pdfs/latest\\_news/210903/discurso\\_ministro\\_justica.pdf](http://www.unicef.org/mozambique/pdfs/latest_news/210903/discurso_ministro_justica.pdf). See also U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 5.

<sup>2828</sup> U.S. Embassy- Maputo, *unclassified telegram no. 2817*.

<sup>2829</sup> See UNICEF, *Social Policy, Information and Monitoring*; available from [http://www.unicef.org/mozambique/social\\_policy.htm](http://www.unicef.org/mozambique/social_policy.htm). The government is also working with UNICEF on social protection programs necessitated by the combined effects of poverty, HIV/AIDS, and social dislocation. These programs include supporting the process of legal reform and policy development to benefit vulnerable women and children, and capacity development for special protection. See UNICEF, *Special Protection*; available from [http://www.unicef.org/mozambique/crmp\\_rights3.htm](http://www.unicef.org/mozambique/crmp_rights3.htm).

often forces children to drop out of school to support their families.<sup>2830</sup> The government's poverty reduction strategy includes investment in education.<sup>2831</sup> The Ministry for Women and the Co-ordination of Social Action established a multi-sectoral coordination body in support of orphans and vulnerable children.<sup>2832</sup>

The government fights child prostitution and sexual abuse by disseminating pamphlets and flyers and issuing public service announcements.<sup>2833</sup> The government has trained some police officials about child prostitution and pornography and initiated a rehabilitation program for children in prostitution by providing education referrals and training opportunities.<sup>2834</sup> The Ministry of Women and Social Action Coordination is strengthening its efforts to increase the birth registration of children, protect them against abuse, and enhance their access to education.<sup>2835</sup> The government has also launched a program to enhance child protection laws and to enact child trafficking laws.<sup>2836</sup> The Ministry of Women and Social Action has provided provincial hospitals with staff trained to assist victims of trafficking.<sup>2837</sup> The government participates in the Campaign Against Trafficking in Children with a number of public and religious personalities and is establishing an assistance center to aid repatriated victims of child trafficking at the border post of Ressano Garcia.<sup>2838</sup>

The government is revising the national Strategic Plan for Education (1999-2003) and the Ministry of Education has developed a strategy to reduce the gender gap between boys and girls in terms of access and retention.<sup>2839</sup> The ministry also aims to improve school quality through teacher training and improved materials, and to build capacity for contingency planning in response to emergencies.<sup>2840</sup> As a means to increase access and reduce the drop out rate, the government has introduced a reformed basic education curriculum which is better adapted to community and regional economic development needs.<sup>2841</sup> The government is also working with international donors to expand the primary school network.<sup>2842</sup>

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<sup>2830</sup> UNICEF, *Child Workers in the Shadow of AIDS*, 51.

<sup>2831</sup> His Excellency Joaquim Alberto Chissano, Statement at UN Special Session on Children, 2002, 3; available from <http://www.un.org/ga/children/mozambiqueE.htm>.

<sup>2832</sup> UNICEF, *Latest News: First national seminar on children orphaned and made vulnerable by HIV/AIDS*, December 1, 2003 [cited August 18, 2004]; available from [http://www.unicef.org/mozambique/late\\_news.htm#1625316523](http://www.unicef.org/mozambique/late_news.htm#1625316523).

<sup>2833</sup> U.S. Embassy- Maputo, *unclassified telegram no. 2817*.

<sup>2834</sup> *Ibid.*

<sup>2835</sup> U.S. Department of State, *Country Reports- 2003: Mozambique*, Section 5.

<sup>2836</sup> *Ibid.*, Section 6f.

<sup>2837</sup> U.S. Embassy - Maputo, *unclassified telegram no. 126543*.

<sup>2838</sup> *Ibid.* See also U.S. Department of State, *Trafficking in Persons Report- 2003: Mozambique*.

<sup>2839</sup> Ministry of Education, *Speech by his His Excellency Alcido Nguenha--Minister of Education--on the Occasion of the Launch Ceremony of the 2004 State of the World's Children's Report*, January 21, 2004; available from [http://www.unicef.org/mozambique/pdfs/latest\\_news/160204/Min.%20Education.pdf](http://www.unicef.org/mozambique/pdfs/latest_news/160204/Min.%20Education.pdf).

<sup>2840</sup> UNICEF, *Basic Education*, [cited September 2, 2004]; available from [http://www.unicef.org/mozambique/education\\_2.htm](http://www.unicef.org/mozambique/education_2.htm).

<sup>2841</sup> Ministry of Education, *Speech by his His Excellency Alcido Nguenha--Minister of Education--on the Occasion of the Launch Ceremony of the 2004 State of the World's Children's Report*.

<sup>2842</sup> U.S. Embassy- Maputo, *unclassified telegram no. 2817*.

In addition, the government operates a scholarship program to cover the costs of school materials and fees for children, with a special focus on girls and children whose parents have died of HIV/AIDS.<sup>2843</sup> Mozambique also receives funds and agricultural commodities to support nutritious school meals for children through the U.S. Department of Agriculture's McGovern-Dole International Food for Education and Child Nutrition Program.<sup>2844</sup>

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<sup>2843</sup> U.S. Embassy - Maputo, *unclassified telegram no. 1366*.

<sup>2844</sup> U.S. Department of State, *Washington File: U.S. Funds Will Provide School Meals in Latin America, Caribbean*, August 17, 2004 2004 [cited September 2, 2004]; available from <http://usinfo.state.gov/gi/Archive/2004/Aug/18-23606.html>.