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Article 25: Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

POLICY PAPER  
No 14.1 (E)

# Human Trafficking in Mozambique:

## ROOT CAUSES AND RECOMMENDATIONS



# Human Trafficking in Mozambique: Root Causes and Recommendations

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The choice of the material contained in this report and the opinions expressed therein do not necessarily represent the views of UNESCO and do not commit the Organization.

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# Foreword

UNESCO contributes to the global fight against human trafficking by encouraging culturally appropriate, gender and age sensitive responses based on research and community participation.

This policy paper focuses on human trafficking of women and children in Africa. While each group has its own particular situation, both groups make a clear showcase of severe violations of human rights in situation of human trafficking. The study highlights the ways that lack of recognition of children's rights and women's marginalized and discriminatory location at both public and private sphere have placed them at a higher risk of being trafficked.

In applying a human rights based approach to the problem of human trafficking, UNESCO chooses to focus its attention on the groups that show severe violations of human rights in situation of human trafficking, that is women and children in Mozambique.

The basis of this policy-paper is a combination of qualitative analysis of interviews with stakeholders in 2004-2005 completed with a critical review and analysis of available literature on human trafficking, especially of women and children in Sub-Saharan Africa.

A first version of the policy-paper was presented to a variety of stakeholders during a regional workshop on "Human Trafficking in Southern Africa (Lesotho, Mozambique and South Africa): Root Causes and Policy Recommendations" organized by UNESCO in Pretoria, South Africa on 22-23 November 2005. Based on the comments gathered during the

workshop, the paper was further improved through complementary research and analysis in March-May 2006.

This policy paper is intended to serve as a tool for advocacy and awareness-raising to fight human trafficking in Mozambique, with concrete recommendations to be implemented by a wide range of actors working to combat human trafficking in Mozambique including the government, international and local organizations.

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## ACRONYMS

ADDC:	Associação dos Defensores dos Direitos da Criança (i.e. Association of Defenders of Child Rights)
ASI:	Anti-Slavery International
CCM:	Christian Council of Mozambique
CERPIJ:	Centro de Reabilitação Psicológica Infanto-Juvenil (i.e. Centre for the Psychological Rehabilitation of Children)
DRC:	Democratic Republic of Congo
ECPAT:	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
FDC:	Foundation for Community Development
FECIV:	Forum de Educação Cívica (i.e. Institute for Civic Education)
ILO:	International Labour Organization
IOM:	International Organization for Migration
NCACA:	National Campaign Against Child Abuse
NGO:	Non Governmental Organization
OMM:	Organização da Mulher Moçambicana, (i.e. Mozambican Women Organization)
PRSP:	Poverty Reduction Strategy Paper
SADC:	South African Development Community
SAMP:	South African Migration Project
SANTAC:	South African Network Against Trafficking and Abuse of Children
SNJ:	National Association of Mozambican Journalists
UNICEF:	United Nations Children's Fund
UNIFEM:	United Nations Development Fund for Women
ZAR:	South African Rand



Map of Mozambique



## 1

# Introduction

## 1.A. SUMMARY

**T**rafficking in human beings, especially women and girls, is not new. Historically, it has taken many forms, but in the context of globalization, has acquired shocking new dimensions. It is a complex, multi-faceted phenomenon involving multiple stakeholders at the institutional and commercial level. It is a demand-driven global business with a huge market for cheap labour and commercial sex confronting often insufficient or unexercised policy frameworks and trained personnel to prevent it.

Mozambique is but one of an estimated 10 African countries (Angola, Botswana, DRC, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe) that fuel the human trafficking business that feeds South Africa, the regional magnet.<sup>1</sup> The recent history of armed conflict, extremes of dislocation and loss, reconstruction, political upheaval and deep social scars, together with its particular geography and the AIDS pandemic make Mozambique an inviting target for organized crime. The impact of these events on women and children, together with systemic gender discrimination and the absence of protective legislation make them particularly exposed to human trafficking.

Mozambique is a country of origin and transit for human trafficking activities. There is also evidence of internal trafficking. The principal destination for trafficked Mozambicans is South Africa, the regional powerhouse. The scale of growth of the traffic in human beings from

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1. UNICEF (2003) *Trafficking in Human Beings, Especially Women and Children, in Africa*, Innocenti Research Centre.

Africa to Europe and the Middle East suggests that Mozambicans, as with many other African nationalities, may already be feeding this transnational business.<sup>2</sup> Primarily women and girls, but also boys are trafficked for purposes of sexual exploitation, forced labour and organ harvesting. Poverty is the principle driving force behind this trade, propelling marginalized people into the hands of traffickers, who belong to both small-scale, local enterprises with extensive criminal networks and to large scale multi-commodity businesses.

Following the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in August 1996 Mozambican civil society organizations and government institutions established a programme to respond to recommendations of the meeting aimed at fighting commercial exploitation of children. As a result, a Core Group was established to run the National Campaign Against Child Abuse (NCACA). Then more initiatives took place culminating in the official launch of the NCACA. Mozambique also participated in the *Terres des Hommes* International Campaign against Child Trafficking launched in 2001. Following these events, a number of programmes were established in different areas such as awareness-building, protection, social reintegration, and rehabilitation. Despite the Government's participation, human trafficking remains a critical problem in Mozambique. These difficulties may be attributed to the complexity of the problem, the ambivalence of decision-makers and a lack of resources to ensure adequate legislation to permit vigorous strategic interventions for the fight against trafficking in persons.

To better combat trafficking in human beings in Mozambique, and the attendant damaging effects throughout Mozambican society, will require the energy, talents and resources of government, international organizations, NGOs and civil society.

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2. UNICEF (2003) *Trafficking in Human Beings, Especially Women and Children, in Africa*, Innocenti Research Centre.

## 1.B. KEY FACTS

### Country Profile<sup>3</sup>

Total Population	19,406,703 (2005 estimate)
Urban population	35.6% (2003)
Ethnic groups	Tribal groups: 99.6% Asian: .08% European: .06%
Life expectancy at birth	Female: 42.7years Male: 41.1 years
Infant mortality (under 1 year)	130.8 deaths/1000 live births
Adult literacy	Female: 31.4% Male: 62.3%
Population living on less than US \$1/day	70% (2001 estimate)
Children in labour force	32% (10-14 years)
Undernourished population	47%
Children under height for age (under 5)	41%
Population with sustainable access to improved sanitation	27%
Population with sustainable access to improved water source	42%
Births attended by skilled health personnel	48%
Doctors	2 per 100,000
Maternal mortality	1000 per 100,000 live births
Women in government at ministerial level	13%
Girls in education	53% primary: 10% secondary
Women in legislative, managerial, professional and technical professions	No information available
Prevalence of HIV and AIDS in adult population	14% (2005) <sup>4</sup>
Human Development Index rating	168/177

#### 1.B.1. Human Trafficking: International

- 2005 US State Department figures indicate that 600,000 to 800,000 women and children are trafficked annually across international borders. Approximately 80% are women and up to 50% are minors. The vast majority of those trafficked under 18 years of age are girls.<sup>5</sup> Male minors account for only 2% of trafficking.
  - The United Nations claims a figure closer to 4 million as total for internationally and internally trafficked people.<sup>6</sup>
3. Information in this table is combined from both the UNDP (2005) *Human Development Report*, [http://hdr.undp.org/reports/global/2005/pdf/HDR05\\_complete.pdf](http://hdr.undp.org/reports/global/2005/pdf/HDR05_complete.pdf) and the CIA World Factbook, <http://cia.gov/cia/publications/factbook/geos/mz.html>
  4. UNAIDS, HIV Data per country: Mozambique [http://www.unaids.org/en/Regions\\_countries/countries/mozambique.asp](http://www.unaids.org/en/Regions_countries/countries/mozambique.asp)
  5. US State Department (2005) *Trafficking in Persons Report*.
  6. USAID (1999) "Women as Chattel: The Emerging Global Market in Trafficking" *Gender Matters Quarterly*, No 1.

- UNICEF estimates 1,200,000 children were trafficked globally in 2000.<sup>7</sup>
- Men and boys, women and girls are trafficked for many purposes – sexual exploitation, begging, underpaid and exploited forced labour in the agriculture, manufacturing and construction industries, domestic service and organ harvesting.
- Trans-national organized criminal syndicates and networks are responsible for the bulk of human trafficking, which is linked to a range of other trafficking – drugs, firearms and consumables – and other criminal activities - money laundering, smuggling and political bribery and corruption.
- Trafficking in humans is a vastly lucrative business. Estimated profits are between US \$7-10 billion annually.<sup>8</sup> Organized crime networks involved in human trafficking are highly structured, flexible and responsive to market demands.
- Weak state structures, resulting from the upheaval of transitional economies contribute to an environment favouring predatory criminal organizations. Parallel structures that substitute for state security dominate such economies and flourish through fear and intimidation.
- The widespread reach of these networks and perceptions of their ability to retaliate against ‘victims’<sup>9</sup> and their families reinforces their clandestine nature, difficulty of investigation and lack of prosecutorial evidence.
- Armed conflicts destroy livelihoods, severely damage national economies and cause mass population movements. Through heightened insecurity, wars increase the vulnerability of women and children, promote dramatic survival strategies such as prostitution and often involve the abduction of women and children into armed groups/factions. Increased poverty for survivors, particularly widows and female headed-households, is an endemic feature of armed conflicts.
- Migration as a response to armed conflict and insecurity results in large refugee populations, exposing the most marginalized to an array of dangers - discrimination, sexual violence, intimidation, recruitment into armed forces and trafficking.

7. UNICEF (2006) *State of the World's Children: Excluded and Invisible* <http://unicef.org/sowc06/index.php>

8. US State Department, *Ibid*.

9. The word ‘victim’ is typically regarded as disempowering. The term ‘trafficked people/ persons’ is the term of choice in this report and efforts have been made to use it as much as possible. However, in some circumstances the term ‘victim’ has been considered appropriate for use.

- Stringent entry requirements have increased the regulation of population movements. When would-be migrants fail to meet these requirements, they may resort to irregular means, giving rise to people smuggling and trafficking.
- The increase in demand for cheap labour continues to attract people flows from poorer to more prosperous venues. As a result, with populations moving in search of employment, with the attendant opportunities for exploitation, there is often overlap between trafficking source, transit and destination sites.<sup>10</sup>
- The commercial sex industry has greatly expanded as it globalized and became integrated with other aspects of modernization. The demand factors dominating commercial sex work requires a constant supply of women and children. The commercial sex industry is often inextricably linked with tourism, both domestic and foreign, and some countries are specifically promoted for 'sex tourism'.<sup>11</sup>
- Widespread gender discrimination that denies women their rights, as well as attitudes that consider women and girls inferior and weak and thence objectify them, and tolerate violence against women support the existence of trafficking practices that deliver women and girls into appalling living and working conditions.
- Destitute families, unable to support their children, are marginalized and under the pressure of persuasion to hire out or sell them, girls being most vulnerable to commercial exploitation.
- In spite of international conventions, there remains indifference and a lack of domestic commitments to protect those most at risk through legislation, awareness and information, and training of the authorities responsible to provide protection.

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10. D'Cunha, Jean (2002) *Expert Meeting on Trafficking in Women and Girls*, Glen Cove, New York.

11. Corner, Lorraine (2002) *A Gender Perspective to Combat Trafficking*, Strategy Paper on an Integrated Approach to Livelihood Options for Women & Girls, Seminar on Promoting Gender Equality to Combat Trafficking in Women and Children, Bangkok.

## 1.B.2. Human Trafficking: Mozambique

- Despite being one of the best performing economies in Africa, Mozambique is one of the world's poorest countries, dependent on extensive foreign aid.<sup>12 13</sup>
- It is a country of origin, transit and destination for human trafficking.<sup>14</sup>
- Traditional migration patterns of labour to South Africa; the practice of children being loaned/sent to better-situated family members to be raised; and casual border procedures contribute to acceptance and expectations of unregulated movement.
- Shifting migrant labour needs in South Africa and a decline in contracts contribute to a reduced interchange between male migrants and families at home as they stay away, hoping to keep or find new jobs.
- Practical outcomes of the ravages of war include separated and displaced families, death of family members, orphaned and abandoned children, loss of infrastructure and social services, urban drift by dispossessed and landless women, a significant increase in female-headed households, massive unemployment, particularly of youth.
- Poverty is the most visible cause of the vulnerability of women and children in Mozambique.
- Gender-based discrimination in both statutory and customary law and practice results in abuse of women's human rights and their sustained disadvantaged position in the mozambican society.
- Cultural practices such as early marriage, lobolo<sup>15</sup>, levirate<sup>16</sup>, and female initiation can be harmful to women's health and compound restrictions on girls' and women's choices, and marginalizing them from participating and shaping the socio-cultural, political and economical aspects of their society.
- Estimated national adult (15-49 years) HIV prevalence rose from 14% to just over 16% in 2002–2004, with HIV spreading fastest in provinces that contain the country's main transport links with Malawi, South

12. Freedom House 2005.

13. Economic growth has averaged 8 per cent a year for the past 11 years, one of the fastest rates in the world. Fuelled by two rounds of debt relief, was reckoned to be worth US \$57 million (US \$83.4 million) - growth is set to accelerate further. (New Zealand Herald, 09/07/05).

