



Exploring Intersections of Trafficking in Persons Vulnerability and Environmental Degradation in Forestry and Adjacent Sectors

*Case Studies on Illicit Logging of Pterocarpus Tinctorius and Road Construction
in Mozambique*

Summary of Findings and Recommendations

August 2020

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Introduction

While linkages between environmental degradation and labor vulnerability have been documented previously,¹ a detailed research base on the nature and mechanisms of the connection is lacking, as well as the examination of the potential for enhanced collaboration and integration of approaches between the spheres of environmental and labor protections. To contribute to this knowledge base, Verité undertook an exploratory study in 2018-2019 to examine the intersection between environmental degradation and vulnerability to trafficking in persons and other labor abuses in a set of case studies in different sectors and geographies.

This report summarizes case study research carried out in Mozambique in two sectors linked to deforestation: illicit logging of *Pterocarpus Tinctorius* in Tete Province and construction of the Cuamba–Mandimba–Lichinga section of the N13 road (part of the Nacala Development Corridor and referred to herein as the N13 Project) in Niassa Province.

The Mozambican forests that provide food, firewood, employment and protect farmland are disappearing at a rate of over 80,000 hectares (198,000 acres) per year.² An estimated nine percent of Mozambique’s forest cover has been lost since 2000.³ The loss of these forests creates and compounds hardships for the people of Mozambique, particularly rural populations facing severely limited employment and livelihood opportunities. Conditions for rural populations are further deteriorated by natural disasters such as cyclones and flooding, which are likely to worsen as weather patterns become more extreme. These two case studies were designed to illuminate the nature and mechanisms of the connection between labor vulnerability, deforestation, and environmental degradation within the specificities of the political, social, and economic contexts of Mozambique.

Methodology

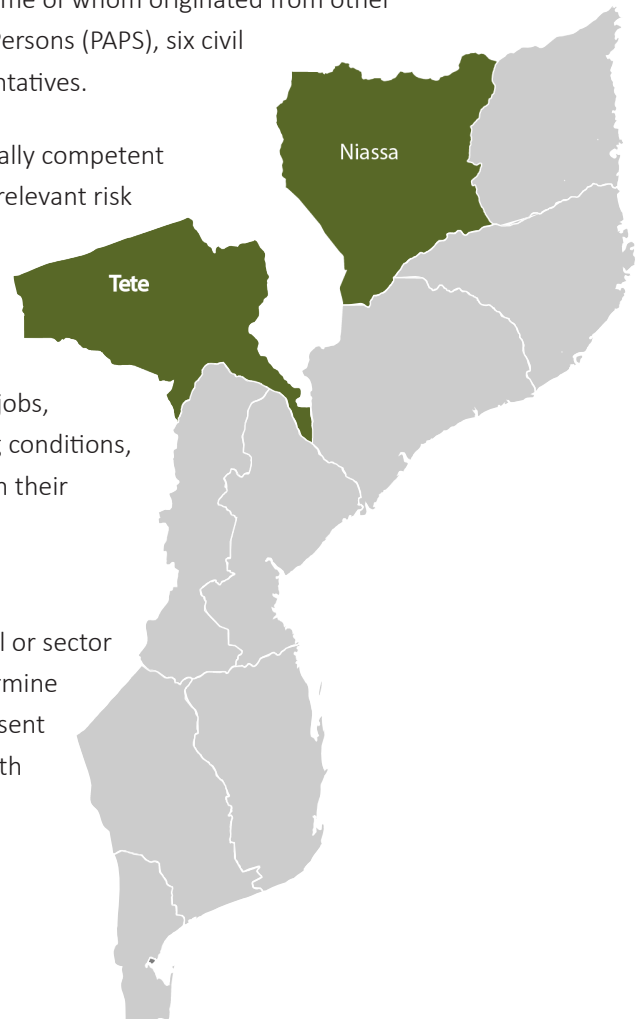
Verité case studies in Mozambique consisted of desk research (including academic literature, government reports, civil society reports, statistical analysis of previous studies, and a legal review) followed by field research. Verité conducted interviews with workers and expert informants, triangulating information with thorough literature reviews.

Field data collection for illicit logging of *Pterocarpus Tinctorius* in Tete Province was conducted in the districts of Macanga and Marávia between March and April 2019. A total of 44 interviews were conducted in Tete Province, including 15 forestry workers, two simple license holders, two forest technicians, 10 concession holders, and 15 experts from academic or civil society backgrounds.

Field research for road construction in Niassa Province was also conducted between March and April 2019, in the districts of Cuamba, Lichinga, and Mandimba. A total of 45 stakeholders were interviewed, including 15 former or existing road workers (some of whom originated from other provinces such as Nampula and Sofala), 21 Project Affected Persons (PAPS), six civil society representatives, and three local government representatives.

A qualitative approach to this research, undertaken by culturally competent researchers, allowed for holistic description of the nature of relevant risk of trafficking in persons (TIP), forced labor and other labor abuses, and the relationship of those abuses to the local environmental context encountered by communities. It allowed interviewed workers and experts to describe, in their own words, the factors that pushed them to seek their jobs, the factors that compelled them to accept exploitive working conditions, and the links to implications of environmental degradation on their community's survival and individual livelihoods.

Due to the qualitative nature of data and purposive sampling techniques used, findings are not representative at a national or sector level. This rapid appraisal research was not intended to determine prevalence of labor violations, but rather to identify risks present in each sector that could be further explored by more in-depth research.



LOCATION OF CASE STUDIES - TETE AND NIASSA REGIONS, MOZAMBIQUE

Definitions

Verité bases its definition of trafficking in persons on the 2000 United Nations *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*, also known as the *Palermo Protocol*. This protocol contains the internationally recognized definition of trafficking in persons, which includes forced labor.⁴ Verité also relies on International Labor Organization (ILO) Convention 29, which defines forced labor as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”⁵ Finally, in order to evaluate the risk of forced labor and the underlying practices that contribute to risk, Verité analyzed for the existence of the ILO’s forced labor indicators using recent guidance of the ILO that outlines specific indicators that can contribute to conditions of involuntary work and threat or menace of penalty, the two primary components of forced labor.⁶

Pilot of Satellite Data to Evaluate Deforestation Associated with Target Sectors

The extent of deforestation across Mozambique, as well as in case study regions, has been previously documented. However, no explicit linkages between rates of deforestation and the specific areas, species, and sectors examined in the two case studies had been investigated. In Tete, no publicly available data was sufficient in its level of detail to show the precise spatial locations of *Pterocarpus tinctorius* degradation. This is because it was not included in the 2018 Forest Inventory for Mozambique. In Niassa, segments of the N13 road upgrading project had been either recently completed or were ongoing, with no studies on deforestation yet associated with them.

Given the recent experimentation with using geospatial satellite data to support work in the field of human rights, researchers sought to pilot emerging methodologies for documenting the deforestation and related environmental degradation tied to human activities in relatively small areas. Working with a team from the University of Nottingham’s Rights Lab, a general contextual analysis of land cover was conducted at the sites of logging and road construction being researched, to detect recent land cover change and tree cover loss prediction mapping. Potential for use of satellite data to indicate human vulnerability was also explored.

