

*In 2016, Mozambique made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government released the results of a child labor study. However, children in Mozambique perform dangerous tasks in the production of tobacco. Children also engage in the worst forms of child labor, including in domestic work. The law does not prohibit hazardous occupations or activities for children. It establishes 15 as the minimum age for work, but education is compulsory only until age 13, leaving children ages 13 and 14 vulnerable to child labor. Law enforcement agencies lack the capacity to adequately address the scope of child labor in the country, including its worst forms. In addition, the Government does not have a mechanism to coordinate its efforts to address all of the worst forms of child labor.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique perform dangerous tasks in the production of tobacco. Children also engage in the worst forms of child labor, including in domestic work.(1-4) 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 to 14	22.5 (1,526,560)
Attending School (%)	5 to 14	69.5
Combining Work and School (%)	7 to 14	22.4
Primary Completion Rate (%)		47.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Clusters Survey 3, 2008.(6)

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 cashews, cotton, rice, sesame, sugarcane, tea, and tobacco (1-4, 7-13)
	Fishing, including preparing nets (7, 9)
	Forestry, activities unknown (7)
	Cattle herding (9)
Industry	Mining, including gold and gemstones (4, 9, 12, 14-18)
	Construction, including crushing stone and making bricks (9, 18)
Services	Domestic work, including caring for babies and other children (1-3, 9, 11, 15, 19, 20)
	Street work, including car washing, street vending, garbage scavenging, collecting scrap metal, and begging (4, 7, 9-13, 20-25)
	Selling alcoholic beverages in markets (11, 24)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 9, 12, 13, 18, 26-31)
	Forced labor in agriculture, domestic work, mining, and vending, each sometimes as a result of human trafficking (9, 10, 15, 16, 29)
	Use in illicit activities, including stealing and assisting poachers in the illegal poaching industry (9, 11)

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

# Mozambique

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Mozambican children, lured from rural areas with promises of work and educational opportunities, are subjected to forced domestic work and commercial sexual exploitation in urban areas in Mozambique and South Africa.(10, 15, 29, 30, 32) Girls from Malawi, Swaziland, and Zimbabwe voluntarily migrate to Mozambique, where they subsequently become victims of commercial sexual exploitation and forced domestic work.(13, 27, 29) Research indicates that Mozambican children, particularly boys, are sometimes trafficked to South Africa for forced labor in agriculture, mining, and street vending.(10, 29)

Although tuition for primary education is free, families must provide supplies and uniforms.(13) Moreover, there are not enough schools; many students face difficulties traveling long distances to get to school, particularly in rural areas.(23, 33, 34) In addition, physical and sexual abuse is common in schools. Research found that some teachers demand sex from female students to promote them to the next grade.(13, 35)

## 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). However, gaps exist in Mozambique's legal framework to adequately protect children from child labor.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 26 of the Labor Law; Article 4 of the Regulations on Domestic Work (36, 37)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (37)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law; Articles 196 and 198 of the Penal Code (38, 39)
Prohibition of Child Trafficking	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law (38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law; Articles 226 and 227 of the Penal Code (38, 39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the Law on Drugs (40)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 2 of the Law on Military Service (41)
State Voluntary	Yes	18	Article 23 of the Law on Military Service (41)
Non-state Compulsory	Yes		Articles 5 and 10 of the Trafficking in Persons Law (38)
Compulsory Education Age	No	13 <sup>‡</sup>	Article 41 of the Law of Basic Child Protection (42, 43)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection (42)

<sup>‡</sup> Age calculated based on available information(42,43)

The Labor Law's minimum age protections do not apply to children working outside of formal employment relationships.(37, 43, 44)

The Regulations on Domestic Work allow children ages 12 to 15 to conduct domestic work with the permission of their legal guardian.(36) The Labor Law also states that children ages 12 to 15 may work under certain conditions defined by the Council of Ministers.(37) The minimum age of 12 for light work is not in compliance with international standards; the law does not determine the activities in which light work may be permitted, prescribe the number of hours per week for light work, or specify the conditions under which light work may be undertaken.(43)

