

Mozambique

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Mozambique are unavailable.³²²² 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 12.³²²³ Poverty, the HIV/AIDS epidemic, lack of employment for adults, and lack of education opportunities are among the many factors that pushed children to work at an early age.³²²⁴

Children work on family farms and in informal work including guarding cars, collecting scrap metal, and selling goods in the streets.³²²⁵ Children in the informal sector work selling goods on the street and collecting fares on buses.³²²⁶ In rural areas, they work on commercial farms sometimes alongside their parents, often picking cotton or tea.³²²⁷ An increasing number of children, mostly girls, work as domestic servants.³²²⁸ In some cases, children are forced to work in order to settle family debts.³²²⁹ Child labor is one of many problems associated with poverty. In 1996, the most recent year for which data is available, 37.9 percent of the population in Mozambique were living on less than USD 1 a day.³²³⁰

The number of children in prostitution is growing in both urban and rural regions, particularly in Maputo, Nampula, Beira, and along key transportation routes.³²³¹ Many child victims of commercial sexual exploitation have been infected with HIV/AIDS.³²³² Street children have been reported to suffer from police beatings and sexual abuse.³²³³ However, in 2004, the most recent date for which such information is

³²²² This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the section "Data Sources and Definitions."

³²²³ Government of Mozambique, Ministry of Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, Geneva, 1999/2000, 36.

³²²⁴ U.S. Embassy - Maputo, *reporting*, October 13, 2004. UNICEF, *Latest News*, December 1, 2003 [cited May 26, 2004]; available from http://www.unicef.org/mozambique/late_news.htm.

³²²⁵ Section 6d., U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Mozambique*, February 28, 2005; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41617.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 worked as traders and hawkers, see UNICEF, *Child Workers in the Shadow of AIDS*, 58.

³²²⁶ 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.

³²²⁷ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 6d. See also Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 61-76.

³²²⁸ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 6d. See also Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 47.

³²²⁹ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 6c.

³²³⁰ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, DC, 2005.

³²³¹ *Ibid.*, Section 5.

³²³² 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.

³²³³ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 5.

available, no incidents were reported.³²³⁴ Mozambique is a source country for child trafficking. 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.³²³⁵

Education is compulsory and free through the age of 12 years, but matriculation fees are charged and are a burden for many families.³²³⁶ Families below the poverty line can obtain a certificate waiving the fee.³²³⁷ Enforcement of compulsory education laws is inconsistent, because of the lack of resources and the scarcity of schools in the upper grades.³²³⁸

In 2002, the gross primary enrollment rate was 103 percent, and the net primary enrollment rate was 55 percent.³²³⁹ 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. In 1996, 51.7 percent of children ages 7 to 14 years were attending school.³²⁴⁰ As of 2001, 49 percent of children who started primary school were likely to reach grade 5.³²⁴¹ At the end of 2003 an estimated 370,000 children in Mozambique were AIDS orphans.³²⁴² It is estimated that HIV/AIDS could lead to a decline in teacher numbers by 2010.³²⁴³

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.³²⁴⁴ The Law restricts the conditions under which minors between the ages of 15 and 18 may work, limits the number of hours they can work, and establishes training, education, and medical exam requirements.³²⁴⁵ 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

³²³⁴ Ibid.

³²³⁵ 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. 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. Embassy - Maputo, *reporting*, October 13, 2004.

³²³⁶ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 5. See also U.S. Embassy - Maputo, *reporting*, October 13, 2004.

³²³⁷ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 5. See also U.S. Embassy - Maputo, *reporting*, October 13, 2004.

³²³⁸ 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.

³²³⁹ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

³²⁴⁰ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

³²⁴¹ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

³²⁴² UNICEF, *Latest News, December 1, 2003*.

³²⁴³ 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.

³²⁴⁴ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 6d. See also U.S. Embassy-Maputo, *reporting*, October 13, 2004.

³²⁴⁵ U.S. Embassy - Maputo, *reporting*, October 13, 2004. See also U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 6d.

the Ministry of Labor.³²⁴⁶ 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.³²⁴⁷

The worst forms of child labor may be prosecuted under different statutes in Mozambique. The Constitution prohibits forced labor, except in the context of penal law.³²⁴⁸ The age for conscription and voluntary recruitment into the military is 18 years.³²⁴⁹ In times of war, however, the minimum age for military conscription may be changed.³²⁵⁰

The Penal Code prohibits the offering or procuring of prostitution of any form, including that of children.³²⁵¹ 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.³²⁵² Some provisions of the Penal Code protect minors against exploitation, incitement, or compulsion to engage in illegal sexual practices.³²⁵³ There is no law against trafficking, but some police have been trained on how to recognize and investigate trafficking cases.³²⁵⁴ Three pilot programs have been set up in police stations in the provinces to assist child trafficking victims.³²⁵⁵