Case Study

Illicit Logging of *Pterocarpus Tinctorius* in Tete Province

The Tete Province case study provides an example of how booming consumer demand for an unprotected species, combined with weak governance in a post-conflict state, has enabled a range of activities that underpin both labor rights abuses and deforestation. These activities include abuse of permits and concession licenses, bribery, operating without management plans, underreporting export volume, smuggling raw logs, and harvesting and transporting undesignated species of trees.⁷

Pterocarpus Tinctorius – referred to locally as *Nkula*, or sometimes as *Mkula* or *Mukula* – is a species of wood native to Tete Province. *Nkula* has historically been used by local communities for charcoal and firewood. However, consumer demand on the international market for rosewood, a genus of trees with brownish or reddish hues that *Nkula* closely resembles, has driven commercial harvesting of *Nkula*. Rosewood and look-alike species are highly trafficked. According to a United Nations Office on Drugs and Crime (UNODC) database of global wildlife seizures from 2004-2015, rosewood accounted for 35 percent of all wildlife seizures, the highest proportion of any wildlife product.⁸ Harvesting of rosewood and lookalike species has boomed in *miombo* forests in many countries in the Congo river basin. Once the species is exhausted in one country, trade networks leapfrog to neighboring countries. A “boom and bust” cycle sees steep rises in harvest and export volumes from individual countries before a sudden collapse, or “bust.” High market prices enable unsustainable harvesting and habitat destruction, accompanied by corruption and violence by and against enforcement officers and community members. As demand spikes and market prices for these

A STREET SCENE IN TETE PROVINCE



species rise correspondingly, unsustainable harvest practices – often associated with corruption and community violence – have led to deforestation and habitat destruction.⁹ In the case of Mozambique, the logging, collection, and export of *Nkula* was banned in 2018.¹⁰

Corruption and weak governance are key enabling factors that have several implications for both trafficking in persons vulnerability and risks of environmental degradation. Corruption and lack of adequate oversight facilitate the access of logging operators to land, often in spite of ongoing community use and dependence. This can contribute to social pressure on residents to accept logging activities, as well as displacement of local populations. Corruption also enables logging to occur without proper licensing and therefore without oversight, which leads to an environment in which employers or supervisors can exploit workers with impunity. When workers seek to express grievances, a combination of potential corruption and a lack of capacity among local law enforcement officials means that workers may have no recourse in the case of abuse. In fact, they themselves might be criminalized, further deterring workers from expressing grievances.

Corruption and weak governance are key enabling factors that have several implications for both trafficking in persons vulnerability and risks of environmental degradation.

The two forms of commercial licenses for harvesting timber from non-plantation forests in Mozambique are concessions and simple licenses.¹¹ Simple licenses are intended for exclusive use by Mozambicans to commercially benefit or derive fuelwood from unprotected forests.¹² The exact terms of harvesting under a simple license vary based on factors such as

tree species and location, among others, and conditions must be aligned with any relevant forestry management plans for the proposed area. However, no area mapping is required for successful application for a simple license.¹³ Concession licenses are not limited to Mozambican nationals and require a more stringent application process.

Few of the rigorous protections set out in Mozambique’s forestry management legal frameworks are fully implemented. Less than 40 percent of concessions nationally were found to meet minimum standards of compliance in a 2016 study.¹⁴ Non-compliance can reportedly take multiple forms, including lack of an adequate (or any) Forest Management Plan, operating outside an area denoted in the license, and failure to enact mitigation measures such as replanting listed in management plans.¹⁵ The root causes of this gap between the legal framework and implementation is typically attributed by experts to weak governance and a lack of government institutional capacity.¹⁶ It has also been noted that the existence of the less rigorous simple license may motivate commercial timber actors, including non-Mozambicans, to avoid these requirements via the establishment of fraudulent relationships with local individuals or communities who are eligible to seek simple licenses.¹⁷

The simple license regime is the most prevalent but least transparent process to track. According to experts interviewed for this study, data is not readily available from forest authorities in Mozambique

and simple license holders may hold more than one license or may hold a concession in addition to simple licenses. Other operators may simply be acting without any license. Documented infringements to the simple license regime include logging of protected species or species other than that for which the license was granted, logging with falsified license documents, cutting logs with a diameter below the recommended level, harvesting or transporting timber more than 10 percent in excess of the licensed volumes or transit permits, cutting more than the annual allowable cut, transporting products without a transit permit or a forest certificate, and passing permits from one operator to another.¹⁸

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Business Actors and Structures

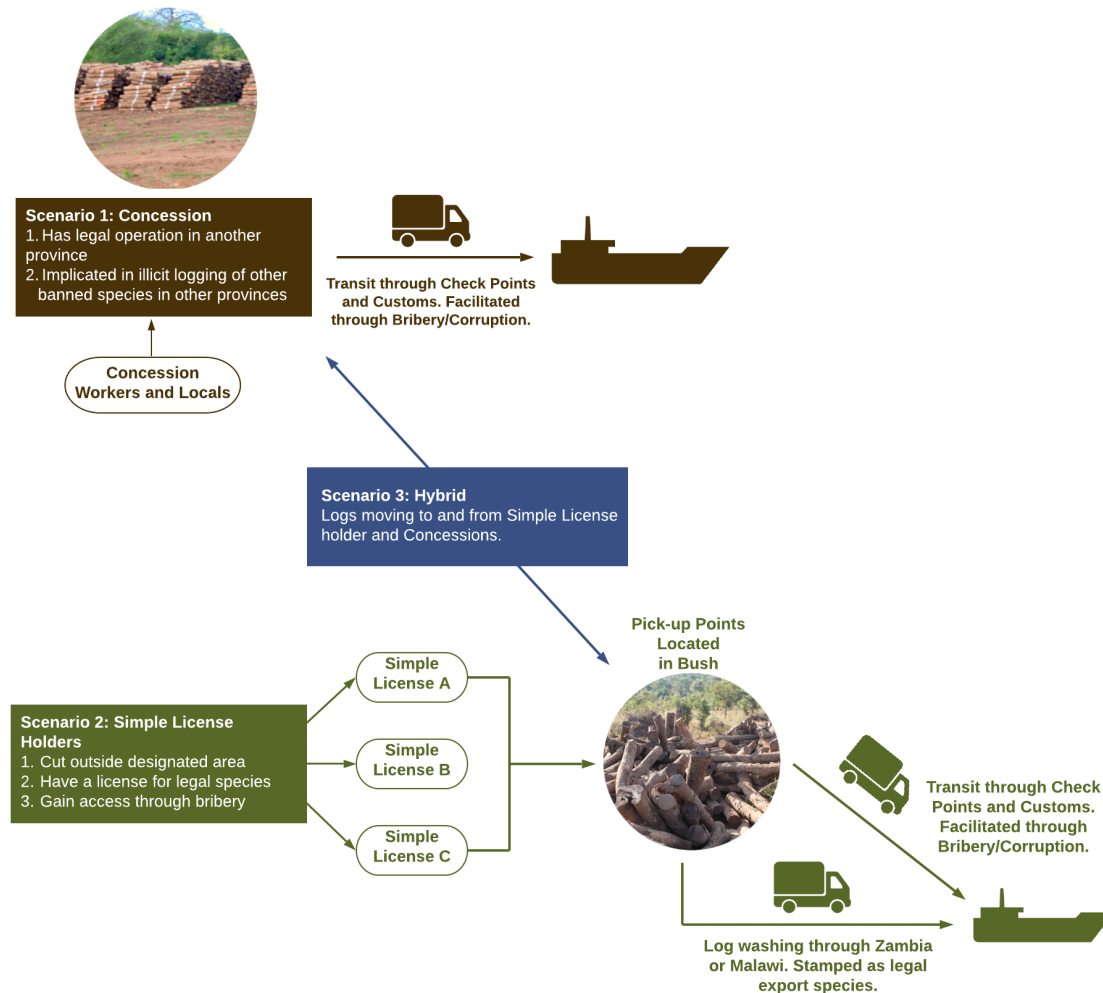
Workers and community members interviewed by Verité researchers in Macanga and Marávia described the relationships between business actors and workers in three types of *Nkula* extraction supply chains in Tete Province:

1. **A commercial company that engaged workers in illicit extraction:** Although the company held a legal concession in another province of Mozambique, the company did not hold a legal license to engage in commercial extraction in Tete. In spite of the illicit nature of activities in Tete, the company reportedly transferred workers from its other operations and engaged additional workers in Tete. This company was known to export to markets in Europe, Asia, South Africa, and the United States.
2. **Traders with simple licenses:** Verité interviewed several workers reportedly engaged (sometimes via middlemen) to harvest timber for Chinese or Mozambican traders with access to simple licenses, which are licenses designated for relatively small-scale extraction by Mozambican nationals. (More details on logging licenses are provided above.) A lack of government enforcement allowed for misuse of these licenses to harvest a protected tree species, sometimes in partnerships that allowed nonnationals to secure the use of licenses. Simple licenses were obtained by Mozambican citizens, for the small-scale extraction of legal species of timber. These licenses were then either used by Mozambicans as cover for illegal harvesting of *Nkula*, or sold in some way to Chinese traders who similarly used them as cover for illicit *Nkula* harvesting.
3. **Traders with simple licenses and links to a commercial company:** Other workers interviewed by Verité described working for a contractor they understood to have a business relationship with an employee of a major commercial concession holder in Mozambique. In addition to his paid

employment for the commercial company, the trader reportedly acted as a free agent to procure illegally harvested logs via misuse of a simple license. (See scenario number two above for description of how simple licenses are misused for illicit *Nkula* harvesting.)

For the following discussion of working conditions, scenarios 2 and 3 are referred to as scenarios in which workers supply logs to traders.

PTEROCARPUS TINCTORIUS SUPPLY CHAINS IN TETE PROVINCE



Worker Demographics and Employment Relationships

Logging workers interviewed by Verité originated from Tete and other provinces in Mozambique, as well as neighboring countries including Zambia, Malawi, and Zimbabwe. Workers were predominantly adult men, although local women were reportedly engaged in activities such as transporting or dragging logs for short distances. Children were reported to be engaged in log peeling.

Workers employed by the commercial concession company included Mozambicans local to Tete, non-local Mozambicans, and a number of transnational migrants. Mozambicans local to Tete and transnational migrants were typically engaged on a seasonal or ad hoc basis. Non-local Mozambicans were more likely to have a formal employment relationship with the concession-holding company, as many had been transferred to Tete from the company's operations elsewhere in Mozambique.

Workers engaged by traders (or by middlemen acting on behalf of those traders), as described in supply chain models two and three above, were predominantly Mozambicans local to the districts of Macanga and Marávia. Workers from these areas described high levels of poverty and food insecurity, compounded by a lack of employment opportunities.

Workers performed a mix of duties and were assigned as general laborers or timber workers (described in the following table).

TABLE 1: SUMMARY OF TYPES OF WORKERS FOUND DURING FIELD RESEARCH

Type of Worker	Origin	Job Tasks	Employment Basis
General Laborers	Predominantly Mozambicans local to Tete, with a smaller number of non-local Mozambicans	Cooking, laundry, water fetching, security, odd jobs	Mozambicans local to Tete working as general laborers appeared likely to be engaged on seasonal or as-needed basis
		Security guards sometimes assisted in log peeling	Non-local Mozambicans were typically permanent workers who had previously worked for the company's legal concession elsewhere in country
Timber Workers	A mix of local Tete-based workers, non-local Mozambicans and transnational migrants	Tree tracking, cutting, log dragging, log peeling, log loading	Mozambicans local to Tete were typically engaged on a seasonal basis
			Non-local Mozambicans typically had an existing formal employment arrangement with the company that held a concession elsewhere
			Transnational migrants were likely to have been engaged on a seasonal, informal basis

Summary of Findings

Verité's field research in Tete Province found a variety of exploitative working conditions present among workers in the illicit extraction of *Nkula* timber, some of which were indicative of forced labor, including:

- **Deceptive recruitment:** Workers may have experienced deceptive recruitment around several features of work. To some degree, this deceptive recruitment was incentivized by the need to staff up quickly to capitalize on consumer demand for *Nkula*. Some timber workers reported deception around the legality of work, noting that they had been told that *Nkula* was a legal species and they should not be afraid to work. The impact of this deception was compounded if the illicit status of work was used to silence worker grievances, as described below. Operators of the commercial company with a legal concession elsewhere in Mozambique reportedly used deception to transfer some workers from that concession to the illicit operations in Tete. In addition to deception around the legality of logging activities, workers interviewed reported consistent deception around other working conditions, most notably around levels of earnings and how earnings would be calculated.
- **Wage withholding and underpayment:** Multiple types of timber workers in Tete reported that they were not fully informed that their wage rate would be dependent on the size of the log harvested. For some – particularly transnational migrants – this led to wage rates that were so low on average that workers could not afford necessities like food. Seasonal timber workers employed by the commercial company with a legal concession elsewhere in Mozambique stated that they feared retaliation from supervisors if they were to bring a dispute regarding payment. Workers supplying traders with logs (as described in scenarios two and three above) also experienced wage withholding and underpayment of wages; in these cases, interviewed workers testified that the hope of ultimately receiving payment could keep some workers working after a history of under- or non-payment, particularly in the face of a lack of alternative livelihood options.