14. International Organization for Migration (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*.

15. Bridewealth, the practice of a husband-to-be contributing cattle, money, cloth and/or other culturally appropriate material goods as a compensation to the wife's family. Lobola can become a contentious issue at times of marriage break-up or widowhood.

16. The practice of a widow becoming a wife of her dead husband's brother.

Africa and Zimbabwe. By the end of 2003 approximately 1,300,000 Mozambicans were living with HIV.<sup>17</sup>

- It is estimated that there are 470,000 orphans as a result of AIDS related deaths in Mozambique.<sup>18</sup>
- Extensive land and sea boundaries are difficult and expensive to patrol adequately.
- Periods of transition from one-party Socialist rule to multi-party democracy and market economy provided an environment conducive to the spread of organized crime. Relaxation of social controls without a commensurate establishment of adequate security forces, and the slow progress to a society founded on the rule of law and respect for human rights, contributes to security vacuums that organized crime exploits.
- Local organized criminal groups, dealing primarily in drugs and smuggled commodities, and less organized local syndicates trafficking in humans for multiple purposes, are well-established.
- There is no domestic anti-trafficking legislation in Mozambique.
- Mozambique has not yet ratified the UN Convention Against Transnational Organized Crime and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) (2000).

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17. <http://www.unaids.org/en>. AIDS Epidemic Update, December 2005.

18. UNAIDS, UNICEF, USAID (2004) *Children on the Brink 2004: a joint report of new orphan estimates and a framework for action*: [www.unicef.org/publications/index\\_22212.html](http://www.unicef.org/publications/index_22212.html)

# 2 Context and Issue

## WHAT IS TRAFFICKING?

The first internationally agreed upon definition of trafficking is embodied in the *UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime (2000)*, as follows:

*The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.*

*Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.*

*The consent of a victim of trafficking in persons to the intended exploitation...shall be irrelevant where any of the...[fore-mentioned] means...have been used.*

*The recruitment, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons,' even if it does not involve ...[any of the above listed means].*

*"Child" shall mean any person under eighteen years of age (Art. 3).*



### Key Features of the Protocol:

- Defines trafficking as a crime against humanity, marked by the **intent to deceive and exploit**;<sup>19</sup>
- Expands the range of **actions** considered part of the trafficking process – **recruitment, transportation, transfer, harbouring, and receipt** of persons in end-institutions;
- Addresses a wide range of **means** used, from blatant force to subtle inducements that capitalize on vulnerability, to achieve ‘consent’;
- Makes **consent to the intended exploitation irrelevant**, where any of the means outlined in the definition are used;
- Acknowledges **men** are also trafficked, though it emphasizes trafficking in **women and children** (*Article 2*);
- Recognizes a **range of purposes** of trafficking, in addition to sexual exploitation;
- Contains **rights-based** and protective social, economic, political and legal **measures to prevent trafficking, protect, assist, return and reintegrate** trafficked persons, and to **penalize trafficking** and related conduct (*Articles 6, 7, 8, and 9*);
- Calls for **international cooperation** to prevent and combat trafficking (*Articles 9, 10, 11*).

While its human rights provisions could be expanded, enriched and made obligatory on States, the Protocol is nonetheless an important step towards locating trafficking within a rights framework.<sup>20</sup>

*The following table provides additional detail on the rights violated in the context of human trafficking and the corresponding legal instruments.*<sup>21</sup>

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19. See International Criminal Court, Rome Statute: Article 7: Crimes Against Humanity.

20. UNIFEM Asia (2002) *Trafficking in Persons: A gender and rights perspective*, Briefing Kit.

21. This table is adapted from the *Human Rights Standards for the Treatment of Trafficked Persons* published by the Global Alliance Against Trafficking in Women (GAATW) and from *International Perspectives and Nigerian Laws on Human Trafficking* by Olaide Gbadamosi Esq, Network for Justice and Democracy.

Human Rights Usually Violated in the Context of Human Trafficking	Corresponding International Legal Instruments and Articles
Right to Health and Social Services	<ul style="list-style-type: none"> <li>• Articles 22 and 25 (1) of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)</li> <li>• Article 24 of the Convention on the Rights of the Child (CRC)</li> <li>• Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</li> <li>• Article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</li> </ul>
Right to Education and Training	<ul style="list-style-type: none"> <li>• Article 26 of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)</li> <li>• Article 18 of the International Covenant on Civil and Political Rights (ICCPR)</li> <li>• Articles 28, 29 of the Convention on the Rights of the Child (CRC)</li> <li>• Article 10 of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)</li> <li>• UNESCO Convention Against Discrimination in Education</li> </ul>
Right to Liberty of Movement and Freedom to Choose one's Residence	<ul style="list-style-type: none"> <li>• Article 13 (1) of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 12 (1) of the International Covenant on Civil and Political Rights (ICCPR)</li> </ul>
Right to a Decent Work	<ul style="list-style-type: none"> <li>• Article 23 of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 8 (3) of the International Covenant on Civil and Political Rights (ICCPR)</li> <li>• ILO Convention 29</li> <li>• Article 23 (1) of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)</li> <li>• Article 11 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</li> </ul>
Right to Freedom from Slavery	<ul style="list-style-type: none"> <li>• Article 4 of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 8 of the International Covenant on Civil and Political Rights (ICCPR)</li> <li>• United Nations Slavery Convention Supplementary Convention on the Abolition of Slavery, the Slave Trade and institutions and Practices Similar to Slavery</li> </ul>
Right not to be Tortured and/or Submitted to Other Cruel, Inhuman or Degrading Treatment or Punishment	<ul style="list-style-type: none"> <li>• Article 5 of the Universal Declaration of Human Rights (UDHR)</li> <li>• Article 7 of the International Covenant on Civil and Political Rights (ICCPR)</li> <li>• Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</li> </ul>
Right to Peace and Security	<ul style="list-style-type: none"> <li>• Article 3 of the Universal Declaration of Human Rights (UDHR)</li> </ul>
Right to Non-Discrimination	<ul style="list-style-type: none"> <li>• Articles 1, 2 and 7 of the Universal Declaration of Human Rights (UDHR)</li> </ul>
Right to Access to Justice	<ul style="list-style-type: none"> <li>• Article 6 of the Universal Declaration of Human Rights (UDHR)</li> </ul>
Right to Freedom of Expression and Participation	<ul style="list-style-type: none"> <li>• Articles 19 and 21 of the Universal Declaration of Human Rights. (UDHR)</li> </ul>

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## 2.A. WHAT IS THE CONTEXT OF HUMAN TRAFFICKING IN MOZAMBIQUE?

### 2.A.1 Main Features of Human Trafficking in Mozambique

According to the 2003 IOM Report “*Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*”, **sexual exploitation and forced labour** are the principal purpose of trafficking in Mozambique. A number of relatively small-scale trafficking networks operate using minivan taxis to smuggle both migrants and women across the border. They are based at transit houses in the border region between Mozambique, Swaziland and South Africa and operate through a network of accomplices in Johannesburg, Maputo and in the Lebombo region who recruit, transport and accommodate and transfer women. The fleets of minivans travel from Maputo to Johannesburg a number of times each week. They transport Mozambicans visiting relatives or looking for work, and who rely on the taxis for cheap transportation as well as to assist them in undocumented border crossings.

**Young women** hoping to find work in South Africa or visit relatives, but who end up as trafficking victims are passively recruited when they approach the taxi stands. There trafficking agents select the young women for whom they can get the best sale price and persuade them to use the trafficker’s taxi.

The snared victims suspect nothing on departure. They enter South Africa irregularly among their fellow passengers – apparently ordinary migrants going to look for work. Once at the transit accommodation, the victims are separated from their fellow travellers, and the process of isolation, intimidation and exploitation begins.

Mozambican traffickers based in Maputo also actively recruit both sex and non-sex-workers among young women working in the informal sector, in local markets and trading. A female accomplice, possibly known to the victim, may assist – typically offering employment as waitresses or domestic help in South Africa. Maputo sex workers are also specifically recruited for sale to brothels in the Gauteng and KwaZulu-Natal provinces.

“Six men have been arrested in Maputo, Mozambique for allegedly trying to traffic people into South Africa. The men were arrested whilst trying to drive 43 people between Maputo and Witbank. Some of the alleged victims are helping police with their investigation into how the crime syndicate worked. Mozambique’s interior ministry spokesperson Ildio Miguel said that many people were being trafficked from Mozambique’s poor areas into South Africa, lured with the promise of good jobs. In fact many of them were being sold into forced prostitution and labour at exploitation wages.”  
(SABC News, 22 February 2006)

In addition to Maputo and the southern provinces of Mozambique, Nampula province is another main site of recruitment of young women for the sex industry. Prostitution is common, largely as a result of the pre-independence occupation by the Portuguese army. Girls are also sexualized at an early age and prostitution, as elsewhere, becomes a survival strategy. Little is known of how they are recruited, or whether both established sex workers and those with no experience of sex work are included.

It is also suspected that Mozambicans from the north of the country are trafficked via Zimbabwe into South Africa.<sup>22</sup>

....the trade in Mozambican women continues to thrive, and is well known to many people along the Maputo corridor. Mozambique is no longer at war but its younger generation appears just as desperate for opportunity and employment, which leads many young women to take up false offers of employment in South Africa, where they are sold into sex slavery, primarily as concubines to South African men.  
(IOM (May 2003) *Seduction Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*)

South Africa is increasingly emerging as a destination country in the **trafficking of children for sexual exploitation and forced labour**.

Children as young as eight are reported to be trucked daily through the Kruger National Park or the Swaziland border, some having been sold to individual South Africans for between US \$30 and US \$50 per child. Among those involved are government officials, brothel owners, law enforcement personnel and crime syndicates.

A report by Molo Songololo in 2000 on trafficking in children in South Africa, suggested that more than 20,000 child labourers, many Mozambi-

22. UNICEF (2003), *Trafficking in Human Beings, Especially Women and Children, in Africa*, Innocenti Research Centre.

can refugees were working on farms where they receive pitiful allowances, and work for food and accommodation.<sup>23</sup>

Sixteen year-old Tobi wipes a tear from her eye as she recalls the night she was plucked from her home, forced to trek through the bush and then sold to a recruitment agent in South Africa.

She recoils from memories of being handed to a buyer in search of cheap farm labour, a nanny and sex slave, who abused her for months before she escaped to safety.

Tobi is one of the hundreds of young Mozambican girls kidnapped or lured by cash who end up mainly in South Africa every year or are shipped to Europe in an industry that is growing at breakneck speed.

(Molo Songololo Report in the Sunday Herald, 10 september 2002)

While it is clear that many women and children are trafficked specifically to work in forced prostitution, and others are recruited to work in the agriculture, manufacturing or service industries for little pay in appalling conditions, the distinctions between the two become blurred, especially in the case of girl children and young women recruited to work as domestics who are also sexually abused by their employers.

While trafficking in humans for sexual exploitation and for forced labour constitutes the vast majority of incidents, there is an increase in the **trafficking of humans for body parts, or organ harvesting**. This trade is both international, primarily to South Africa but is also internal and takes place for two distinct reasons. First, specific body parts such as genitalia, heart, eyes and skull are used in traditional medicine, 'muti'<sup>24</sup> where these organs are believed to cure ailments from impotence to AIDS to infertility, and to increase influence and wealth.