The Ministry of Labor has the authority to enforce and regulate child labor laws in both the formal and informal sectors.³²⁵⁶ Labor inspectors may obtain court orders and use the police to enforce compliance with child labor legislation.³²⁵⁷ 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.³²⁵⁸ 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.³²⁵⁹ In theory, violators of child labor laws would be subject to fines ranging from 1 to 10 times the minimum wage.³²⁶⁰ The Government of Mozambique in 2003 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.³²⁶¹ By the end of 2005, the government was still in the midst of drafting a comprehensive child protection law.³²⁶²

³²⁴⁶ For children under 18, the maximum workday is seven hours, and the maximum work week is 38 hours. U.S. Embassy-Maputo, *reporting*, October 13, 2004.

³²⁴⁷ 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.

³²⁴⁸ *Constitution of Mozambique, 1990*, (November 1990); available from <http://confinder.richmond.edu/MOZ.htm>.

³²⁴⁹ U.S. Embassy- Maputo, *unclassified telegram no. 2544*, September 2001.

³²⁵⁰ 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>.

³²⁵¹ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 5.

³²⁵² *Ibid.*

³²⁵³ Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 80.

³²⁵⁴ 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.

³²⁵⁵ U.S. Department of State, *Country Reports- 2004: Mozambique*.

³²⁵⁶ U.S. Embassy- Maputo, *unclassified telegram no. 2817*, October 12, 2001.

³²⁵⁷ *Ibid.*

³²⁵⁸ *Ibid.*

³²⁵⁹ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 6d.

³²⁶⁰ U.S. Embassy- Maputo, *unclassified telegram no. 2817*.

³²⁶¹ 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. See also U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 5.

³²⁶² U.S. Department of State official, email communication to USDOL official, August 2, 2006.

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.³²⁶³

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 the HIV/AIDS epidemic,³²⁶⁴ which often forces children to drop out of school to support their families.³²⁶⁵ The government's poverty reduction strategy includes investment in education.³²⁶⁶ The Ministry for Women and the Co-ordination of Social Action established a multi-sectoral coordination body in support of orphans and vulnerable children.³²⁶⁷

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		

The government fights child prostitution and sexual abuse by disseminating pamphlets and flyers and issuing public service announcements.³²⁶⁸ 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.³²⁶⁹ 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.³²⁷⁰ The government has also launched a program to enhance child protection laws and to enact child trafficking laws.³²⁷¹ The Ministry of Women and Social Action has provided provincial hospitals with staff trained to assist victims of trafficking.³²⁷² 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 near the border post of Ressano Garcia.³²⁷³

The government is revising the national Strategic Plan for Education (1999-2003). The country's Poverty Reduction Strategy 2001-2005 seeks to increase school enrollment by raising the educational budget allocation from 2.4 to 4.5 percent.³²⁷⁴ The Ministry of Education has developed a strategy to reduce the

³²⁶³ Ibid.

³²⁶⁴ See UNICEF, *Social Policy, Information and Monitoring*; available from http://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.

³²⁶⁵ UNICEF, *Child Workers in the Shadow of AIDS*, 51.

³²⁶⁶ His Excellency Joaquim Alberto Chissano, Statement at UN Special Session on Children, 2002, 3; available from <http://www.un.org/ga/children/mozambiqueE.htm>.

³²⁶⁷ 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.

³²⁶⁸ U.S. Embassy- Maputo, *unclassified telegram no. 2817*.

³²⁶⁹ Ibid.

³²⁷⁰ U.S. Department of State, *Country Reports- 2004: Mozambique*, Section 5.

³²⁷¹ Ibid., Section 6f.

³²⁷² Ibid.

³²⁷³ U.S. Embassy - Maputo, *reporting*, October 13, 2004. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Mozambique*.

³²⁷⁴ U.S. Embassy - Maputo, *reporting*, August 25, 2005.

gender gap between boys and girls in terms of access and retention.³²⁷⁵ 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.³²⁷⁶ 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.³²⁷⁷ The government is also working with international donors to expand the primary school network.³²⁷⁸

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.³²⁷⁹ Mozambique also receives funds and agricultural commodities from the United States to support nutritious school meals for children.³²⁸⁰

³²⁷⁵ 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.

³²⁷⁶ UNICEF, *Basic Education*, [cited September 2, 2004]; available from http://www.unicef.org/mozambique/education_2.htm.

³²⁷⁷ 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*.

³²⁷⁸ U.S. Embassy- Maputo, *unclassified telegram no. 2817*. See also 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."

³²⁷⁹ 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."

³²⁸⁰ 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>.