CONSTRUCTION OF THE CUAMBA–MANDIMBA–LICHINGA SECTION OF N13, NIASA PROVINCE



Estacio Valoi

- **Excessively long hours:** Typical hours for general laborers and timber workers were reported at 10-14 hours per day, with hours rising to 17 hours per day during peak periods. In busy periods, work could be required overnight, and refusal to work the required overtime could result in termination.
- **Serious health and safety risks without protective equipment:** *Nkula* workers in Tete who participated in log peeling were vulnerable to respiratory disease and reported symptoms including cough, fever, and general malaise. With the exception of workers with a formal employment relationship to the commercial logging company, workers were not provided with adequate protective equipment.
- **Threats of denunciation as a means to control and coerce workers:** Workers engaged in *Nkula* logging were sometimes threatened with denunciation to the police. This threat represented a realistic scenario due to impressions of corruption among local law enforcement agents. It was particularly leveraged against migrant workers, who feared deportation. In some cases, workers were reportedly physically assaulted by police or threatened with arrest. Most workers interviewed suggested corruption among local law enforcement, expressing the belief that the police would protect Chinese or Mozambican traders and not the workers.
- **Abuse and harassment:** Abuse and harassment of workers was not uncommon, particularly as a means to suppress grievances. Interviewees who worked for traders reported that any expression of disagreement, particularly around earnings, could be met with a suggestion to quit the job. Workers for the commercial logging company reported some instances of physical abuse from a supervisor as a form of discipline for being late. One interviewee reported being aware of a case of sexual harassment. Cases of sexual harassment by construction company managers toward female workers have also been reported in the Mozambican media.¹⁹
- **Child labor:** Interviewees reported having observed children participating in peeling logs in timber yards controlled by the commercial logging company. Children were reported to range in age from 14 to 18, with some interviewees reporting children they believed to be as young as 12. These children were witnessed working without safety equipment. The scale of children engaged in logging activity is not known and warrants further investigation. Children participating in log peeling were likely to experience even more significant health risks than adults, including respiratory disease.

Community-based organizations interviewed reported that most children engaged in logging were driven to the work by the intense poverty experienced by their families, as well as lack of nearby schools.

There were isolated reports of children known to be involved in log peeling in an area of Tete Province near the Zambian border. These children were reported to be living in severely poor conditions without the presence of any adult caretakers.

TABLE 2: SUMMARY OF FORCED LABOR INDICATORS FOUND TO BE PRESENT IN ILLICIT *NKULA* TIMBER EXTRACTION IN TETE PROVINCE

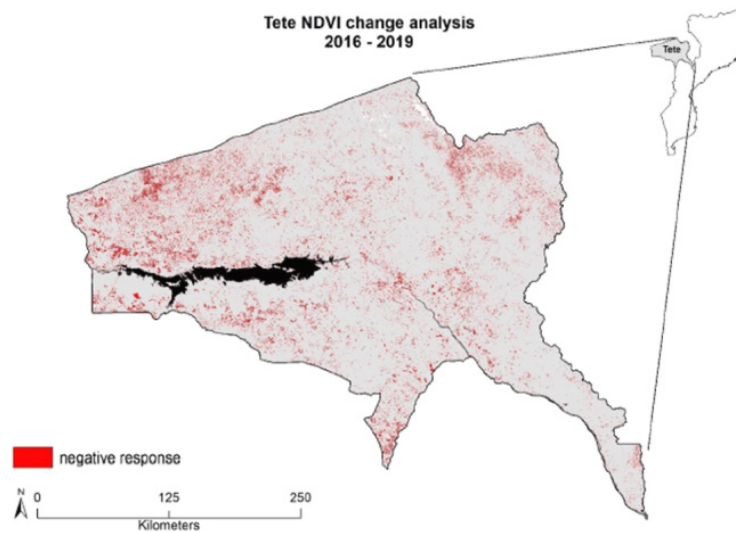
Forced Labor Indicator	Type of Worker Impacted
Situations in which the worker must perform a job of a different nature from that specified during recruitment without the person's consent	For commercial company: General laborers and timber workers who had been transferred from the concession located elsewhere in Mozambique Workers providing logs to traders: Timber workers
Work with no or limited freedom to terminate work contract	For commercial company: General laborers and timber workers who had been transferred from the concession located elsewhere in Mozambique
Work with very low or no wages	For commercial company: Local Mozambicans and transnational workers
Required on-call work or overtime that was not previously agreed to with the employer	Workers providing logs to traders: Timber workers and general laborers
Work in hazardous conditions to which the worker has not consented, with or without compensation or protective equipment	Workers providing logs to traders: Timber workers, general laborers when required to peel logs
Abuse of workers' vulnerability through the denial of rights or privileges, threats of dismissal, or deportation	Workers providing logs to traders: Timber workers
Withholding of wages or other promised benefits	Workers providing logs to trader (associated with commercial company): Timber workers

Environmental Consequences of Illicit Logging in Tete

Consequences to productive and protective forest functions of illicit logging in Tete generally – and in the study locations specifically – had not been previously documented. Verité partnered with the University of Nottingham's Rights Lab to analyze and model satellite and geospatial data to map the change in forest cover during the time period in which illicit logging is known to have occurred in Tete. Several findings relating to intersections with environmental and social factors should be noted.

Possible forest loss and environmental degradation were explored for the years 2016 and 2019 for Tete Province and the specific case study areas. Tree loss specifically of *Pterocarpus Tinctorius* could not be confirmed. However, the satellite data analysis outputs showed clear loss of forest cover. Satellite data shows vegetation loss (inferred environmental degradation) within a relatively short time frame, as indicated by red on the map. It is important to note hot spots of vegetation loss along the Mozambique borders with Zambia and Malawi. Such hot spots support theories – described in earlier context discussions – that exploitation of the species follows boom and bust cycles and intermittent logging bans. The observed hot spots also support interviewed workers' descriptions of the log transport and sale process, in which logs were transported across the Zambia and Malawi borders prior to export out of Beira ports.²⁰

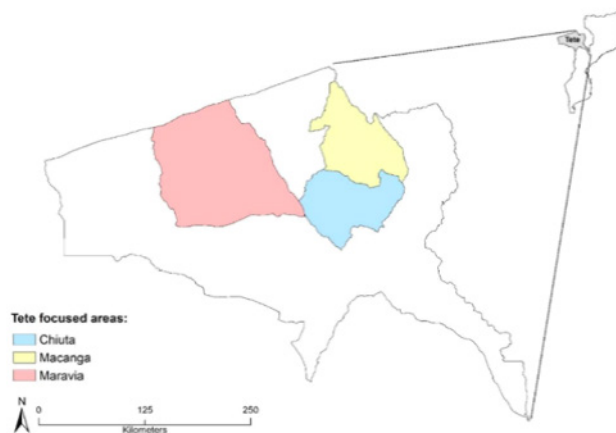
NORMALIZED DIFFERENCE VEGETATION INDEX (NDVI) CHANGE ANALYSIS –
TETE PROVINCE 2016–2019



Source: University of Nottingham, Rights Lab

Trends in the normalized difference vegetation index (NDVI)²¹ were further explored for areas of interest identified by Verité based on worker interview locations; reports of illicit extraction of rosewood look-alike species, especially *Nkula*; and reports of illicit transport of logs. These areas included Chuita, Macanga, and Marávia.