The more lucrative international business involves organ harvesting for transplantation. In what is predominantly a south/north system, organs (typically kidneys) are kept in cold storage and airlifted to reception centres. Numerous countries from all continents including among others Europe, Africa and Asia, are implicated in this complex supply and demand business.<sup>25</sup> The accommodation amenities in South African transplantation clinics at private hospitals are reputed to be of very high quality. With

23. Molo Songololo (2000) *The Trafficking of Children for Purposes of Sexual Exploitation in South Africa*.

24. Term commonly used to refer to traditional medicine.

25. Scheper Hughes, Nancy (2001) *The Global Traffic in Human Organs*, A Report Presented to the House Subcommittee on International Operations and Human Rights, United States Congress, June 27, 2001.

dialysis and transplantation surgery becoming increasingly easily accessible in the domain of the private sector, negative consequences caused by social inequity might allow those with the financial means to acquire body organs from, or at the expense of the poor who provide them for a few dollars.

### Cases of Trafficking in Children in Mozambique

- 52 children were reported missing in Nampula in 2003, and some of their corpses were found with missing organs and/or body parts. A Danish woman, a South African citizen and other un-identified Europeans have been detained by the Anti-Corruption unit.<sup>26</sup>
- Three young men were detained in Chimoio<sup>27</sup>, following the kidnapping of a 9 year-old boy. The child's genitals were cut off and offered for sale at the price of 160 million meticaís (ZAR 47,000 or US \$7,833).
- In Maputo, women reported the abduction of their children by their neighbours. After a joint investigation between Mozambican and South African police, one of them was eventually rescued and returned home.<sup>28</sup>
- A 3-year old, was found dead in the bush in Changanane, 30 Km south of Maputo city. His genitals, tongue and left leg were missing.<sup>29</sup>
- Police detained two young male street vendors who were caught red-handed while selling two children aged 13 and 16 for 30 million meticaís (ZAR 14,000 OR US \$2,333). The buyer was a traditional healer attempting to buy the children to use in traditional healing activities. This may have entailed using body parts as medicine.<sup>30</sup>
- A bar owner was approached by two women who the police detained after Macamo had reported they were planning to abduct a child<sup>31</sup> from his widower father and then sell him for 50 million meticaís (ZAR 21,430 or US \$3,571).

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26. *Noticias*, 30 December, 2003.

27. *Mozambican Attorney General Report*, 2004, p. 45.

28. *Ibid*, p. 50.

29. *Noticias*, 17 July 2004.

30. *Noticias*, 17 September 2003.

31. *Noticias*, 6 May 2004.

**Refugees have been reported to be both victims and perpetrators of trafficking** to South Africa. Much of the trafficking from Mozambique is controlled by organized Mozambican refugees living legally in South Africa. Their main targets are young women working in the commercial sex industry in Maputo and young children aged 3-12 years old from rural areas in the provinces of Gaza, Inhambane, Maputo, and Nampula. The children are sent to Mozambican refugee families living in South Africa, as well as to South African citizens, and to prostitution networks in Johannesburg.<sup>32</sup> In fact, numerous children trafficked from Lesotho in South Africa have been found to be Mozambican nationals.<sup>33</sup>

As male refugees encounter unemployment and xenophobia in South Africa, they choose to recruit female relatives from their countries of origin to South Africa. These women are usually 25 years and older, married and have children. Individual refugee traffickers are assisted by ethnically-based syndicates in delivering a recruiting letter to the victim in her country of origin, escorting her to South Africa, and sexually assaulting her as an initiation to sex work should she resist upon arrival. The refugee trafficker takes the earnings the woman receives as a sex worker and, to protect his investment, he assists her in applying for refugee status to prevent deportation if police detain her. However, the extent of this particular practice among Mozambicans needs further investigation.

Refugees from elsewhere in Africa, such as DRC and the Great Lakes are major participants in this population, in which case Mozambique is used as a transit country for the movement of these victims.<sup>34</sup>

Mozambique is also reported as transit country for trafficked Somalis arriving at Nacala by boat to connect with the major routes listed.<sup>35</sup>

## 2.A.2. Main Protagonists in Human Trafficking

### Traffickers

For both legal and practical purposes, this includes everyone involved in the human trafficking chain from the point of recruitment to the point of use and re-use of labour. This includes recruiters – by whatever means – as well as transporters, receivers, pimps and brothel-keepers, corrupt border

32. "Child Trafficking between Mozambique and South Africa," *Indian Ocean Newsletter*, 17 January 2004.

33. UNICEF (2003) *Trafficking in Human Beings, Especially Women and Children, in Africa*, Innocenti Research Centre.

34. International Organization for Migration (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*.

35. *Idem*.

guards and producers of false documentation, all those benefiting as the trafficked persons pass through their hands.

The trafficker is the link between supply and demand, on the one hand increasing supply through the recruitment, deception, transportation and exploitation process and on the other, boosting demand by providing easy access to ‘victims.’

Whatever the scale and means of the operation, for traffickers, the process is a systematic, well-organized economic phenomenon, involving the displacement and movement of persons solely to profit (directly or indirectly) from the exploitation of the trafficked person’s labour. All are direct perpetrators of the crime of human trafficking.

African traffickers face low risk of arrest, prosecution or other negative consequences. They have exploited the lack of the rule of law, the non-implementation of existing anti-slavery laws, and corruption of judicial systems.<sup>36</sup> These lapses allow perpetrators to go unpunished. Prosecutions are rare and fraught with difficulties.

## Organized Crime

### *National*

As already indicated, local traffickers with cross-border networks, ex-refugee organizations, recruiters with family connections in Mozambique, appear to be the primary actors in the trafficking trade from Mozambique to South Africa. The locus of the internal trade is unclear.

The salary of a police officer who investigates organised crime is less than 4 million Meticals a month – approximately 180 US dollars. Senior prosecutors at provincial level earn salaries of about 8 million Metical, or approximately 360 US dollars, a month. Very high unemployment rates also mean that jobs are precious, particularly in the state sector where a degree of job security is assured.

(Gastrow, P. and Mosse, M., *Mozambique: Threats posed by the penetration of criminal networks*)

While such limited remuneration is the reality for law enforcement personnel, the risks remain high and the rewards limited for the rigours of pursuit and prosecution of traffickers.

36. Fitzgibbon, Kathleen (2003) “Modern Day Slavery? The Scope of Trafficking in Persons in Africa”, *Africa Security Review*, Vol. 12 No. 1.



### *International*

In the 1990s, criminal groups were increasingly recognized as major players in the increasing crime rate in South Africa. From the original trade in shark fins and abalone a number of Hong Kong based triads emerged in the harbour cities, Johannesburg and Pretoria. By 2001 there was a well-developed trafficking network in narcotics, money laundering and prostitution. Within these rigid structures, trafficking-based activities were divided between three groups – one of which concentrated on gambling and prostitution.<sup>37</sup>

How the territory is shared, the international trade in human beings organized between South Africa and Mozambique, and the scale of other international incursion and interests in the region remains unclear.

### *Transnational*

Both the documented and alleged presence of transnational trafficking operations, linked to mafia and other organized crime groups in Russia, Brazil, China and Europe are a cause for serious concern. Trafficking in humans between Africa on the one hand, and Europe and the Middle East on the other, is significant and on the increase. The market for organs for transplant is growing and is extremely lucrative and difficult to detect.<sup>38</sup>

The organized crime linkages are, by definition, difficult to trace and confirm. It is a dangerous area of investigation for obvious reasons, but the need for detailed research is vital to ensure relevant and timely prevention.

Extended linkages between trafficking networks and sectors of the crime industry and business, conspire against successful pursuit and prosecution of traffickers while ensuring free rein for traffickers. Obstruction of justice, often involving organised criminal networks, is one of the most damaging practices facing Mozambican society and its criminal justice system.<sup>39</sup> If perceptions should develop of organised criminal network's infiltration of state or business structures, it will seriously damage public confidence and compound the difficulties of combating human trafficking.

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37. Gastrow, Peter (2004) *Trafficking in Persons*, South Africa Law Commission, Issue paper 25, Project 131.

38. Anecdotes of organs, in small ice-pack containers, transported in overhead luggage bins on airplanes.

39. Gastrow P, and Mosse M. (2002) *Mozambique: Threats posed by the penetration of criminal networks*, Institute for Security Studies.

### Trafficked Persons

These are the ‘victims’,<sup>40</sup> all the women and children and men who are deceived, transported and delivered into the hands of those who exploit them for profit.

### Users

*This includes the following categories of people:*

**Sex industry:** ‘johns’/purchasers, strip club, night club, restaurant/bar, brothel etc.

**Employers:** farm, domestic labour, construction, retail, markets, begging.

**Medical personnel:** traditional healers, transplant industry.

Users may act as individuals or are networked through access to other illegal activities – prostitution and sexual abuse of children and forced labour. They may be unaware or unconcerned about trafficking or not perceive themselves as part of the trafficking network.<sup>41</sup>

### 2.A.3. Routes and Transportation

Two distinct trafficking operations make use of three different routes to transport victims from Mozambique into South Africa.<sup>42</sup>

The first route used is to Gauteng via Ressano Garcia. Based on research conducted between 19 January 2004 and 6 February 2004,<sup>43</sup> out of a total of 2,260 persons trafficked, 282 women and 163 children were smuggled<sup>44</sup> across the Lebombo border or Ressano Garcia into South Africa.

40. In this sense ‘victim’ is considered an appropriate term to capture the conditions of life that expose a person to such extreme vulnerability.

41. UNICEF (2003) *Trafficking in Human Beings, Especially Women and Children, in Africa*, Innocenti Research Centre.

42. *Idem*.

43. *Massungulo Progress Report* (February 2004) Mozambican NGO based in Ressano Garcia.

44. Smuggling is “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.” (UN Protocol Against the Smuggling of Migrants by Land, Sea or Air)



Routes from Mozambique



Routes through Mozambique

The second trafficking route supplying trafficked women to both Gauteng and KwaZulu-Natal crosses the border into South Africa at Ponta do Ouro. Then the transport continues either to the south of Swaziland and directly to Johannesburg and Pretoria, or south to Durban and Pitermaritzburg.

The ease of access for traffickers on these routes is believed to be a consequence of their connection with organized criminal groups dealing in other commodities such as stolen vehicles.

The complicity of border authorities at major border crossings between South Africa and Mozambique must be an element in the freedom of movement for traffickers. At the very least, turning ‘a blind eye’ or failing to request full legal documentation or to patrol walked routes across the border must be common practices that facilitate movement.

Routes through Mozambique typically include entry into the north of the country via Tanzania and/or Malawi by people en route from the Great Lakes region and East Africa. Others, travelling by sea, may land at Mozambique ports before continuing the journey overland.

### Exploitation and Transfer

After crossing the Lebombo border, the women and other migrants are taken to transit houses located in Tonga township close to the Jeppe’s Reef border post with Swaziland. This marks the beginning of their sexual exploitation when they are forced to have sex with the traffickers ‘as a way of showing their gratitude for the well-paid jobs that traffickers allege to have organized for them in Johannesburg.’<sup>45</sup> This practice conforms with universal treatment of young women entrapped into trafficking and begins the process of breaking their will and resistance at the same time as introducing fear and physical suffering if they fail to be compliant.

It is a way of ‘breaking the women in’ and letting them know exactly what lies in store in their future, where they will be sold as ‘wives.’<sup>46</sup> It is also possible that the transit houses afford traffickers an opportunity to sell their young victims to local men as wives and domestic servants. Apart from the thriving trade in Mozambican women catering to the market in the West Rand mines, there have been reports of these women being sold in the vicinity of the transit houses in eastern Mpumalanga province. They may also be forced into ‘marriages’ with South African men, who abuse

45. International Organization for Migration (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*.

46. *Idem*.

them, force them into domestic work and often dump them when they are no longer wanted.<sup>47</sup>

The trafficking operation using the Ponta do Ouro route does not appear to use transit houses. The Mozambican traffickers running transit houses in Tonga and Johannesburg sell their victims in the vicinity of the mines of the West Rand, around Carletonville. There are reports of the 'stock' of young women being displayed to potential buyers who purchase them for ZAR 650 each. 'Wives' can also be ordered on demand. Once the women have been sold, they are seen as belonging to their new 'husbands', Mozambican or South African mineworkers. The sense of ownership seems to be legitimized in the minds of the buyers by a perversion of the traditional practice of paying *lobola* before a marriage. The buyers believe that the purchase price was in fact *lobola* and that the women are now their wives (*Weekly Mail*, 1990b).

Little data has yet been collected on the exploitation of women trafficked into the country using the Ponta do Ouro border crossing. The traffickers using that particular route are associated with a number of brothels in Hillbrow and Pretoria as well as in Pietermaritzburg in KwaZulu-Natal to which they regularly sell Mozambican women for ZAR 1000.<sup>48</sup> The women are kept as sex workers at the brothels for approximately three months before new Mozambican women are ordered from the traffickers.

