

Document #1437570

USDOS – US Department of State

Trafficking in Persons Report 2018 - Country Narratives - Mozambique

MOZAMBIQUE: Tier 2

The Government of Mozambique does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mozambique was upgraded to Tier 2. The government prosecuted six defendants and convicted six labor traffickers under the 2008 anti-trafficking law, all of whom received prison terms. The government demonstrated increased efforts by identifying and referring to care significantly more trafficking victims and increasing training for front-line officials, including law enforcement and immigration officials, and trained labor inspectors for the first time. The government increased efforts to prevent trafficking by convening the National Reference Group (NRG) to coordinate anti-trafficking efforts, funding awareness campaigns to educate the public in urban and rural areas, and training front-line responders on victim-centered approaches. However, the government did not meet the minimum standards in several key areas. The government did not finalize its draft national action plan or draft implementing regulations on the 2008 anti-trafficking law's victim protection provisions. Some front-line responders conflated smuggling with trafficking. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting.

RECOMMENDATIONS FOR MOZAMBIQUE

Increase efforts to prosecute and convict traffickers; finalize and implement the national action plan, and issue regulations necessary to implement the protection and prevention provisions of the 2008 anti-trafficking law; expand the availability of protective services for victims via increased funding or in-kind support to relevant partners in the National Group to Protect Children and Combat Trafficking in Persons; build the capacity of the labor inspectorate and the Women and Children's Victim Assistance Units to investigate trafficking cases and provide short-term protection to victims; develop a formal system to proactively identify trafficking victims among vulnerable populations and finalize and implement the national referral mechanism; and train officials to investigate and prosecute those facilitating child sex trafficking or adult forced prostitution.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, criminalized sex and labor trafficking and prescribed penalties of 16 to 20 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the government investigated five trafficking cases, all of which were forced labor, compared with 20 the previous year. The government prosecuted six defendants in all five cases compared with 17 defendants the previous year. The government convicted six labor traffickers under the 2008 anti-trafficking law, all of whom received prison terms, ranging from two to 16 years imprisonment, compared with 16 convictions in 2016. For the first time, the government disaggregated trafficking case data from other related crimes, thus providing a more accurate understanding of law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The government expanded training for law enforcement on victim identification and trained 100 immigration officials in the protection of vulnerable migrants with a specific focus on trafficking. The government provided in-kind support and paid travel costs of participants to the majority of trainings led by international organizations during the reporting period. The Attorney General's Office signed a Memorandum of Understanding (MOU) with the Republic of South Africa addressing cross-border cooperation on trafficking cases and drafted MOUs with Eswatini and Zambia. In December 2017, in partnership with an international organization, the Attorney General's Office trained 24 officials, including prosecutors, police officers, immigration officials, and social workers in a two-day workshop in Tete province. The officials were trained on victim identification, data collection, and data flow through the government's system. As a result of the training, the Tete-based officials determined four cases they had submitted to the Attorney General's Office were actually smuggling cases and removed them from the system. Expert reports alleged traffickers commonly bribed police and immigration officials to facilitate trafficking crimes both domestically and across international borders.

PROTECTION

The government increased protection efforts. The government identified and referred to care 53 victims, including 35 forced labor victims, three sex trafficking victims; 15 were victims of both forced labor and sex trafficking compared with 11 trafficking victims identified and referred during the previous reporting period. In partnership with an international organization, the Ministry of Gender, Children, and Social Action (MGCAS) operated three dedicated trafficking shelters, which provided medical, psychological, legal assistance to all adult and child victims. The MGCAS provided family reunification and reintegration for at least 12 child victims. In partnership with an

international organization, the government developed a draft national referral mechanism (NRM) during the reporting period, which remained awaiting finalization and implementation. However, implementing regulations for trafficking victim and witness protection were not drafted or finalized by the end of the reporting period.