The gap between the end of compulsory education and the minimum age for work leaves children ages 13 and 14 vulnerable to child labor, including its worst forms, because they are not in school, but they also may not legally work.(43)

### 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). However, gaps in labor law and criminal law enforcement remain and most enforcement information is not available.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security	Enforce laws and regulations on child labor.(45) The Labor Inspectorate works with the National Police Force to enforce criminal law.(7)
National Police Force	Enforce all criminal laws, including those related to the worst forms of child labor.(7) The Criminal Investigation Branch has a seven-person unit devoted to anti-human trafficking and violence against women and children; investigates cases and refers them to the Attorney General's Office.(7)
Attorney General's Office	Coordinate the Government's efforts against human trafficking and receive cases from the criminal investigation branch of the National Police Force for prosecution.(7, 46)

#### *Labor Law Enforcement*

Research did not find information on whether labor law enforcement agencies in Mozambique took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown (47)
Number of Labor Inspectors	Unknown (45)	Unknown
Inspectorate Authorized to Assess Penalties	Yes (45)	Yes (47)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (48)
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown	Unknown (47)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	No (45)	Unknown
Routine Inspections Targeted	No (45)	Unknown
Unannounced Inspections Permitted	Yes (45)	Yes (47)
Unannounced Inspections Conducted	Unknown	Unknown

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)**

Overview of Labor Law Enforcement	2015	2016
Complaint Mechanism Exists	Unknown	Yes (47)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (49)	Yes (47)

The Government reported that the number of labor inspectors is insufficient.(47) Furthermore, inadequate training and resources hamper the labor inspectorate's capacity to enforce child labor laws.(47, 50)

Ministry of Labor, Employment, and Social Security officials can refer victims of child labor to either the police or social workers from the Ministry of Gender, Children, and Social Action (MGCAS) for family assessment and potential placement of the children in foster homes.(51)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in Mozambique took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (52)	N/A
Refresher Courses Provided	Unknown	Yes (53)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (49)	Yes (47)

Research found that law enforcement officials responsible for investigating and prosecuting criminal child labor cases are poorly trained.(9, 50) Many cases are of very low quality and lack appropriate evidence for prosecution.(7)

In 2016, the Government drafted a national referral mechanism for victims of human trafficking.(48, 53) Criminal law enforcement officials referred nine potential child trafficking victims to a MGCAS transit center. MGCAS worked with an international organization to return the children to their communities and provide reintegration assistance.(47) 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

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Reference Group for the Protection of Children and Combating Trafficking in Persons	Coordinate efforts to combat all forms of human trafficking. Led by the Attorney General's Office.(52) Provincial level groups coordinate regional efforts to combat human trafficking.(29) In 2016, 30 representatives from member institutions were trained on victim identification.(53) Provincial groups coordinated child labor awareness campaigns in urban and rural areas.(53)
National Council on the Rights of the Child	Coordinate efforts to promote the welfare of children. Led by the Ministry of Gender, Children, and Social Action (MGCAS).(54)
National Commission on Children's Rights	Oversee and report on children's rights in Mozambique to the African Charter and other international bodies; perform consultations and deliberations on national action plans and legislation. Led by MGCAS.(51)

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
The Ministry of Interior's Women and Children Victim Assistance Units (GAMC)	Provide services to children who have been victims of crimes, including human trafficking. Officials operated facilities throughout the country in more than 215 police stations.(29, 55)
MGCAS	Provide support and reintegration services to victims of human trafficking.(46)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Key Policies Related to Child Labor<sup>‡</sup>**

Policy	Description
National Action Plan for Children II (2013–2019)	Establishes four priority areas: child survival, child development, child protection, and child participation. Aims to reduce child labor in the area of child protection.(56)