An estimated 1000 Mozambican women per year are entering South Africa by way of the two trafficking operations described above - (Lebombo and Ponto do Ouro routes.)<sup>49</sup>

The process of recruitment and the transport and transfer routes used for child trafficking is less well documented. That many children are marginalized and that Mozambican children are used for sexual exploitation and forced labour as well as for 'muti' is certain.

There is evidence of children being recruited to work on farms in the Mpumalanga province of South Africa in exchange for very low and exploitative wages. Often, instead of being paid for their hard work, children may find that farmers report them to the police, where after they are detained as irregular immigrants.

Child prostitution is prevalent in Maputo, Nampula, Beira and border towns and overnight stopping points along key transportation routes.<sup>50</sup>

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47. *Idem.*

48. *Idem.*

49. *Idem.*

50. US State Department: Bureau of Democracy, Human Rights and Labor, February 2005.

In late 2003, immigration authorities in Lusaka, Zambia, were hunting for a group of Ethiopian and Congolese nationals suspected of trafficking young Africans abroad. Young people between the ages of 18 and 25 were reportedly being taken through the Mpulungu harbour in Zambia's northern province to Mozambique; from there they were sent to various countries. Authorities suspected that some of these people were lured with promises of jobs abroad but were actually being trafficked for forced prostitution.<sup>51</sup>

While it is recognized that women and children constitute the majority of trafficked persons, far more research needs to be done on the scale of trafficking of adult men, and for what purposes.

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## 2.B. WHAT ARE THE ROOT CAUSES OF HUMAN TRAFFICKING IN MOZAMBIQUE?

The **supply and demand** equation is typically described in terms of “**push**” and “**pull**” factors. These factors have a global resonance, but vary in local emphasis and scale. While armed conflict distorts and magnifies conditions of hardship and insecurity and creates fertile conditions for trafficking in all commodities, it is ultimately poverty, high unemployment and lack of opportunity – the quest for a means of survival – that is the engine driving trafficking in humans. The push/pull factors - two sides of the same coin - that make women and girls particularly marginalized, are rooted in systemic gender discrimination. It is important to remember that these explanatory factors can be mutually reinforcing and that some of the causes can also be the consequence of others. More research is required into the mechanics of these causes.

Women and girls are **more susceptible to fall into trafficking** because of.<sup>52</sup>

### Factors Contributing to Demand

- **women's perceived suitability** for work in labour-intensive production and the growing informal sector which is characterized by low wages, casual employment, hazardous work

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51. “Zambian Authority Hunting for Human Traffickers,” *Xinhua General News Service*, 26 October 2003.

52. UNIFEM Asia (2002) *Trafficking in Persons: A gender and rights perspective*, Briefing Kit.

conditions and the absence of collective bargaining mechanisms;

- the **increasing demand for foreign workers** for domestic and care-giving roles, and lack of adequate regulatory frameworks to support this;
- the **growth of the billion-dollar sex and entertainment industry**, tolerated as a ‘necessary evil’ while women in prostitution are criminalized and discriminated against;
- the **low risk-high profit nature** of trafficking encouraged by a lack of will on the part of enforcement agencies to prosecute traffickers (which includes owners/managers of institutions into which persons are trafficked);
- the **ease in controlling** and manipulating vulnerable women;
- **lack of access to legal redress** or remedies, for victims of traffickers; and
- **devaluation** of women and children’s human rights.

### Factors Contributing to Supply

- **unequal access to education** that limits women’s opportunities to increase their earnings in more skilled occupations;
- **lack of legitimate and fulfilling employment opportunities** particularly in rural communities;
- **sex-selective migration policies** and restrictive emigration policies/laws, instituted often as a “protective” measure, limit women’s legitimate migration. Most legal channels of migration offer opportunities in typically male-dominated sectors (construction and agriculture work);
- **less access to information** on migration/job opportunities, recruitment channels, and a greater lack of awareness of the risks of migration compared to men;
- **disruption of support systems** due to natural and human created catastrophes; and
- **traditional community attitudes** and practices, which tolerate violence against women.

### Supply and Demand

The global reach and scale of trafficking in humans is the ‘underside of globalization.’<sup>53</sup> Globalization has created powerful market demand for cheap, low-skilled labour in sectors such as agriculture, food processing, construction, domestic service, labour-intensive manufacturing, home health care, sex work, the service sector in general,<sup>54</sup> (and the entertainment sector (circuses, begging, camel jockeying)). Such demand exists in both industrialized and developing countries. The types of work where trafficked labour is used tend to be located in sectors where it is easier to maintain highly exploitative working conditions that are gross violations of human rights and labour standards, in locations and conditions that are difficult to monitor. In sending regions in Mozambique, strong push factors propel people to consider emigration as an option. Legal mechanisms to manage the movements of migration candidates could thus reduce the incentives for irregular forms of human movement as human trafficking is partly the product of imperfect migration governance.

### High Profits

Modern day slavery thrives because of its profitability.<sup>55</sup> The UN estimates it generates US \$7-\$10 billion annually, the third largest profits behind arms dealing and narcotics. It is also easier to move human cargo across borders than drugs or weapons which are seized when found. Human beings can be constantly re-used and re-trafficked – not so for drugs. Trafficking is, by definition, a complex, clandestine, underground business, constantly changing and evolving both in response to demand and to remain sufficiently flexible to elude arrest and prosecution.

### Low Risk

By its very nature trafficking is secret and dangerous, which helps explain the inadequacy of reliable information. Victims are afraid of retaliation from traffickers or recrimination within their families and

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53. Stopping Forced Labour: Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 89<sup>th</sup> session 2001, ILO Geneva.
  54. Taran and Moreno-Fontes (2002) *Getting at the Roots. Stopping Exploitation of Migrant Workers by Organized Crime*, Paper presented at an international symposium on The UN Convention Against Transnational Organized Crime: Requirements for Effective Implementation, Turin, Italy, 22-23 February 2002, ILO.
  55. Pimps can make 5 to 20 times as much from a woman as what they paid for her, according to one source: Katerina Levchenko (1999) *Combat of Trafficking in Women and Forced Prostitution: Ukraine, Country Report*, Vienna: Ludwig Boltzmann Institute of Human Rights.



villages (which have often provided funds for the journey they anticipate will take the woman to the job that will help support the family), and the stigma of prostitution. As a result few will bear witness against the traffickers. Fear and mistrust of police, the lack of documentation and fear of complicity also play a part in maintaining the victim's silence. Most victims are poor, illiterate, from marginalized populations and are ignorant of their rights. Traffickers exploit not only bodies but the deepest anxieties and disadvantageous life conditions of the victims.

### Permeable Borders

A tradition of movement and migration to South Africa for trade and work as well as ignoring illegal activities such as smuggled goods, vital to survival in the war years,<sup>56</sup> contributes to acceptance and expectations of unregulated movement. Porous borders, combined with civil and political unrest and a lack of economic opportunity, have ensured a consistent southward flow of both legal and irregular migrants in southern Africa. Trafficking victims are difficult to distinguish amid these flows. Police/border officials are believed to be complicit with traffickers, accepting bribes for the passage of undocumented travellers.

Mozambican women have been smuggled in by taxis because corruption in law enforcement or judicial systems helps traffickers across borders. South African law enforcement officials «rarely receive factual reports on trafficking, and people are not very forthcoming with information on traffickers,» according to police spokeswoman Mary Martins-Engelbrecht. (IRIN NEWS 23/04/04)

“The police .....are South African or Mozambican soldiers who patrol the border region. The trafficker has a contact among them to whom he pays ZAR 150 to allow the whole group to pass, “much cheaper than going through the border post itself. [The traffickers] laugh at passports.” The soldiers often take any valuables and money being carried by the young women and migrants from which, according to one source, traffickers receive a share. (*Seduction Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*, IOM, 2003)

56. Chingono, M.F. (1996) *The State, Violence and development: the political economy of war in Mozambique, 1975-1992*.

## Feminization of Migration

Historically men from the south of Mozambique migrated. Women were marginalized and obliged to stay in the rural areas, concerned with reproductive and community labour with increased workload, thus entrenching patriarchal values. With increased population mobility, lack of opportunity at home and better livelihood opportunities elsewhere, women are increasingly likely to migrate. Migration can lead to women's empowerment. But because of migration policies more favourable to men and because of recruitment made in men-dominating sectors, it tends to increase their exposure and vulnerability to being trafficked.

### 2.B.1. Push/Pull Factors

#### Poverty

Poverty as motivator for risky survival strategies and the pull of the economic magnet of neighbouring South Africa and perceived opportunities, are inextricably interwoven.

The combination of the struggle for independence, droughts and flooding, civil war and structural adjustment led to deep impoverishment and massive displacement. The Foundation for Community Development estimates an average of **69.4% of the population lives in poverty**,<sup>57</sup> the figures being higher in the rural areas.

Burdened with a historical legacy of secondary land and property rights, and relatively poor access to education, waged labour or legal advice, women peasant farmers, depending principally on subsistence agriculture to ensure a livelihood, have been particularly disadvantaged.<sup>58</sup> Although the 1997 Land Law confirms equal gender rights to occupy and use land, customary law and practice, women's disadvantaged social status and a lack of information result in 5-10% of land in their control while they constitute 75% of the rural labour force. Without title deed to land or property women have little chance of access to funding for business enterprise or other survival activities.

Whether in the predominantly matrilineal north, where women's access to land is through the maternal uncle, or the patrilineal south where it is through the husband's family, rural women have been dependent on relationships with men for their survival. Coupled with this, the end of the

57. The Community Development Foundation, [www.fdc.org.mz](http://www.fdc.org.mz)

58. Waterhouse, Rachel (2001) *Women's land rights in Post-war Mozambique* UNIFEM 2001: Reader - Women Land and Property Rights in Situations of Conflict and Reconstruction.

war years saw a significant increase in female headed-households where women became the sole income providers and carried the burden of responsibility for various and shifting habitation patterns. The International Women's Health Coalition estimates 27% female headed households.<sup>59</sup>

Losing land rights, many women moved to urban centres where entrenched views regarding male access to employment, especially if high-paying, excluded them from the formal sector. The informal sector of petty trade or low-skilled employment leaves women marginalized. Survival strategies under such circumstances often include begging or sex-work – for both women and children.

Recent mine closures and retrenchments in the South African mining sector resulted in a dramatic decline in employment opportunities. This has led to an increase in irregular migration, exposing young Mozambican job-seekers, male and female, to exploitation as trafficking victims.

In addition, cutbacks in state services and subsidies mean that within social systems of rigid gender-based divisions of labour, household and community care is assigned to women. This further increases the burden of poverty and women are compelled to diversify their income sources in response to economic reality.<sup>60</sup>

Regardless of constitutional guarantees of gender equality, customary practice and attitudes have a strong influence, sustaining a significant gap between *de jure* and *de facto*. Women and girls are systematically disadvantaged while facing pressures of extreme poverty. This forces them into survival choices that make them vulnerable to human trafficking.

In 1997 the UN estimated 250,000 children were displaced, 15,000 separated from their families and 7% under-15 without either parent. In 2004, there was an estimated 470,000 AIDS orphans. These figures when compounded with the structural violence of poverty, lack of schooling (half of the 3,200 primary schools were destroyed by war), the erosion of traditional support structures, high unemployment, urban migration and dysfunctional family life, indicate the realities that pressure children into prostitution, begging, or crime, that may ultimately lead to being trafficked.

Most of them are forced to earn money without ever having had the benefit of the kind of education that would allow them to get a job guaranteeing cash income. As in most parts of the world, raising a girl in Southern Africa still means to prepare her for being a good wife and mother.

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59. See International Women's Health Coalition: *Mozambique at a glance* with sources from the Population Reference Bureau.

60. Truong, Thanh-Dam (2006) *Poverty, Gender and Human Trafficking in Sub-Saharan Africa: Rethinking Best Practices in Migration Management*, UNESCO.

Thus, girls are taught to manage a household, to help raise their smaller siblings, and above all to please men. Consequently, for girls without any professional training (particularly when they live in an urban context), prostitution is a means to earn a cash income.<sup>61</sup>

Because of their limited educational opportunities, many girls realise that their chances of obtaining good jobs are poor. Informal education and recreational opportunities are basically non-existent. All of these contribute to a lack of optimism with regard to the future.