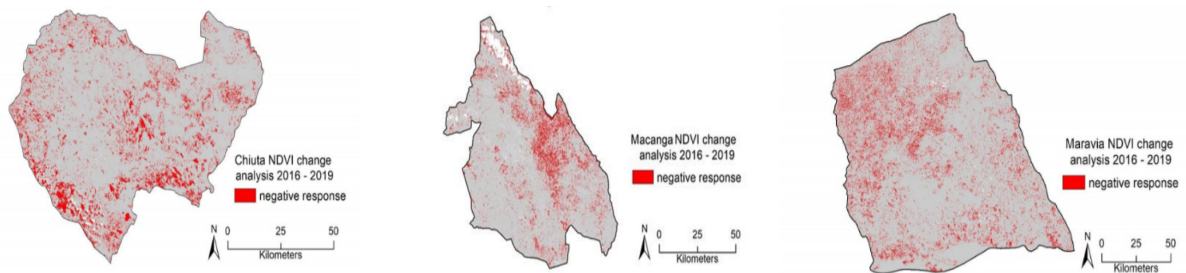
AREAS OF INTEREST FOR NDVI CHANGE ANALYSIS IN WORKER INTERVIEW LOCATIONS



Source: University of Nottingham, Rights Lab²²

The images below provide a change analysis map of forest cover for the years 2016 and 2019 for Chuita, Marávia, and Macanga. It is clear that these three areas have experienced landscape-scale environmental degradation in the last four years. While it cannot be inferred from this imagery that the cause of degradation was due at least in part to illicit logging of *Nkula* wood, this seems to be a reasonable hypothesis given the field data gathered by Verité concerning illicit logging activity in these areas during the time period.

NORMALIZED DIFFERENCE VEGETATION INDEX (NDVI) CHANGE ANALYSIS, CHUITA, MACANGA AND MARÁVIA, 2016–2019



Source: University of Nottingham, Rights Lab²³

The methodologies employed by the research team generated findings that support suspicions of loss of productive and protective forest functions. Regarding *Nkula* specifically, photographs taken during field research were shown to conservation experts who viewed that the small diameter logs may indicate depletion of the species in case study areas. This temporal dimension of tree loss was further supported during worker interviews: Those who had been working in forest sector activities for between 18 months and two years indicated higher and more timely payments around 2016 than at the time of interviews in 2019, which could be due in part to depletion of the species, as well as increased regulation and protection of *Nkula* starting in 2016 and the eventual ban on logging, collection, and export of *Nkula* in 2018.²⁴

While the precise impacts of deforestation in the region have not yet been quantified, it is likely that the loss of tree cover will contribute to soil erosion and water table instability, worsening the impacts of future storms and cyclones. The impacts from deforestation – and associated increased impacts of storms – will continue to interfere with subsistence agriculture and disrupt the livelihoods and food security of local communities.

Both Verité and the Rights Lab assert that additional ground intelligence should further validate and elaborate on these initial findings. The report from the Rights Lab is annexed to **Verité’s full report** from these Mozambique case studies.

Conclusions

Across supply chain models, workers engaged in illicit logging of *Nkula* wood in Tete Province were found to be vulnerable to a number of labor rights abuses and trafficking in persons or forced labor indicators, as detailed in the summary of findings above. The logging supply chains in which these workers were engaged have had a devastating effect on *Nkula*, related species, and *miombo* forests in Tete. The impacts of deforestation – and associated increased impacts of storms – will continue to interfere with subsistence agriculture and disrupt the livelihoods of local residents. It appears likely that deforestation and climate events will push an increasing number of local residents into risky or exploitative work – including potentially into illicit logging – or into migrating elsewhere to survive.

Nearly all interviewed workers expressed the sentiment that logging was one of the very few options for earning an income. Some workers who had access to land were also able to support their families with subsistence farming, but this was not a given. Due to a lack of livelihood options and reliance on subsistence agriculture, local communities were particularly vulnerable to environmental degradation and the impacts of extreme weather events.

Corruption and weak governance were key enabling factors that had several implications for both trafficking in persons vulnerability and risks of environmental degradation. Corruption enabled logging to occur without proper licensing and therefore without oversight, which allowed employers and supervisors to continue to exploit workers – including children in some cases. When workers sought to express grievances, a combination of potential corruption and a lack of capacity among local law enforcement officials meant that workers had no recourse in the case of abuse.

The case study also highlights the degree to which shifting consumer demand can rapidly necessitate new social and environmental frameworks related to harvesting a species of tree that was previously left off of development and conservation agendas. *Nkula* exploitation ramped up in Mozambique so quickly that it was never included in government efforts at mapping distribution and volume of commercial tree species. *Nkula* harvesting was banned in 2018 in Mozambique and was only recently listed in fall 2019 as an “Annex 2 species” under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).²⁵

Finally, in the course of expert consultations to inform and validate findings, Verité researchers found that while there are rich communities of experts focusing on deforestation and environmental degradation, corruption, governance, and land rights relative to the forestry sector in Mozambique, these stakeholders do not always coordinate their agendas. More notable for the purposes of this research, a focus on labor rights is typically absent from these conversations. Where a labor rights or anti-trafficking perspective is present, it may not adequately integrate broader issues of governance and the environment. Broader environmental and governance agendas could likely benefit from a strategic consideration of how integration of labor and social concerns could support progress toward their primary missions.

Recommendations

The following recommendations seek to address some of the root causes of vulnerability for trafficking in persons and other labor rights abuses related to illicit logging in Tete Province in Mozambique.



Recommendations for the Government of Mozambique

The Government of Mozambique has many ways in which it addresses the protection from and prevention of trafficking in persons (TIP), including regular meetings of national, provincial, and district level working groups on trafficking in persons; training for the labor inspectorate on TIP identification and referral; and other awareness and outreach activities.²⁶ The following recommendations are made for ways in which TIP prevention can be bolstered, in light of Verité's field findings:

- Finalize and implement the National Action Plan on Trafficking in Persons and the victim protection and trafficking prevention provisions of the 2008 Law on Preventing and Combating the Trafficking of People.²⁷
- Include sector-specific indicators of vulnerability to TIP – including in illicit logging – as part of efforts to develop a system to identify trafficking victims among vulnerable populations and to finalize and fully implement a national referral mechanism.
- Train law enforcement and labor and environmental inspectors to recognize the signs of workers coerced or deceived into engaging in illicit activities and to avoid further criminalization of those workers.
- Given the current lack of avenues for workers in illicit sectors to express grievances or access assistance, develop and implement national and/or regional

grievance mechanisms available to these vulnerable populations.

- Ensure that public officials who are involved or complicit in trafficking crimes are investigated and prosecuted.

Mozambique's National Action Plan to Combat the Worst Forms of Child Labor sets out training for labor inspectors and law enforcement officials on identifying and preventing the worst forms of child labor. Given the findings that children perform log peeling in timber yards and anecdotal reporting of unaccompanied minors working in slave-like conditions in timber yards near the Zambian border, Verité recommends that the Government of Mozambique investigate these claims, and

- Bolster capacity building and resourcing for labor inspectorate procedures to identify victims of child trafficking.
- Bolster capacity of law enforcement and prosecutors to identify child trafficking victims, implement victim protections, and prosecute child trafficking cases.

In addressing the proliferation of illicit logging and associated deforestation, the government of Mozambique should seek to address the following:

- Reexamine the simple license program (including authorizations) and evaluate existing loopholes for illicit logging, as well as the impact on communities from being pressured into accepting illicit logging activity associated with simple licenses.