Police stations throughout the country had specialists trained by the Office of Assistance to Women and Children Victims of Domestic Violence who were equipped and available to respond to suspected trafficking cases. The government continued to operate facilities in more than 215 police stations and 22 “Victims of Violence” centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2017. The Attorney General’s Office convened relevant government stakeholders to assess and coordinate their joint efforts to address victims’ needs in several specific cases during the reporting period. The technical working group on victim protection, a sub-group of the NRG consisting of prosecutors at the provincial level, child and social services and department of health personnel, police officers and two international NGOs, held a conference to discuss current trafficking cases, an outcome of which was improved coordination between the NRG and provincial and district-level front-line responders to ensure better oversight and monitoring of trafficking cases. The anti-trafficking law required police protection for victims who participated as witnesses in criminal proceedings against traffickers, and the government provided such assistance to one victim during the reporting period. In at least one case, the NRG proactively sought translation services for a non-Portuguese speaking victim. Although Mozambican law provided for temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, the government did not use this provision during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. The NRG met at least three times during the reporting period to coordinate anti-trafficking efforts at the national level. The NRG revised and approved updated terms of reference for the group and finalized and approved its 2017 work plan, which outlined training for labor inspectors and consular officers. A sub-group of 15 NRG members finalized the development of supporting documents to the NRM, which were adopted by the NRG. The NRG drafted standard operating procedures for the NRG and implementation of the NRM; however, these were not finalized or adopted during the reporting period. In October 2017, in partnership with an international organization, the government held public consultations on the draft national action plan in two provinces that were attended by the Deputy Prosecutor General, members of the national and provincial reference groups, local government officials, civil society and journalists; however, the national action plan was not passed during the reporting period. Provincial-level reference groups, consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, carried out awareness campaigns to educate the public in urban and rural areas and coordinated regional efforts to address trafficking and other crimes. In August 2017, in partnership with an international organization, the Office of

the Attorney General of the Republic (PGR) trained 26 members of the Niassa Reference Group on the international and national legal framework on trafficking. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. In partnership with international organizations, for the first time the government trained 25 labor inspectors on trafficking victim identification and referral. Members of the NRG participated in TV and radio debates on World Day Against Human Trafficking. In September 2017, the PGR and the Ministry of Labor coordinated with an international organization to train 25 labor inspectors for the first time ever on the international legal framework on trafficking, trafficking indicators for labor exploitation, and the referral process to ensure victims receive protective services. In coordination with an international organization, the government liaised with two airlines identified as transporting labor migrants traveling on falsified visas to prevent further travel. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

TRAFFICKING PROFILE

As reported over the past five years, Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor occurs in agriculture, mining, and market vending in rural areas, often with the complicity of family members. In addition to voluntary migrants from neighboring countries, women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and sex trafficking. Mozambican girls are exploited in bars, roadside clubs, overnight stopping points, and restaurants along the southern transport corridor that links Maputo with Eswatini and South Africa. Child sex trafficking is of growing concern in Maputo, Beira, Chimoio, Tete, and Nacala, which have highly mobile populations and large numbers of truck drivers. As workers and economic migrants seek employment in the growing extractive industries in Tete and Cabo Delgado, they increase the demand for sexual services, potentially including child sex trafficking. Mozambican men and boys are subjected to forced labor on South African farms and mines where they often labor for months without pay under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Eswatini to wash cars, herd livestock, and sell goods; some subsequently become victims of forced labor. Mozambican adults and girls are subjected to forced labor and sex trafficking in Angola, Italy, and Portugal. Persons with albinism, including children, are increasingly vulnerable to trafficking for the purpose of organ removal. Informal networks typically comprise Mozambican or South African traffickers. South Asian smugglers who move undocumented South Asian migrants throughout Africa also reportedly transport trafficking victims through Mozambique. Previous reports allege traffickers bribe officials to move victims within the country and across national borders to South Africa and Eswatini.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2017 to March 2018)

**Country:**

Mozambique

Source:USDOS – US Department of State (</en/source/11558.html>)**Original link:**<https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282715.htm> (<https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282715.htm>)**Document type:**

Periodical Report

Language:

English

Published:

28 June 2018

Document ID:1437570 (former ID [362194](/en/document/362194) (</en/document/362194>))**Austrian Red Cross**

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