Choices for girls are limited – early marriage to older men is a strategy. The average age for a woman's first marriage is 17 years. Prostitution is another choice – often included as a part of routine daily activities, combined with trading, subsistence agriculture, domestic services and family care.

Mariazinha's story (Mariazinha is 9 years old, lost a leg in a car accident and uses crutches)

"We are looking for money to buy clothes for us, dresses, skirts, material for shawls. Sometimes the police take us to their station to do some cleaning, to sweep their quarters, to wash their car. When they find us with money they take it. One day I was taken by a white man. I went with him and he said if I slept with him he would give me one hundred thousand meticaís (a little more than eight dollars). I cannot lie. I slept with him and he gave me the money."  
(BBC 2001)

"One girl from Nhamatanda...said that before working as a prostitute, she was employed for two years as a domestic worker to help pay expenses at home. After two years, she stopped working to look after her sick mother. With no money for food or to buy medicine for her mother, she began selling peanuts in bars and kiosks. While she was selling peanuts, men propositioned her. She agreed, because she earned much more offering sex than she did from selling peanuts. In a single night she sometimes had two or three clients and earned \$6 to \$9. She could then spend the next two or three days without working at night, because she had enough money for her needs."

(Perschler-Desai, Viktoria (2001) *Childhood on the market: Teenage prostitution in Southern Africa*)

Even though there are also boys who prostitute themselves, prostitution in Mozambique still seems to be a mainly female domain.<sup>62</sup> Boys profit from gender bias in education preferences, and once they become adolescents

61. Perschler-Desai, Viktoria *Childhood on the market: Teenage prostitution in Southern Africa, African Security Review*, Vol. 10, No.4, 2001.

62. *Ibid.*

may be able to make livelihood choices that put them less at risk than girls. It is also possible that the scale of male prostitution and sexwork is unknown because of strict cultural taboos on the subject.

### HIV and AIDS

Mozambique is facing a “dramatically worsening epidemic”<sup>63</sup> with HIV and AIDS prevalence rising in all regions, though most significantly in the provinces that form part of the major transportation links to South Africa, Zimbabwe and Malawi. The Mozambique National Institute of Statistics (INE) estimates that one in every five of the 15–49 age group is believed to be HIV positive, and that over 600,000 children have been orphaned as a result of HIV and AIDS. INE also estimated that by the end of 2005, as many as one million children were expected to have lost one or both parents to AIDS.

AIDS plays a role in the increased demand for younger, presumably uninfected sex workers, often from rural areas.<sup>64</sup> Old traditions have resurfaced which demand young girls, above all, virgins, who are perceived as ‘clean’ and therefore able to cure or delay the infection.

Trafficked women and girls are more vulnerable to HIV infection because:

- Trafficked persons, particularly children, are unlikely to be able to negotiate condom use.
- Trafficked persons may be forced to endure sexual practices, like anal sex, most associated with HIV transmission.
- Trafficked persons may be or often are forced to have sex with multiple partners.
- Violence in commercial sex is common, especially where women or children are forced to have sex against their will. Injuries sustained as a result of forced sex may increase vulnerability to HIV transmission.
- The physically immature bodies of young children are extremely vulnerable to injuries. Such injuries increase their risk of infection.
- Many trafficked persons have other sexually transmitted diseases. This heightens the risk of contracting HIV by up to a factor of 10.<sup>65</sup>

63. <http://www.unaids.org/en>. AIDS Epidemic Update, December 2005.

64. Altman, Dennis (2003) *Global Sex*, University of Chicago Press.

65. Burkhalter, Holly (2003) *Sex Trafficking and the HIV/AIDS Pandemic*, Physicians for Human Rights, before the House International Relations Committee [www.phrusa.org/campaign/aids/news062403](http://www.phrusa.org/campaign/aids/news062403)

The vulnerability of those trafficked to sexually transmitted diseases is compounded by their inability to receive medical testing, treatment, counselling or other health services. Their inability to understand or speak the language in a foreign land, their poverty and lack of freedom may also impede access to health care.<sup>66</sup> Thus they become an infection risk to future partners and any child they conceive.

As infected parents become unable to provide for their children, and relatives shun them or are also unable to provide support, the children are driven from their homes. This is of particular significance when it is mothers and other female ‘carers’ who are sick. Children are subsequently more exposed to traffickers and trafficking – and ultimately to HIV and AIDS and may be infected and affected on a large scale.

### Discriminatory Cultural Practices and Beliefs

In Mozambique women’s rights have long been violated and denied. In spite of Constitutional<sup>67</sup> provisions for formal gender equality and laws and policies outlawing traditional practices, they often remain valued and tolerated, and are typically resurrected in times of stress and threat and a change in ideological climate, as a form of re-affirmation of identity or because the social boundaries that limit their practice no longer exist. While the origins of such practices are rooted in belief systems and perceptions of morality and socially required behaviours often linked to survival needs, their current practice is often harmful, particularly to girls and women. Research into the resurgence and current understanding of such practices is vital.

- **Lobolo**,<sup>68</sup> a feature of the southern region of Mozambique, entails a future husband paying a sum of money, jewellery and clothes or, as in the past, offering cattle to the fiancé, parents and family in exchange for the woman. A marriage resulting from this practice, allows men to choose<sup>69</sup> a younger sister-in-law to replace his wife should she not please him sexually.

66. *Idem*.

67. Constitution of Mozambique, Part II, Fundamental Rights Duties and Principles, Chapter 1 General Principles, Article 67.

68. In the post-independence period, Lobolo was banned as it was considered a harmful practice, associated with tradition and therefore backward and an impediment to social development. However, today it is accepted as formal wedding according to the new Family Law.

69. Barros, J. & Taju, G. (1999) *Prostituição, Abuso Sexual e Trabalho Infantil em Moçambique: o caso específico das províncias de Maputo, Nampula e Tete*, Maputo, Gabinete da Campanha Contra Abuso Sexual.

- **Early marriage** is a normal feature in the rural communities, which form the majority of the population. As access to education is often denied to young women in rural communities, they are pushed into marriage as soon as they are considered “adults”.<sup>70</sup> Adulthood is deemed to be reached when these young women undergo initiation rites or at the onset of menstruation. Post-conflict demographics such as the shortage of men may also contribute to this practice.
- The practice of **Kupita Kufa** (levirate), a feature of the central region of Mozambique, requires the widow, after the death of her husband, to sleep with her brother-in-law to gain acceptance for her and her children. A similar practice, known as Kutxinga occurs in the south region. With the advent of HIV and AIDS, this is starting to change.<sup>71</sup>
- When a husband/father dies, for example as a consequence of AIDS widows and children<sup>72</sup> often lose their **rights to inheritance** of property. They are at the mercy of relatives who make accusations of witchcraft, or of neglect of the man’s health. The widow and children lose the rights to inherit part or all of the property in favour of the deceased’s brothers or parents.
- **As young girls are perceived as being more erotic** than adult women, they are exposed to abuse by adult men. (Virgins are also believed to be HIV-negative). Men dating young girls are seen by society as rich, so such relationships gain social recognition for the men as well as the girls. Such inter-generational relationships are more acceptable than those established with prostitutes, and young girls place no demands on the men who abuse them. These relationships do not have the commitment and family obligations that would usually characterize relationships between adult men and women. The girl child may also be forced to participate in “Okaka,”<sup>73</sup> a ceremony that traditional healers recommend to men with sexually transmitted diseases. This ceremony entails men sleeping with a young girl without a condom in order to get rid of the disease.

70. Children of 12 years are considered adults in some rural settings. Barros & Taju (1999), *Ibid*, p.40.

71. This enquiry was conducted with Mr.N. Muhoro, Director of Youth and Sports in Nhamatanda District, Sofala, 7 July 2004.

72. National Campaign, UNICEF and Terre des Hommes (12 March 2004) *Report of the Meeting for the formulation of the National Action Plan for Prevention of child trafficking*, Maputo.

73. Chuabo language word.

- **Unyago**, an initiation rite of Niassa, in northern Mozambique involves mass mobilization of girl children taken to the bush where they are subjected to the insertion of eggs in the vagina to prepare them for sexual activity. The girls are as young as 11 years. Initiation rights are also likely to impact girls' school attendance.

[...] Cultural stereotypes [...] suggest it is important for men to have frequent sex with different partners, and that sex is not important for women. What is important for a woman, however, is that she be provided for. This can be attained by having sex with one or many men, which can lead to prostitution. "These stereotypes form the basis of gender ideology, in which sexual relations are interconnected but also economic power relations and relations between persons. They transmit an image of the woman, particularly of the girl, as a sex object. This image devalues and degrades, and it establishes mechanisms of sexual and economic subordination of the woman in relation to the man." (Bagnol, Brigitte (1997) *Appraisal of sexual abuse and commercial sexual exploitation of children in Maputo and Nampula* Maputo, Royal Netherlands Embassy)

"The sexual abuse of girls constitutes violence against women and is an expression of the unequal power relations between men and women, that impede the girls from full development. This violence derives, essentially, from cultural patterns and from traditional practices that perpetuate a degrading image of the woman and her low status in society and in the family. And further, as outlined by a woman in Nampula, girls are told to hold on to a man and to use her sexuality to improve the quality of her life." (Perschler-Desai, Viktoria (2001) "Childhood on the market: teenage prostitution in Southern Africa" *African Security Review*, Vol 10 N° 4)

- In poor families, parents often choose to **prioritize the education of the boy child** to the exclusion of education opportunities for the girl child. Boys are expected to contribute to the household income and perpetuate the family name, while girls are expected to assist in reproductive, domestic and agricultural services.
- **Informal adoption**<sup>74</sup> of children to work for rich<sup>75</sup> families as domestic workers is common in poor rural areas. Rich families usually promise the parents that their children will receive an education and enjoy a better standard of living. These promises are often

74. Muslims in Nampula said that Islam rejects adoption because adopted children may lose their original family name. If the original family name is lost, it may happen that relatives end up marrying each other because they do not realize that they are related.

75. IOM (2003), *Ibid*, p 53.



not fulfilled. Such a situation allows trafficking and exploitation to flourish.

- **Child labour** is a long entrenched practice in African societies and is considered essential to family survival. Children are pressured to contribute to family earnings by engaging in the informal sector/petty trade in order to increase family earnings. From a legal perspective child labour has never been seen as a problem. Traffickers often exploit this tradition to entice children into it.
- **Perversion** by organized trafficking agents of **the traditional practice** of placing children in wealthier households and long-standing patterns of seasonal labour migration where family, friends, relations or village members have found employment and/or education for a child, has contributed to trafficking and slavery. The parents often have no knowledge of the whereabouts of their children and the children live in conditions of slavery, exposed to all manner of physical and sexual abuse, deprived of health care, education, and their childhood.
- **The use of body parts** for ‘muti’ and ritual practices results in particular risk for children who are orphaned, dispossessed or otherwise exposed to predatory traditional healers.

### Lack of Knowledge and Information

While there is increased international attention to the problem of trafficking and governments, including Mozambique, together with an array of stakeholders are providing information, publicity campaigns and training, the level of awareness in the population remains low. The common belief that “it cannot happen to me” remains strong despite local familiarity with cross-border smuggling. The offers of employment for young women, the offers to locate young children in better circumstances are generally accepted at face value.<sup>76</sup> Acquaintance with trafficking recruiters who may well be neighbours or family, further reduces the acknowledgement of the trafficking risk.

### Absence of Laws

The failure of Mozambique to ratify the Palermo Protocol and to reform domestic law to bring it in accordance with the Protocol is a major impediment to the development of policies to address trafficking in human beings (for more details see part 3).

76. IOM, (2003) *Seduction Sale and Slavery: Trafficking in Women and Children for sexual exploitation in Southern Africa*.

# 3 Policies and Programmes

## 3.A. CURRENT LEGAL AND POLICY FRAMEWORK

Following the 4<sup>th</sup> World Conference on Women held in Beijing in 1995 and the CSEC, held in Stockholm in 1996, civil society organisations have been active in the study and formulation of recommendations, and in advocacy campaigns for the adoption of laws that combat the violation of women and children's rights.

State institution's lack of sufficient resources, both human and financial, causes constant delays to the advancement of the less empowered groups in society.