- Consider tracking geospatial locations of simple licenses to flag risks of licenses being used improperly.
- Where the government is participating in anti-corruption efforts, such as the development of an anti-corruption strategic road map with the United Nations Office on Drugs and Crime (UNODC),²⁸ include forms of corruption that enable both deforestation/illicit logging and vulnerability to trafficking in persons.



Recommendations for Countries Importing Timber and Wood Products from Mozambique

Chinese markets are the main destination for *Nkula* due to its similarity to rosewood, and the vast majority of rosewood look-alike species imported by China remain in the country and are not re-exported elsewhere as finished wood products.²⁹

The US Lacey Act, EU Timber Regulation (EUTR), and Australia's Illegal Logging Prohibition Act ban any imports of illegally harvested timber. In December 2019, in the first revision to its Forest Law in more than twenty years, China banned the purchase, process, or transport of illegal timber. These revisions will come into effect in July 2020.³⁰ This landmark development in China's regulation of timber could represent a critical step in reducing the import of illicitly logged tree species. China should:

- Ensure robust implementation and enforcement of these new prohibitions in the Forest Law.
- Demand transparency and accountability from timber importers, requiring importers to disclose due diligence efforts to prevent

wood purchases from contributing to illegal logging and environmental degradation.

- Exercise sufficient oversight of importers to identify violations where they occur.
- Levy effective penalties to disincentive further import of protected species of wood.

Recommendations for the Private Sector



Verité field research detected evidence that a commercial company with a concession elsewhere in Mozambique had required employees via deceptive means to engage in illicit logging of *Nkula* wood in Tete Province. This company was known to export to markets in Europe, Asia, South Africa, and the United States.

International organizations with an environmental focus such as Forest Trends have made recommendations to increase supply chain transparency and industry accountability among private sector actors in forestry supply chains.³¹ The implementation of the following recommendations will also help legally operating private sector forestry actors in Mozambique to ensure TIP vulnerability is not present in their operations or supply chains:

- Continue to bolster systems to track the movement of wood through the supply chain, ensuring the origins of timber supply, that it has been certified through credible programs where possible, and that it can be legally verified at every step of the supply chain.
- Explore the potential to integrate collection of indicators of TIP, forced labor and other labor abuse as part of tracing efforts.
- Require suppliers of wood or wood products

to provide evidence that they do not engage in trafficking in persons or in recruitment or management practices that create risk of trafficking in persons, in their own operations or those of their subcontractors.

- As part of log tracing efforts, ensure that workers at facilities being evaluated for certification have not been deceived or forced to participate in the illicit logging, transport, or processing of protected species of wood.



Recommendations for Certifiers

Mozambican companies certified through forest certification schemes are currently few in number;³² and demand for certified wood in China, the primary market for illicitly harvested *Nkula*, is low.³³ Some experts have advised that certifiers should consider reducing or subsidizing the cost of certification in developing countries where uptake of certification initiatives is still early.³⁴

Verité's field research found evidence of labor vulnerability and abuse in illicit logging. It also found evidence that some timber workers had been deceived and coerced into illicit logging by an employer with a legal concession elsewhere in Mozambique; as well as potential evidence that illicitly harvested logs were intersecting with more formal supply chains in Mozambique. Based on these findings, the following recommendations are offered for certifiers operating in Mozambique:

- Ensure that the ILO's fundamental labor standards are successfully integrated into chain of custody requirements.³⁵

Recommendations for Local and International Civil Society Organizations



Civil society organizations working on root cause issues of deforestation or vulnerability to trafficking in persons and other forms of labor exploitation can consider:

- Supporting capacity building efforts for local law enforcement to promote protection for and prevent criminalization of local workers engaged in illicit *Nkula* harvesting.
- Encouraging and supporting the development and operation of a national or regional TIP hotline.
- Collaborating with peer organizations working on separate but related issues to encourage a more intersectional approach. For example, international organizations supporting anti-corruption efforts can draw linkages between corruption, deforestation, and TIP vulnerability in order to strengthen root cause identification and the development of integrated interventions and programming.

Case Study

Road Construction in Niassa Province

Verité's second case study examined the intersection of labor vulnerability and environmental degradation in the construction of the Cuamba-Mandimba-Lichinga section of the N13 Highway in Niassa Province, part of the Nacala Road Development Corridor.³⁶ The Nacala Road Development Corridor encompasses a set of development projects to improve transportation infrastructure that have been primarily funded by the African Development Bank (AfDB), the Japan International Cooperation Agency (JICA), and the Government of Mozambique; with foreign private sector contractors primarily overseeing the implementation, including provision of labor.³⁷

The remote Niassa Province in Mozambique is an area rich with natural resources – including the Niassa National Reserve, one of the largest protected wildlife areas in Africa – with large swaths of *miombo* forests alongside minerals and mining opportunities. At the same time, the relatively small local population – Niassa is the least populated province in the country – has struggled with a poverty rate that increased from 33 percent to over 60 percent between 2009 and 2015.³⁸

Niassa's compelling wealth of natural resources and relative underdevelopment has made it a prime candidate for foreign investment and infrastructure development.³⁹ Infrastructure projects can provide valuable opportunities for economic growth; however, they can also contribute to negative social and environmental impacts for surrounding communities. International donors, such as the

FOREST CLEARED FOR HIGHWAY CONSTRUCTION. TETE PROVINCE, MOZAMBIQUE



World Bank, have designed a suite of “donor safeguards” or policies for due diligence that are intended to “identify, avoid, and minimize harms to people and the environment.”⁴⁰

In spite of donor measures intended to provide both environmental and social protections for workers and surrounding communities, research among road construction workers on the N13 Project in Niassa found evidence of labor abuse. These included a number of indicators of trafficking in persons, in the form of deception about the nature and conditions of work (primarily wage levels, hours, and job tasks); work for very low wages; and abuse and harassment; as well as evidence of violations of a range of social and labor protection standards.⁴¹

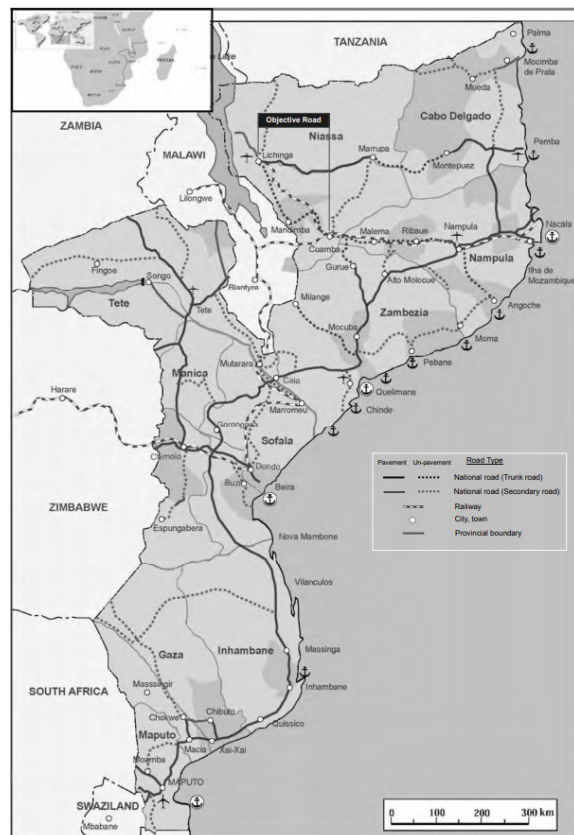
Worker Demographics

Field researchers identified local workers; internal migrants from Nampula, Zambezia, Cabo Delgado, and Tete Provinces; and transnational migrants involved in the N13 Project construction. Anecdotal reports indicated that the road project drew migrant workers from Malawi, Tanzania, and Zimbabwe.

