

Mozambique

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

In 1999, the government began working with UNICEF to implement a rapid assessment survey of child labor in Mozambique.¹⁷²⁶ Following the completion of the survey, the Ministry of Labor worked with UNICEF to develop a Draft Strategy for the Eradication of Child Labor.¹⁷⁰⁶ The government is currently collaborating with UNICEF and ILO-IPEC to implement a plan of action developed at a national child labor conference held in July 2001. The plan calls for the prevention of child labor, and the protection and rehabilitation of child workers. The government is also creating a national coordinating committee for the elimination of child labor. The Ministry of Labor will serve as the central point on child labor.¹⁷⁰⁷

Since 1997, the government has worked on a campaign against child prostitution and sexual abuse, including such activities as disseminating pamphlets and flyers and issuing public service announcements.¹⁷⁰⁸ The government has trained the police about child prostitution and pornography; and began a rehabilitation program for children in prostitution, providing education referrals and training opportunities.¹⁷⁰⁹ In June 2000, the Ministry of Women and Social Action began a campaign against the sexual exploitation of children and is educating hotel employees about child prostitution.¹⁷¹⁰ In addition, the government is working with international donors to expand the primary school network.¹⁷¹¹

Incidence and Nature of Child Labor

In 1999, the ILO estimated that 32.7 percent of children between the ages of 10 and 14 in Mozambique were working.¹⁷¹² A rapid assessment child labor survey conducted by the Ministry of Labor and UNICEF estimated that approximately 50 percent of children begin working before

¹⁷²⁶ Government of Mozambique, Ministry of Labour, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)* (Geneva: UNICEF, 1999/2000) [hereinafter *Child Labour Rapid Assessment*], at 11.

¹⁷⁰⁶ *Ibid.* at 96. The Ministry of Labor is currently undertaking a global review of all relevant laws and regulations for future consolidation, harmonization, and modernization. The Ministry is also drafting new regulations prohibiting most street and market vending activities by children. *See also* U.S. Embassy—Maputo, unclassified telegram no. 2817, October 2001 [hereinafter unclassified telegram 2817].

¹⁷⁰⁷ Unclassified telegram 2817.

¹⁷⁰⁸ *Ibid.*

¹⁷⁰⁹ *Ibid.*

¹⁷¹⁰ *Country Reports on Human Rights Practices for 2000—Mozambique* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 5, at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid'859>.

¹⁷¹¹ Unclassified telegram 2817.

¹⁷¹² ILO statistics as cited in *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

the age of 12.¹⁷¹³ Children work in the informal sector on family farms, in factories, forestry, and small-scale mining.¹⁷¹⁴ There are also reports of the growing incidence of children working in construction.¹⁷¹⁵ In urban areas children wash and guard cars, collect scrap metal, hawk food and other goods on streets, and beg.¹⁷¹⁶ In rural areas, they work on commercial farms alongside their parents or as independent workers, often picking cotton or tea.¹⁷¹⁷ Children, mostly girls, also work as domestic servants.¹⁷¹⁸ In some cases, children are forced to work in order to settle family debts.¹⁷¹⁹ The number of children in prostitution is growing in both urban and rural regions.¹⁷²⁰

Education is compulsory and free through the age of 12, but there is a matriculation fee for each child, and children are responsible for purchasing books and school supplies.¹⁷²¹ Enforcement of compulsory education laws is inconsistent, because of the lack of resources and the lack of schools in the upper grades.¹⁷²² In 1995, the gross primary enrollment rate was 60.2 percent, and the net primary enrollment rate was 39.8 percent.¹⁷²³ In 1995, 86 percent of students who entered primary school reached grade two, and 46 percent reached grade five.¹⁷²⁴ Girls have lower enrollment rates and higher dropout rates than boys.¹⁷²⁵ Floods in February and March 2000 destroyed a

¹⁷¹³ *Child Labour Rapid Assessment*, 36.

¹⁷¹⁴ Unclassified telegram 2817. See also *Country Reports 2000*, Section 6d, and *Child Labour Rapid Assessment* at 58.

¹⁷¹⁵ *Country Reports 2000*, Section 6d.

¹⁷¹⁶ Unclassified telegram 2817. See also *Country Reports 2000* at Section 6d and *Child Labour Rapid Assessment* at 54, 78.

¹⁷¹⁷ *Country Reports 2000* at Section 6d. See also Line Eldring, Sabata Nakanyane, and Malehoko Tshoaedi, *Child Labour in the Tobacco-Growing Sector in Africa*, report prepared for the IUF/ITGA/BAT Conference on the Elimination of Child Labour, FAFO, Nairobi, October 8-9, 2000 [hereinafter *Child Labour in the Tobacco-Growing Sector in Africa*], 48, and *Child Labour Rapid Assessment* at 61-76.