An initiative launched in 2003 by the government with support from UNICEF, strengthens the legal system to better safeguard children's rights. The initiative aimed at analyzing existing legislation, customary laws and judicial practices to determine whether they were in accordance with children's and human rights treaties. The overall aim is the formulation of a comprehensive Children's Act.<sup>77</sup>

**The National Plan of Action for Children** indicates that some advancement was made through the establishment of policies and legal frameworks in this area.<sup>78</sup> This includes:

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77. "Legal Reform Launched to Protect Children" United Nations Integrated Regional Information Network, 1 September 2003.

78. Social Welfare Ministry, *Draft Plano Nacional de Acção para a Criança (PNAC) 2004-2010*, p. 4.

- ratification of the United Nations Convention on the Rights of the Child (CRC) in 1994;
- adoption of the Policy for Adolescents and Youth in 1994;
- adoption of the Policy of Social Welfare in April 1998;
- adoption of the Strategy for Children Social Welfare in June 1998;
- ratification of the African Charter on the Rights and Welfare of the Child in May 1998;
- Law to Prevent Children from Going to Night Clubs and Alcohol and Tobacco Consumption (Law 6/99);
- the Family Law<sup>79</sup> and;
- Child Legislation Reform started in 2003.

**There are no specific laws that prohibit trafficking in persons. Trafficking in persons can be prosecuted under violation of labour, immigration and child labour laws.**

The law does not specify an age of sexual consent; however, offering or procuring of prostitution and pornography of any form, including that of children, is illegal under the Penal Code. Sexual abuse of a child under 16 is also illegal under the Penal Code. Persons engaged in child prostitution, use of children for illicit activities, child pornography, child trafficking, or forced or bonded labour may be punished by prison sentences and fines.<sup>80</sup>

The following international instruments can be used to prosecute some aspects of trafficking in persons. The table indicates the instruments ratified and/or signed (or not) by the Government of Mozambique.

Relevant Legal Instruments with Regard to Human Trafficking	Signature	Ratification
ILO Convention No.182 on the Worst Forms of Child Labour (1999)		16 June 2003
UN Convention against Transnational Organized Crime (2000)	15 December 2000	No ratification
UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) (2000), supplementing the United Nations Convention against Transnational Organized Crime	15 December 2000	No ratification
1989 UN Convention on the Rights of the Child (CRC)		26 May 1994
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000)		6 April 2003

79. This law was approved by the Parliament in August 2004. It raises the marriage age to 18 for both sexes, eliminates husbands' de facto status as heads of families and legalizes civil, religious and common law unions. The law clarifies women's legal rights with regard to property, child custody and other issues.

80. US State Department, Bureau of Democracy, Human Rights and Labor, 2004.

Rome Statute of the International Criminal Court (2002) Article 7-1 <sup>81</sup>	28 December 2000	No ratification
UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)	No signature	No ratification
Hague Convention no.33 on Protection of Children and Cooperation in Respect of Intercountry Adoption (1993)	No signature	No ratification
Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)	No signature	No ratification
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women (1979)		16 April 1997 [Accession]
Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (1999)	No signature	No ratification
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)	No signature	No ratification
African Charter on the Rights and Welfare of the Child (1990)		15 July 1998
African Charter on Human and People's Rights (1986)		22 February 1989
Protocol to the African Charter on Human and People's Rights on the Rights of Women (1998)	15 December 2003	9 December 2005

**Until the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)<sup>82</sup> is ratified and domestic legislation is aligned with its provisions, women and children remain marginalized and subject to the violation of their rights.** This will form the foundation for future legislation and activity to prevent and protect, to investigate and prosecute traffickers and to provide assistance to victims.<sup>83</sup>

This situation underlines the concern of civil society that Mozambican legislation is ineffective and out of date, and that it requires urgent reform to cope with these emerging crimes against children and women.

In addition to legislative action, an overhaul of judicial systems and processes is required to bring them in conformity with child and victim-friendly judicial systems.

81. According to the article 7.1 of the Rome Statute of the International Criminal Court, "For the purpose of this Statute, «crime against humanity» means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: [...] (c)enslavement; [...]»Enslavement» means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children [...].

82. Not ratified yet. Advocacy campaign is underway to influence the legislative body.

83. See Annex 3: United Nations High Commissioner for Human Rights *Recommended Principles and Guidelines on Human Rights and Human Trafficking*.

## 3.B. CURRENT PROGRAMMES AND PROJECTS

### 3.B.1. National Campaign Against Child Abuse (NCACA)

1. Following the First World Congress Against Commercial Sexual Exploitation of Children (CSEC) held in Sweden, August 1996, a Mozambican programme was established to respond to recommendations aimed at fighting commercial exploitation of children.<sup>84</sup> As a result, a Core Group was established to run a **National Campaign against Child Abuse (NCACA)**.<sup>85</sup>

2. Activities aimed at combating child abuse, using the slogan “breaking the silence” were undertaken involving advocacy, media and awareness-raising. On 16 June 2000, the **National Campaign against the Sexual Abuse of Children**<sup>86</sup> was formally launched in the border area of Ressano Garcia near South Africa, with the aim of drawing the attention of citizens and governments of both countries to the need to fight sexual abuse and trafficking. The launch was attended by 3000 people, including the Minister of Women and Social Welfare. The Mozambican Campaign became part of the **International Campaign against Child Trafficking**<sup>87</sup> launched in Europe in October 2001 by the International Federation of Terre des Hommes. This provided an opportunity for Mozambican NGOs to gain access to knowledge and the capacity to articulate their message for combating the problem at different levels. Mozambique’s campaign has four main components, namely: prevention; protection, rehabilitation and capacity-building.

The goals of this campaign are to:

- create increased public awareness regarding child trafficking;
- lobby the government to ratify and implement the Palermo Protocol and the Hague Convention no.33, to implement the UN Convention on the Rights of Children (CRC), and the ILO Convention 182;

84. See Annex 1.

85. Network consists of umbrella NGO, ADDC- “Associação dos Defensores dos Direitos da criança” i.e. Association of Defenders of Child Rights, and executive team of 5 national NGOs “Organização da Mulher Moçambicana”(OMM), “Centro de Reabilitação Psicossocial Infantil e Juvenil” (CERPIJ), Rede da Criança, CONTINUADORES, Foundation for Community Development (FDC)), 3 international organizations (Terre des Hommes Germany, UNICEF, Save the Children), 3 Ministries (Ministry of Defence, Ministry of Home Affairs and Ministry of Women and Social Welfare Coordination) and one religious institution (the Christian Council of Mozambique (CCM).

86. This campaign regards child trafficking for all purposes as child abuse and a violation of the Convention of the Rights of the Child.

87. Website of the International Campaign against Child Trafficking: <http://www.stop-childtrafficking.org/site/Campaign.707.0.html>

- lobby the government to establish bilateral and multilateral agreements for protection of child victims of trafficking in the destination and transit countries;
- promote voluntary repatriation of victims of trafficking;
- establish a database on human trafficking;
- create networks at national and regional levels to assist victims of trafficking and combat trafficking;
- educate society about the rights of children; and to
- ensure appropriate health services for the victims and their social reintegration.

3. At the **first regional meeting on child trafficking**, hosted by Mozambique, in 2001, the scope of the problem in Southern Africa and recommended areas of research to be conducted in each country were identified.

4. The launch of the **South African Network Against Trafficking and Abuse of Children (SANTAC)** Regional Campaign against Child Sexual Abuse and Trafficking in 2002, took place in Mozambique. Campaign members involved high profile personalities with outstanding records in the defence of children's rights to serve as supporters of the campaigns at national and regional levels.<sup>88</sup> Graça Machel<sup>89</sup> was invited to be patron. She, in turn succeeded in persuading Archbishop Desmond Tutu to join. This network is composed of Mozambique, South Africa, Namibia, Swaziland, Zambia, Zimbabwe, Angola and Malawi. Graça Machel is regularly consulted and invited to participate in activities.

The campaign has included:

- lobbying a Parliamentary Commission to take action to provide protection for trafficked children in South Africa and Mozambique;
- training police on the issue and on ways of protecting children's rights (three police stations were given training as a pilot project on both child trafficking and other violations of children rights);
- providing legal assistance for child victims of sexual abuse and trafficking in Mozambique;

88. Mozambique lobbied the Minister of Women and Social Welfare, H.E. Ms. Virgília Matabele, and Fernanda Teixeira, the President of Mozambique's Red Cross.

89. Graça Machel, widow of the first president of Mozambique, Samora Machel, and wife of Nelson Mandela, was the first woman Minister in Mozambique. She served as Minister of Education in Mozambique in the first independent Government for more than ten years. She was a Member of the Parliament until before the first democratic elections in 1994 when she decided to establish a Foundation for Community Development. Since then, she has dedicated her efforts to assist children victims of landmines and of all forms of abuse within and outside Mozambique. Based on this background, she was invited to be Patron of the Regional Campaign.

- identifying trafficked children at a centre for street kids in South Africa; and
- setting up a shelter for children deported from South Africa near Ressano Garcia, the main crossing point between Mozambique and South Africa, where the South African authorities leave deported children and adults.<sup>90</sup>

5. A **national training workshop** was organized by “SNJ”- the National Association of Mozambican Journalists - in partnership with Terre des Hommes. This event, which aimed at creating an understanding of child trafficking as an emerging challenge in Mozambique, offered an opportunity for journalists to learn and discuss media ethics in protection of child rights. This resulted in a growing interest in reporting cases in major mass communications. The media has devoted substantial coverage to campaign activities through reporting press releases; participation in meetings with government officials as well as informal meetings organized for information dissemination. Furthermore, nation-wide debates were organized by every TV channel and radio station. Journalists also reported on alleged trafficking of human organs in Nampula.

### 3.B.2. Prevention Through Awareness-Building Projects

Frontier guard police and Court Magistrates were sensitized and convinced to develop a special interest in combating human trafficking in their areas of influence. The outcomes were encouraging as all parties showed interest in discussing the issue further and running joint programmes.

The police requested that training be provided to their staff and cadets at training centres and are considering the inclusion of a module on trafficking in their academy curriculum.

On August 30, 2004, the Attorney General Dr. J. Madeira nominated a liaison person to work with the National Campaign to assist in prosecuting perpetrators in case of proven negligence of the police authorities. FE-CIV (Forum de Educação Cívica), an Institute for Civic Education, started a program to train police agents, border control units and migration officials on trafficking issues, including legislation that can be applied to punish the traffickers. During the training courses international instruments for child protection, as well the Protocol to Prevent, Suppress and

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90. Dottridge M (2004) *Kids as Commodities? Child Trafficking and What to do about it*, Terre des hommes.

Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) are disseminated.

Information and promotional materials were produced and distributed to over 10,000 members of the public, mainly children. Four key messages were disseminated: (1) child trafficking exists; (2) children's rights include the right of children to be free from being trafficked, (3) trafficking is much more than just sexual exploitation; and (4) child trafficking is an issue that is interlinked with others.

The use of sporting events has been adopted as a strategy to reach more people. In June 2004, 100 children soccer players in promotional clothing participated in a friendly international match between Mozambique and Ghana watched by 40,000 people and broadcast by the national TV channel. The captains of both squads carried held the ceremonial banner: "One goal against child abuse and trafficking, fair play".

The national campaign organizers promote initiatives aimed at mobilizing young people to form school clubs to prevent child abuse and trafficking. In December 2004, 70 young school-going artists attended a 3-day workshop celebrating the interim Global Action Day against Child Trafficking. They learned about causes, types, profiles and effects of child trafficking and the legislative barriers limiting the fight against trafficking and abuse. They also reflected on the best ways to motivate their peers to discuss child-friendly prevention techniques that comprise the adoption of sports, visual arts, drama and debates. This initiative took place in the districts of Xai-Xai and Namaacha, Chókwe, Bilene Macia and Manjacaze.

ECPAT International<sup>91</sup> has provided support through Rede da Criança to empower young people as peer counsellors and in awareness-raising about child trafficking, by enlisting young 'victims' of trafficking to speak with both potential victims and law enforcement bodies.<sup>92</sup>

### 3.B.3. Social Reintegration Projects

A component of community development has been introduced in National Campaign activities. This initiative consists of an agricultural programme for production of surplus food and creation of food security in high-risk areas. There is also a component of training and skills development. The project is implemented in Mahubo and Maputo provinces.

91. The ECPAT acronym stands for 'End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes'.

92. UNICEF (2003) *Trafficking in Human Beings Especially Women and Children in Africa*, p. 32, Innocenti Research Centre.