Chinese and Indian companies were subcontracted to provide specific services,⁴² such as laying cement, and reportedly employed Chinese and Indian workers in supervisory or administrative positions.

Workers interviewed fell into two primary groups: general laborers – that is, workers without a more specialized technical skillset – and skilled workers, such as mechanics, locksmiths, cylinder operators, carpenters, plumbers, electricians, and cement workers. Security guards were present in some cases.

Work crews were typically supervised by a crew chief. The crew chief was overseen by a manager from the private sector company contracted to complete the road. Workers interviewed reported that they had worked under managers and crew chiefs of both Chinese and Mozambican nationalities.



LOCATION OF CUAMBA-MANDIMBA-LICHINGA
N13 ROAD PROJECT

Japan International Cooperation Agency

Summary of Findings

Verité’s field research found a variety of exploitative working conditions among workers employed in the construction of the Cuamba–Mandimba–Lichinga N13 Project, including some forced labor indicators. Findings are summarized below. Findings specifically relating to forced labor indicators are summarized in **Table 3**.

- **Deception regarding terms of employment.** Verité research found evidence of employer deception regarding workers’ terms of employment; this was found in both the formal and informal recruitment and hiring processes involved in road construction. The constant movement of road crews meant that newly hired workers had little opportunity to vet actual working conditions. Workers were widely promised higher wages or raises that never materialized. Some workers were promised housing or subsidies for housing, which was not provided and therefore left them with significantly less ability to save money than anticipated. Many reported that they were given inaccurate information about the tasks for which they would be responsible.
- **Lack of contracts.** Workers interviewed typically did not receive contracts until well after beginning their jobs or did not receive contracts at all. When these contracts were received, they typically did not contain relevant details such as salary information.
- **Low wages.** Monthly wages were reportedly low for general laborers and appeared to stretch the limits of legality. Despite a national minimum wage of MZN 6,135 (USD 92.95) per month for the construction sector,⁴³ the majority of general laborers interviewed were provided with monthly wages of 2,000 – 6,000 MZN (USD 30 – 90). No workers interviewed knew how their wage was calculated, and workers often lacked clear and objective wage benchmarks.
- **Deductions and financial penalties.** Roughly a quarter of interviewees described some type of deduction from their pay that reduced their already low wages. Deductions were reportedly taken for disciplinary infractions such as “not working well,” “talking too much,” “voicing complaints,” “unhappiness,” “upsetting [a] superior,” and for alleged damage to materials.
- **Long hours and involuntary overtime.** Workers reported frequent weekend work, including work on Sundays with a threatened penalty of termination for non-compliance. Due to regular requirements for Saturday and Sunday work, many workers worked multiple seven-day weeks per month. Workers also reported that they were expected on a daily basis to accept any task assigned and see it through to completion, regardless of hours required, or face termination.

A SECTION OF THE N13 ROAD, NIASSA PROVINCE



Many workers did not receive overtime rates for additional work.

- **Health and safety risks.** Road construction workers interviewed were exposed to several risks to health and safety, with the majority lacking access to potable water while working on remote sections of road, which contributed to dehydration in extreme cases. Despite a range of hazards including the risk of falling objects; handling of hazardous materials such as mercury, tar, and cement; and exposure to MC-30 (a chemical used in asphalt application that exposes workers to hazardous vapors and potential skin damage);⁴⁴ the provision of personal protective equipment was inconsistent, with some workers receiving some equipment and others not receiving any. Over a third of workers cited hunger and lack of access to water as a significant issue during the workday.
- **Abuse and retaliation.** Over half of interviewees had witnessed or experienced physical violence perpetrated by supervisors. Workers stated that physical violence could be a reaction to a number of worker behaviors, including resting, asking for rest, not following instructions, or not understanding instructions because of language barriers. Workers expressed fear that they would be terminated in retaliation for expressing grievances to supervisors or law enforcement.⁴⁵
- **Illegal HIV testing.** Mandatory HIV testing as a condition of hiring was reported by some workers interviewed, in contravention of the policies of project lenders and Mozambican law.⁴⁶
- **Lack of labor inspection and oversight.** Road construction workers reported insufficient labor inspection and follow up; some workers alleged that labor inspections were rarely conducted, and that labor inspectors received bribes from the construction company management. In some cases, police and community leaders were also seen as neglecting to protect workers and residents or colluding outright with private sector interests. Complaints against the company were reported to have “disappeared” at various stages of grievance processes.

Over half of interviewees had witnessed or experienced physical violence perpetrated by supervisors. Workers stated that physical violence could be a reaction to a number of worker behaviors, including resting, asking for rest, not following instructions, or not understanding instructions because of language barriers.

TABLE 3: SUMMARY OF FORCED LABOR INDICATORS FOUND IN THE N13 CUAMBA–MANDIMBA–LICHINGA ROAD CONSTRUCTION PROJECT

Forced Labor Indicator	Type of Worker Impacted
Situations in which the worker must perform a job of a different nature from that specified during recruitment with a person’s consent	General and skilled laborers
Work with very low or no wages	General laborers
Abuse of workers’ vulnerability through the denial of rights or privileges, threats of dismissal, or deportation	General and skilled laborers

Environmental and Community Impact Associated with Road Development

The N13 road passes through settled communities, and its construction has affected structures and other community areas such as houses, chicken coops, maize storage buildings, agricultural fields, and planted trees.