¹⁷¹⁸ *Country Reports 2000* at Section 6d. See also *Child Labour Rapid Assessment* at 47.

¹⁷¹⁹ *Country Reports 2000* at Section 5. See also *Child Labour in the Tobacco-Growing Sector in Africa* at 48.

¹⁷²⁰ *Country Reports 2000* at Sections 5, 6d.

¹⁷²¹ Unclassified telegram 2817.

¹⁷²² *Ibid.*

¹⁷²³ *World Development Indicators 2001*.

¹⁷²⁴ *World Education Report 2000: The Right to Education, Towards Education for All throughout Life* (Geneva: UNESCO Publishing, 2000), 144.

¹⁷²⁵ In 1995, the gross primary enrollment rate was 70.2 percent for boys and 50.2 percent for girls, and the net primary enrollment rate was 45.2 percent for boys and 34.4 percent for girls. Ninety percent of boys who entered primary school in 1995 reached grade two, and 52 percent reached grade five. The rates for girls were 79 and 39 percent, respectively. See *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM]. See also *World Education Report 2000: The right to education, towards education for all throughout life* (Geneva: UNESCO, 2000) 144.

¹⁷²⁶ *Country Reports 2000* at Section 5.

number of schools, and other schools were converted into emergency shelters.¹⁷²⁶

Child Labor Laws and Enforcement

Law 8/98 sets the minimum age for employment at 15 years, but in exceptional cases, allows for children under 15 to work with the joint approval of the Ministries of Labor, Health, and Education.¹⁷²⁷ It 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.¹⁷²⁸ 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.¹⁷²⁹ The Constitution prohibits forced labor, except in the context of penal law.¹⁷³⁰

Laws do not criminalize the offering or procuring of children for prostitution or for child pornography. 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 children prostitution.¹⁷³¹ Some provisions of the Penal Code can also help protect minors against exploitation, incitement, or compulsion to engage in illegal sexual practices.¹⁷³² The age for conscription and voluntary recruitment into the military is 18 years.¹⁷³³ In times of war, however, the minimum age for military conscription may be changed.¹⁷³⁴

The Ministry of Labor has the authority to enforce and regulate child labor laws in both the formal and informal sectors.¹⁷³⁵ Labor inspectors may obtain court orders and use the police to enforce compliance with child labor legislation.¹⁷³⁶ There has not been any specialized training for labor inspectors on child labor. The police are responsible for investigating complaints relating to

¹⁷²⁷ Unclassified telegram 2817. See also *Country Reports 2000* at Section 6d.

¹⁷²⁸ Unclassified telegram 2817. See also *Country Reports 2000* at Section 6d.

¹⁷²⁹ Unclassified telegram 2817.

¹⁷³⁰ Constitution of Mozambique, Article 88(3), November 1990, at <http://confinder.richmond.edu/MOZ.htm>.

¹⁷³¹ *Country Reports 2000* at Section 5.

¹⁷³² *Child Labour Rapid Assessment* at 80.

¹⁷³³ U.S. Embassy–Maputo, unclassified telegram no. 2544, September 2001.

¹⁷³⁴ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report* (London, May 2001).

¹⁷³⁵ Both the labor inspectorate and the police are understaffed, under-funded, and lack training, which limits their ability to effectively enforce child labor laws. Unclassified telegram 2817. See also *Country Reports 2000* at Section 6d.

¹⁷³⁶ Unclassified telegram 2817.

child labor offences punishable under the Penal Code.¹⁷³⁷ The Labor Inspectorate at the Ministry of Labor is responsible for investigating complaints about violations of child labor laws, but according to the Ministry, no such investigations have been conducted in the formal sector. In theory, violators of child labor laws would be subject to fines ranging from one to 10 times the minimum wage.¹⁷³⁸ Mozambique has not ratified ILO Convention 138 or ILO Convention 182.¹⁷³⁹

¹⁷³⁷ Ibid.

¹⁷³⁸ Ibid.

¹⁷³⁹ ILO, ILOLEX database of International Labour Standards, at <http://ilolex.ilo.ch:1567/english/index.htm>, on 11/30/01. Ratification was promised in a July 2001 conference, and the Ministry of Labor has forwarded the convention to the National Assembly. *See* unclassified telegram 2817.

NOTE: Hard copies of all Web citations are on file.