### 3.B.4. Protection Projects

1. The Ministry of Women and Social Action has provided six major hospitals with counsellors to help women and children who are victims of violence, including trafficking. Counselors receive basic training in trafficking and those in Maputo Central Hospital report that trafficked persons have been assisted in the past year.<sup>93</sup>
2. The Ministry of Women and Social Welfare is drafting a Plan of Action for Child Protection.
3. The ADDC (Associação dos Defensores da Criança -Association of Defenders of Child Rights), is offering legal assistance to marginalized children, mainly victims of sexual abuse and trafficking, and also disseminates information on child rights.
4. ADDC provides child protection services in five police stations. More than 800 policemen were trained in cooperation with the Ministry of Home Affairs/Interior. This Ministry established children and women-friendly police stations intended in part to protect trafficked persons, in Maputo, Beira, Nampula and several large towns in Gaza province.<sup>94</sup> The Ministry of Home Affairs aims to establish 16 Child Protection Units in strategic police stations country-wide.
5. The Ministry of Women and Social Action and other agencies worked together with UNICEF to launch a national campaign for birth registration of children. The majority of children in the country had not been formally registered, which limits their access to education and health care.
6. UNICEF Mozambique has also produced a fact sheet on trafficking that could be used as the basis for a legal framework.
7. On May 2, 2006 Mozambique inaugurated a shelter in Moamba, Maputo, funded by Terre des Hommes, Germany.

### 3.B.5. Rehabilitation Projects

1. A faith-based organization is running a shelter house in Ressano Garcia, assisting victims of child trafficking and sexual abuse. In May 2006, FECIV (Forum de Educação Cívica) inaugurated an improved shelter house in Moamba district, which has a capacity of accommodating 80 people. Trains regularly depart from South Africa for Mozambique, carrying about 800 irregular migrants. A considerable number of them are

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93. US State Department (2005) *Trafficking in Persons Report*.

94. US State Department (2005) *Trafficking in Persons Report*.

Mozambican children who entered South Africa irregularly. Children assisted in the shelter have told stories of the inhumane conditions to which they were subjected. The information gathered is being used in an advocacy campaign aimed at encouraging the Governments of Mozambique and South Africa to improve their processes for handling such persons in order to avoid double victimization.

2. The Central Hospital of Maputo has established a pilot project offering psychosocial support for child victims of abuse. This unit, run by CERPIJ (Centro de Reabilitação Psicológica Infanto-Juvenil) has treated about 400 children, including victims of trafficking.

3. Terre des Hommes has promoted cross-border collaboration between South African and Mozambican NGOs and links have been established with the Amazing Grace Centre, also known as the Malelane Care Centre, 50 kilometres from the border, in Mpumalanga Province. Some children sheltered there are from Mozambique and have been encouraged to return home voluntarily.

### 3.B.6. Lessons Learned

#### High Profile Spokesperson

The presence of a high profile spokesperson (Graça Machel) identified with the campaign has helped mobilize political will from both the President and the Government of Mozambique, which has included attendance at the launch of the 2002 SANTAC campaign. The spokesperson also participated in media events and made a tremendous contribution to getting key issues of the fight against trafficking on the public and political agendas.

#### Benefits/Outcome of Training Journalists in Human Trafficking

Journalists were trained in depth on the links between national trafficking and the triad operating in Africa, Europe and Asia. They were able to understand the vulnerability of a country such as Mozambique that has six international land borders and more than 2700 km of coastline, with as much as 40% of its territorial border being unguarded. They were taught to address the problem of trafficking in line with the UN definition, and also to look at it in the local perspective, such as the public perception of Tatá Papá, Tatá Mamã (sugar daddy). The question of avoiding sensationalism and not disclosing names of victims and witnesses was addressed. They were asked to be more investigative and didactic so that people can learn defence and self protection mechanisms from their articles.

### Provision of Information to 10.000 Persons

Mozambique has a more aware society today on trafficking issues. The Members of Parliament, the President, Attorney General and Ministers of Home Affairs and of Justice are aware of the need for legislation in the country and have made public statements in this regard. There are many national organizations which were formed e.g. Drama Forum Against Child Trafficking in Zambezia<sup>95</sup>, Rede Came- (Network Against Child Abuse and Trafficking) (which issues a bi-monthly newsletter). 400 children from Organização dos Continuadores Moçambicanos who were in a summer camp festival representing 128 out of 131 districts were trained on trafficking issues and they were able to say in the press that they were very pleased with learning about prevention of all forms of child abuse and trafficking. There are more international organizations involved such as IOM, UNODC, UNESCO, UNICEF, Save the Children Norway, WLRI/CEDPA, USAID, and the Norwegian and British and American Embassies. Most of them are either running and funding research or providing technical assistance programmes to fight trafficking. As of May 2006, WLRI and Rede Came in collaboration with the Ministry of Justice have started a process of drafting the anti-trafficking legislation in Mozambique. The recently released study on trafficking of children in Mozambique “Tatá Papa Tatá Mamã”, will help legal drafters in this process.

### Cross-Border Collaboration Between NGOs

This collaboration supports organizations in Mozambique and South Africa, including high level government representatives who participated in rallies at both countries’ borders and committed themselves to fighting trafficking. Mozambican organizations have concrete cases of people who were trafficked and who were rescued. Police from South Africa and Mozambique are engaged in discussion with NGOs to share operational experiences dealing with victims, rescuing of victims and the way traffickers operate. NGOs have regular cross- border meetings at a number of levels.

### Engaging Children in Campaigns

The engagement of children was crucial. They marched in border areas in protest against trafficking and were able to engage widely in discussions on their perception of trafficking and the learned self-protection mechanisms. In many instances they were exposed to public speaking.

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95. Zambezia is a Mozambican province.

### **Lack of Specific Legislation**

The absence of legislation to support counter-trafficking efforts continues to provide opportunities for traffickers to operate and strengthen their connections at national and international levels.

### **Targetting Women**

There are currently no prevention activities that specifically target adult women. This is a significant gap and needs rapid correction.

## 4

## Recommendations

Trafficking interventions in Mozambique have variously addressed prevention, protection and direct assistance.

Despite these efforts, significant inroads into the problem do not appear to have been made. Initiatives have been largely:

- gender unresponsive;
- lacking in a rights-based development perspective;
- unresponsive to factors creating a demand for trafficked persons;
- micro projects, unlinked to macro processes and hence unsustainable; and
- lacking in an integrated multi-sectoral approach.

Trafficking has a complex socio-economic and political basis linked to larger, global processes. It is not simply a social or moral problem to be treated with casual initiatives, as they do not address poverty or related issues of vulnerability and discrimination in strategic or sustainable ways. Trafficking is a development concern, which requires a balanced, layered and integrated approach, built on a foundation of rights-based principles and standards.

While there are clear indicators of trafficking activity, involving both women and children, the data, specifically on women, is patchy and incomplete. Yet, given the extreme levels of poverty in Mozambique and the vulnerability to trafficking to which this exposes women and children, the potential for the growth of trafficking and the infiltration of criminal groups to exploit it is very high.

It is essentially this potential that is addressed in these recommendations. Therefore the focus of the recommendations in this paper is on prevention.

Prevention requires long-term thinking and interventions on three levels – primary (stopping things before they happen), secondary (limiting the number of cases that occur) and tertiary (limiting the extent of the cases and their damaging impact.)

The following recommendations are proposed in compliance with these requirements:

**1. Sign, ratify, and implement the United Nations Convention against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol).**

**2. National legislation on trafficking in persons should, at a minimum:<sup>96</sup>**

- define precisely the crime of trafficking in accordance with international standards, and include expressly all exploitative practices covered by the international definition of trafficking such as debt bondage, forced labour, and forced prostitution;
- ensure that definitions of trafficking reflect the need for special safeguards and care for children, including appropriate legal protection;
- ensure that trafficked persons are not punished for any offences or activities related to their having been trafficked, such as prostitution and immigration violations;
- ensure that victims of trafficking are protected from summary deportation, or return where there are reasonable grounds to suspect that such return would present a significant security risk to the trafficked person or to his/her family;
- consider temporary or permanent residency in countries of transit or destination (reflection delay) for trafficking victims in exchange for testimony against alleged traffickers, or on humanitarian and compassionate grounds;
- ensure that victims of trafficking are offered the possibility of obtaining compensation for damages suffered;

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96. IOM (2003) *Seduction Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*.

- provide for proportional criminal penalties to be applied to persons found guilty of trafficking, including offences involving trafficking in children or offences committed or involving complicity by State officials; and
- proceeds of trafficking, and related offences, to be used for the benefit of trafficked persons.

### 3. National Leadership

- Identify a national government official as the country's trafficking focal point, who will lead and chair a National Trafficking Task Force. This official will be granted authority and autonomy to act both nationally and internationally. Ideally this position will respond to the highest offices of government, such as the Prime Minister's Office.
- Develop terms of reference and provide resources to a National Task Force on Trafficking.
- The National Task Force on Trafficking will bring together relevant ministries, agencies, intergovernmental organizations, NGOs, and representatives of civil society to develop and implement policy to combat trafficking.
- This group will develop policy and a National Action Plan; advise on legislation and develop standard operating procedures and guidelines for the various implementing partners.
- The National Action Plan will incorporate all forms of activity to combat trafficking in persons: prevention, protection, prosecution and direct-assistance.

### 4. Direct Prevention Activities

Direct prevention includes education and effective law-enforcement but also involves addressing root causes. By definition it demands the empowerment of people at the most basic levels of social organization; it requires their active involvement and fosters decision-making by communities about how to maintain the safety and well-being of its members.

- NGOs, local government institutions and law enforcement personnel work with community leaders through development committees or other existing structures (men and women) to form partnerships to combat trafficking as a manifestation of insecurity.
- Economic empowerment of women and girls which enhance their access to productive resources and markets and ensure sustainable economic mobility.

- Interventions that include visiting high-risk groups: such as young women in rural areas, migrating women, uneducated women.
- Enlisting the support of the media to document the means, actions and outcomes of human trafficking.
- Consistent and persistent support to staff engaged in active border monitoring and investigation to ensure their ready access to information and other resources.
- Working with former ‘victims’ as peer counselors and spokespersons with community organizations to support prevention activities.
- Interventions that target businesses involved in facilitating the trade, such as transport companies, long-distance truck drivers, taxi drivers, bus companies; job agencies and recruitment offices; consular personnel responsible for visas.
- Attending to basic needs through provision of short-term humanitarian assistance to families at risk to avert fostering or sale of children.<sup>97</sup>

*Civil society organizations are encouraged to:*

- Establish community education programmes for the prevention of child abuse and trafficking, with children as the main actors of the program. The initiative will consist of awareness-building in schools and other places through drama, songs, dance, sports, speeches and debates on harmful practices to women and children.
- Train community leaders and families on gender issues in order to transform attitudes to gender roles and women’s right; to recognize and support women’s paid and unpaid economic contribution and reduce their domestic work burden; address the perceptions of the role of women and men in association with the phenomenon of trafficking. Such a strategy may secure the support of community leaders in the fight against trafficking.

## 5. Education, Training, Awareness-Raising

Large-scale, expensive information campaigns are of questionable value if not targeted to specific, identifiable audiences, if no action is demanded and if the campaign results are not evaluated. When resources and the scale of the challenge are disproportionately balanced, it is vital to set

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97. Dottridge M. (2004) *Kids as Commodities? Child Trafficking and What to do about it*, Terre des hommes. [See Diagram 6 for differing factors at work in child trafficking and different opportunities to intervene].



priorities and clear goals. It is likely that sustained, concerted campaigns aimed at specific high-risk groups and readily identifiable social and professional groups will be most effective.

- Expand opportunities and improve access to formal education for women, girls and boys at all levels and in non-conventional streams.
- Ensure a match between better education and available job opportunities.
- Incorporate gender and human rights concerns like trafficking into school curricula.
- Incorporate awareness and information into informal education activities, clubs/sports/religious aimed at reaching children and youth.
- Better skills training and education for girls linked to viable, sustainable income generating activities.
- Promote legal literacy in marginalized communities and improve access to affordable legal assistance.
- Legal update courses for law enforcement to include gender and rights training and relevant trafficking legislation information.
- Conduct information campaigns that are targeted to high risk communities about safe forms of migration.
- Strengthen training for law enforcement personnel, immigration and customs officials, prosecutors and judges, labour inspectors, diplomats and teachers and other relevant officials on trafficking prevention.
- Introduce effective evaluation and monitoring of all training programmes in order to measure success and replicate, record lessons learned and modify training accordingly.
- Develop 'Training of Trainers' courses for local NGOs, civil authorities and other community actors in order to extend outreach of awareness and information activities.