<sup>‡</sup> The Government had other policies which may have addressed child labor issues or had an impact on child labor.(57)

Research was unable to determine whether activities were undertaken to implement the National Action Plan for Children II during the reporting period. The Government has not included child labor elimination and prevention strategies in the Education Strategic Plan.(58)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Key Social Programs to Address Child Labor<sup>‡</sup>**

Program	Description
USDOL-funded Project	The <u>Global Action Program on Child Labor Issues (GAP)</u> is implemented in at least 40 countries by the ILO.(59) In 2014, the Government began analyzing national child labor data from the Mozambique Integrated Household Survey ; however, the Government has not yet developed a final report presenting the study's findings.(44) For additional information about USDOL's work, please visit our <a href="#">Web site</a> .
Trafficking in Persons Project (2014–2017)	\$750,000, USDOS-funded, 3-year project implemented by IOM to support the establishment and institutionalization of services for victims of human trafficking.(60)
Cash Transfer Program <sup>†</sup>	Government and donor-funded program that provides cash transfers to children heads of households until age 18.(7, 61)
Programs For Street Children <sup>†</sup>	Government and civil society operate 176 shelter centers that provide education, occupational training activities, health, and psychosocial care for street children.(61, 62)
Victims of Violence Centers <sup>†</sup>	Government-funded program implemented by GAMC that provides temporary shelter, food, limited counseling, and monitoring for victims of crime following reintegration. There are 22 centers located throughout the country.(29, 46)
Speak Child-116	NGO-funded program that works with the Government to run a hotline to receive complaints of child abuse, including those related to child labor and sexual exploitation.(44) Research found that the hotline lacks adequate equipment and human resources and has not received sufficient support from the Government to respond to complaints.(63)

<sup>†</sup> Program is funded by the Government of Mozambique.

<sup>‡</sup> The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(64, 65)

In June 2016, the Government presented the results of a child labor study conducted in collaboration with Eduardo Mondlane University.(66) The study found that 79 percent of children in Mozambique work in agriculture; children also were found working in commerce, construction, mining, and commercial sexual exploitation.(18)

Research found no evidence that the Government has carried out programs to assist children engaged in domestic work. The scope of existing programs also is insufficient to fully address the extent of the child labor problem.

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### 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2015 – 2016
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2016
	Raise the minimum age for light work to 13 to comply with international standards. Establish the activities, number of hours per week, and conditions under which light work may be undertaken.	2015 – 2016
	Raise the age of compulsory education to be consistent with the minimum age for employment.	2009 – 2016
Enforcement	Make law enforcement information publicly available, including the Labor Inspectorate's funding, the number and training of labor inspectors, the number and type of labor inspections conducted, the number of child labor violations found, the number of penalties imposed and collected; as well as the training of investigators responsible for enforcing laws related to the worst forms of child labor, the number of investigations conducted, violations found, prosecutions initiated, and convictions achieved.	2009 – 2016
	Allocate sufficient resources for law enforcement agencies, including by increasing the number of labor inspectors to provide adequate coverage of the workforce.	2009 – 2016
	Provide labor inspectors with adequate training on child labor and provide adequate training to criminal law enforcement officials to ensure violators are prosecuted.	2009 – 2016
	Establish referral mechanisms to link all victims of the worst forms of child labor with the appropriate social services.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2010 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Education Strategic Plan.	2010 – 2016
	Take steps to implement the National Action Plan for Children II.	2016
Social Programs	Take measures to ensure all children have access to education by providing supplies and establishing an adequate number of schools. Take steps to prevent and protect children from physical and sexual abuse in schools.	2010 – 2016
	Make the results of the child labor study publicly available and use the findings to inform policies and programs.	2015 – 2016
	Increase coordination with the Speak Child-116 hotline to ensure child labor complaints are investigated.	2016
	Institute programs to address child labor in domestic work and expand existing programs to address the scope of the child labor problem.	2010 – 2016

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