## 6. Research and Data-Collection

Prevention strategies which are not linked to routine, coordination data/research collection and analysis are likely to be 'shots in the dark.'

- Government capacities need to be strengthened to standardize the collection of statistical information and baseline data and to conduct policy-oriented research. Researchers need to develop

methodologies appropriate to the range of causes and effects of trafficking for women, men, girls and boys.

- Ensure the disaggregation of migration data on the basis of age, gender, nationality, date and place of entry and departure, place of visa renewal, overstay and deportation.
- Little is known of trafficking of adult males. Further research is needed to distinguish between legal migration, smuggling and trafficking – and for what purposes.
- Establish channels of communication and share and disseminate information on trafficking in persons on a regional basis to support the development of appropriate prevention strategies.
- Inter-disciplinary, pro-active research needs to be carried out into the structures, networks, trade commodities and conduct of organized crime in the region, in order to forestall their incursions and thereby prevent human trafficking.
- Research is required into the resurgence and conduct of discriminatory cultural practices and beliefs. While these appear to be harmful primarily to girl children, a more complete understanding is needed of their cause, purpose and the possibility for beneficial as well as harmful effects.

*All these activities should be linked to and informed by the growing body of information on International Best Practices.*

## 5

## Conclusion

Populations vulnerable to trafficking are growing in Africa, which increases the supply of potential victims for traffickers and the damaging effects on all segments of African society. Some of the outcomes are likely to be:

### Irretrievable depletion of human capital

- Negative effect on labour markets.
- Denial of access to education necessary to break the cycle of poverty and illiteracy that creates trafficking conditions.
- National labour force ill-equipped to compete in global economy where success is based on skilled workers.
- Fewer people left to care for elderly and sick.
- Social demographic imbalances.
- Loss of human resources elsewhere, to other countries.

### Undermining public health

- AIDS cost to public health system.
- Exposure to AIDS, STDs, violence, dangerous working conditions, poor nutrition, addictions.
- Not likely to participate in child immunization programmes.
- Psycho trauma from experiences.
- Life of crime addiction and sexual violence.

### **Breakdown in social fabric**

- Loss of family support network makes trafficking easier, undermines relationships, weakens ties of family affection and influence, interrupts passage of cultural values and knowledge from one generation to the next, thus weakening the core of African society.
- Victims increasingly will have nowhere to go.

### **Crime**

- Links to other criminal networks, drugs, weapons.
- Profits funnelled into other criminal activities, car theft rings, drugs, terrorist groups.

### **Undermining government authority**

- Thwarts government attempts to exercise authority, undermines public safety.
- The failure of government to meet its fundamental responsibility, undermines its ability to combat corruption in law enforcement and judiciary.

### **Human rights violations**

- Perpetuates social inequality and injustice.

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# ANNEX 1

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*The First World Congress Against Commercial Sexual Exploitation of Children held in Stockholm, Sweden, 28 August 1996, recommended ten tasks for all 122 Governments represented in the meeting. As follows:*

- **Accord** high priority to action against the commercial sexual exploitation of children and allocate adequate resources for this purpose;
- **Promote** stronger cooperation between States and all sectors of society to prevent children from entering the sex trade and to strengthen the role of families in protecting children against commercial sexual exploitation;
- **Criminalise** the commercial sexual exploitation of children, as well as other forms of sexual exploitation of children, and condemn and penalise all those offenders involved, whether local or foreign, while ensuring that the child victims of this practice are not penalised;
- **Review** and **Revise**, where appropriate, laws, policies, programmes and practices to eliminate the commercial sexual exploitation of children;
- **Enforce** laws, policies and programmes to protect children from commercial sexual exploitation and strengthen communication and cooperation between law enforcement authorities;
- **Promote** adoption, implementation and dissemination of laws, policies, and programmes supported by relevant regional, national and local mechanisms against the commercial sexual exploitation of children;
- **Develop** and **Implement** comprehensive gender-sensitive plans and programmes to prevent the commercial sexual exploitation of children, to protect and assist the child victims and to facilitate their recovery and reintegration into society;
- **Create** a climate through education, social mobilisation, and development activities to ensure that parents and others legally responsible for children are able to fulfill their rights, duties and responsibilities to protect children from commercial sexual exploitation;
- **Mobilise** political and other partners, national and international communities, including intergovernmental organisations and non-governmental organisations, to assist countries in eliminating the commercial sexual exploitation of children; and

- **Enhance** the role of popular participation, including that of children, in preventing and eliminating the commercial sexual exploitation of children.

## ANNEX 2

### Excerpts from - Profile of Sexual Exploitation of Children<sup>98</sup>

There is no typical profile of those who sexually exploit children and they “cannot be distinguished by any specific inner quality, personality trait or even sexual proclivity.”<sup>99</sup> Their only distinguishing feature is that they sexually exploit children. This they do “in a range of social settings contexts, for a variety of reasons.”<sup>100</sup> The people who have sex with children vary from those who choose to engage in this activity, to those who do not care to those who do not realize that their sexual partner is a child. It “is (therefore) impossible to speak of *the* sex exploiter in the sense of a single type of person who possesses some particular or unique set of characteristics.”<sup>101</sup> (Emphasis in the original)

It is however possible to distinguish certain distinct categories of sex exploiters within this amorphous group. These categories are: pedophiles, situational sex exploiters, and preferential sex exploiters.

First and most easily distinguishable - but in the minority - are **pedophiles**, adults who have a marked preference for sex with pre-pubescent children.

Secondly, there are those who do not care whether or not their sexual partner is a child and have sex with children without questioning the age of the partner. Most noticeable in this group are those generally referred to as “sex tourists”. Whilst there are some among this group who travel specifically to have sex with children most however would, in “normal” circumstances, not choose to have sex with a child, but for a variety of reasons do so. These reasons include: the freedom of a holiday in a foreign

98. Excerpt from the UNESCO commissioned research study (2005) *Human Trafficking, especially of Women and Children in Southern Africa (South Africa, Lesotho and Mozambique)*, coordinated by Elize Delpont, Mhlava Consulting Services (South Africa).

99. O’Connell Davidson, J. (2001) *The Sex Exploiter*, NGO Group for the Convention on the Rights of the Child, p. 7

100. *Ibid*, p.7.

101. Moela, S. (19 September 1999) “Not All Girls have the Luxury of a Real Childhood”, in *City Press*.

“exotic” location, being drunk or affected by drugs, ignorance or lack of care in recognizing that an offered partner is under-age. This group is referred to as **situational sex exploiters**.

They engage in sex with children because they are usually morally and/or sexually indiscriminate and wish to ‘experiment’ with child sexual partners, or they have entered into situations in which children who match their ideals of physical attraction are sexually accessible to them. Alternatively, certain un-inhibiting factors are present which allow them to either delude themselves about the child’s true age or about the nature of the child’s consent.

However, the globalized flow of money has increased demand for commercial sex, and many exploiters are ... often regular-users of commercial sex workers, who do not distinguish on the basis of age. In the South African context they have been described as “men of all ages, colours, creeds and religions.”<sup>102</sup>

Thirdly, there are those whose demand for sex with children is based on a belief that children are less likely to have had multiple partners, and so are less likely to transmit infection. This group falls into the category of those regarded as **preferential sex exploiters**.

.... the majority of those who sexually exploit children are first and foremost **situational sex exploiters** who are regular prostitute users. They become child sexual exploiters through their prostitute use, rather the reverse. Unlike preferential sex exploiters and paedophiles, situational exploiters do not consistently or consciously seek out children as sexual partners, and it is often a matter of indifference to them whether their sexual partners are 14 or 24, providing they are ‘fit’ and ‘attractive’. This type of offender cannot necessarily be described as sexually “perverse”<sup>103</sup> (in the sense of deviating from culturally prescribed sexual norms). The physical characteristics that he or she is attracted to often conform to cultural ideals of ‘youthful’ feminine or masculine beauty, and not to cultural ideals of childlike innocence.

Children mature physically at very different rates, so that a 14 or 15 year old girl, for example, can combine the physical characteristics associated with adult woman with attributes of youth that are much admired. It has been observed in this regard, “It is also worth noting here that many (of the) models used in the production of pornography aimed at ‘normal’, and not pedophile men, are actually under the age of 18, and an adult who

102. *Idem*.

103. Kelly, L. (November 2001) *From Aspirations to Intervention: Trends, Issues, Priorities and Lessons Learned: Keynote to the COE Conference Protection of Children Against Sexual Exploitation*, European Preparatory Conference for Yokohama, Budapest.

is sexually aroused by the sight of someone who is legally and chronologically a child, but physically ‘mature’ and/or close to cultural ideals of sexual beauty, cannot necessarily be understood as sexually or psychologically ‘aberrant’.”<sup>104</sup>

## ANNEX 3

### Human Rights Guidelines on Trafficking (OHCHR)

The *Recommended Principles and Guidelines on Human Rights and Human Trafficking* have been developed in order to provide practical rights-based policy guidance on the prevention of trafficking and the protection of the rights of trafficking victims.

The aim of these Guidelines is to promote the mainstreaming of human rights into national, regional and international anti-trafficking laws, policies and interventions.

The Principles and Guidelines are used as the main framework and reference point for the work of the Office of the UN High Commissioner of Human Rights. These Guidelines were presented by the High Commissioner for Human Rights to the UN Economic and Social Council in 2002.

**Guideline 1:** Promotion and protection of human rights mainstreamed in all activities to prevent and end trafficking in human beings.

**Guideline 2:** Identification of trafficked persons and traffickers, distinguishing between victims of trafficking and migrant smuggling and identifying traffickers, including those who are involved in controlling and exploiting trafficked persons.

**Guideline 3:** Research, analysis, evaluation and dissemination, for the elaboration of effective anti-trafficking strategies on the basis of accurate and current information, experience and analysis.

104. See for instance Molo Songololo (2000) *Trafficking of Children for Purposes of Sexual Exploitation: A Report* Cape Town, p. 37. Koen, K. and Van Vuuren, B. (2002) *Children in Domestic Service the Case of the Western Cape*, Terre des hommes, Switzerland.

**Guideline 4:** Ensuring an adequate legal framework in accordance with international standards and instruments.

**Guideline 5:** Ensuring an adequate law enforcement response against trafficking, with the cooperation of trafficked persons and other witnesses.

**Guideline 6:** Protection and support for trafficked persons without discrimination, paying due attention to the needs of the victims

**Guideline 7:** Preventing trafficking in human beings, taking into account the trafficking demand as a root cause, and factors that increase trafficking vulnerability, such as inequality, poverty and all forms of discrimination and prejudice.


**Guideline 8:** Special measures for the protection and support of child victims of trafficking taking into account the best interest of the child and paying particular attention to the views of the child as well as to his or her rights and dignity in any action undertaken on his or her behalf.

**Guideline 9:** Access to adequate and appropriate remedies making trafficked persons more aware about their right to remedies.

**Guideline 10:** Obligations of peacekeepers, civilian police and humanitarian and diplomatic personnel to take effective measures to prevent their nationals and employees from engaging in trafficking and related exploitation.

**Guideline 11:** Cooperation at the international, multilateral and bilateral level and coordination between States and regions, in particular between those involved in different stages of the trafficking chain.

(From OHCHR (2002) *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, Geneva)



Mozambique is mainly a country of origin and transit for human trafficking activities and experiences both internal and international human trafficking flows.

Women and children make up the vast majority of the human trafficking chain in Mozambique. This is a result of push factors that are rooted in poverty, inequality and discrimination, resulting in survival strategies that expose the most marginalized to exploitation and abuse. Pull factors include the lure of opportunity and huge economic differentials that make even relatively poor neighboring regions seem a likely source of livelihood; as well as the lucrative trade in adoption and organ transplants.

In Mozambique, a lack of legislative and policy frameworks hinders the development of a comprehensive approach to diverse but related demands of prevention, protection and prosecution.

Various national and regional campaigns against child trafficking have been launched since 1996. Following these events, programmes were initiated in different areas like awareness-building projects, protection, social reintegration and rehabilitation.

However, many challenges remain. The dramatic increase in the AIDS epidemic, the persistence of harmful cultural practices, the growth of the reach and influence of organized crime and the persistent loss of young women and children to sexual and forced labour exploitation require concerted and constant attention.

To better combat trafficking in human beings in Mozambique, and the attendant damaging effects throughout Mozambican society, will require the energy, talents and resources of government, international organizations, NGOs and civil society.