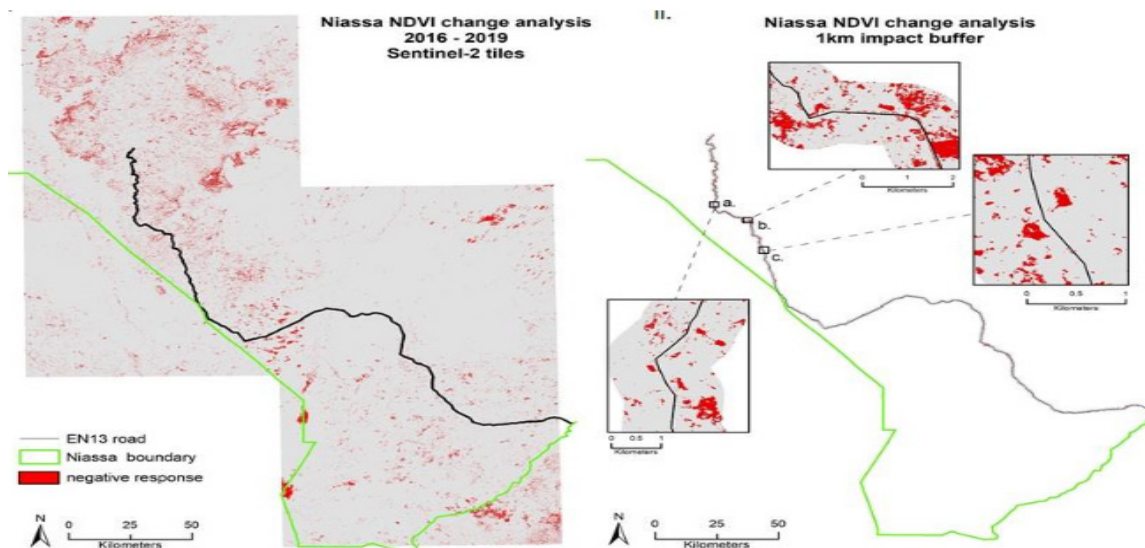
COMMUNITIES AFFECTED BY THE CUAMBA–MANDIMBA–LICHINGA N13 ROAD PROJECT



Source: University of Nottingham, Rights Lab⁴⁷

In terms of effects of road construction on forest cover, an analysis of geospatial data found significant negative response in “greenness” for areas connecting Lichinga to Mandimba in all of the buffer zone distances adjacent to the road; that is, the loss of tree cover was apparent.

NORMALIZED DIFFERENCE VEGETATION INDEX (NDVI) CHANGE ANALYSIS ALONG SELECT N13 ROAD SEGMENTS 2016-2019 AND THE POSITIONING OF THE THREE AREAS (A, B, AND C)



Source: University of Nottingham, Rights Lab⁴⁸

This was corroborated by community informants in areas along the road, who reported that when acacia trees were cut to make space for the road, areas became “like deserts,” and surrounding areas experienced increased winds – leading some households to lose their roofs – and soil erosion. Community informants also perceived that the loss of pine trees had contributed to warming temperatures on a local level. Community members had not witnessed adequate attempts to plant seedlings to reforest the area.

During field research, several interviewees noted that the growth of the road might further facilitate the expansion of natural resource extraction such as logging, illegal mining, and wildlife poaching in surrounding areas. Geospatial analysis did indicate rapid development in the evaluated areas of Niassa along the N13 road construction corridor, including mining activity and informal settlements, suggesting a potential change in the livelihood resources and patterns of local populations.

Although a resettlement plan was prepared,⁴⁹ interviews with community members indicated that many citizens had not been previously aware that road development might necessitate resettlement. Researchers were able to ascertain that some households affected by the project did secure some level of compensation, while others were not compensated at all. A key issue cited by community members interviewed was a gap in Mozambican law specifying what qualifies as just compensation for parties impacted by public works projects such as road development.

The loss of property, livelihood, and food security created by this project can contribute to worker vulnerability to labor abuses. One worker displaced by the project was explicitly offered employment on road crews as compensation for detriment to his livelihood; others discussed the pressure to seek employment in road construction due to loss of alternative livelihood.

In spite of these negative impacts, some community members interviewed perceived the road development as an overall positive factor for the area, noting improved transportation and economic development opportunities such as improved access to market for agricultural products.

Contravention of Donor Safeguard Policies

Both of the international donors – AfDB and JICA – have safeguard policies⁵⁰ that are intended to mitigate potential social and environmental harm linked to funded projects. These policies mandate a comprehensive financial package for displaced people and plans for resettlement compensation, along with an obligation to bring in environmental and social impact specialists where host institutions lack capacity.⁵¹

Many donor safeguard policies relating to labor and social protection were contravened in the course of the N13 Project. Examples of safeguard procedures not observed, as identified by case study field research, include provisions around contracts, working conditions, grievance mechanisms, compensation for affected community members, participatory community consultation procedures, and monitoring protocols. Underpinning the contravention of donor safeguards were gaps in the

systems for contractor screening and monitoring, and government monitoring and enforcement of labor laws, often due to a lack of capacity. Beyond inadequate monitoring and enforcement, workers interviewed reported that they perceived some local law enforcement to be corrupt and therefore unable or unwilling to assist workers. This left workers without any recourse when they experienced poor or coercive working conditions.

Contravention of safeguard standards for the compensation and resettlement of affected populations appeared to be tied, in part, to gaps in land management frameworks in Mozambique. Experts have judged Mozambique to have a strong *de jure* legal framework around land usage, with laws that aim to protect the rights of local communities while still encouraging commercial investment to bolster the overall economy. (The 1997 Land Law is the primary legal instrument regulating land usage.⁵²) In practice, however, full implementation of these legal policies, particularly requirements for community engagement and protection, is judged to be low; reflecting “tensions between a government keen on promoting foreign investment and agro-industry and a rural population that is insufficiently aware of and not always able to exercise their legal rights.”⁵³ As a result, land acquisition in rural areas for investment purposes has displaced local populations, contributed to deforestation, and negatively impacted local livelihoods.

Typical donor safeguard processes for assessing and mitigating land use and property impacts rely at least in part on a review of land titles for the area, which may not accurately reflect actual patterns of community land ownership and usage. Even where registered land claims do exist, systems for recording property and ownership are weak. This is further complicated by the fact that much of land usage in Niassa Province and rural Mozambique is seasonal. Land that appears to be unused when plans and impact assessments are conducted may in fact be heavily used at other times of year or in other years (due to crop rotation). Without fully participatory community input sessions, these realities of land usage are likely to be obscured. Another compounding factor reported in the research was that the findings from impact assessments were not made fully available or accessible to community members and civil society.

Conclusions

In contravention to Mozambican law and donor safeguard policies, Verité’s field research found evidence of a range of labor abuses and violations of social protection standards associated with construction of the Cuamba–Mandimba–Lichinga section of the N13 road. Environmental degradation due to road construction has increased economic insecurity and decreased avenues for livelihood in some local populations. This acted in some cases as a push factor to accept exploitative working conditions in road construction. There is limited evidence of indicators of forced labor in the sector, in the form of deception about the nature and conditions of work (primarily wage levels, hours, and job tasks); work for very low wages; and abuse and harassment.

Underpinning the gaps in the donor safeguard process is a weak system for contractor screening and monitoring and enforcement of labor laws, often due to a lack of capacity. Beyond inadequate monitoring and enforcement, workers interviewed reported that they perceived some local law enforcement officers to be corrupt and therefore unable or unwilling to assist workers. This left workers without any recourse when they experienced poor or coercive working conditions.

PEELED *NKULA* LOGS WAITING TO BE TRANSPORTED



Estacio Valoi

Recommendations

In light of the findings detailed in the Niassa case study, this section presents recommended actions for the Government of Mozambique, private sector construction contractors, international finance institutions (IFIs), and civil society. Recommendations are linked to risk issues and vulnerabilities identified through the field research.



Recommendations for the Government of Mozambique

Verité recognizes the commitment that the Government of Mozambique has made to building the capacity of labor inspectors and law enforcement to recognize and identify trafficking in persons (TIP). Verité field research indicates, however, that further resources are required in order to fully deter and detect serious labor abuses. Sanctions for labor violations in road construction were reportedly infrequent. Corruption may be significantly affecting the functioning of the labor inspectorate in some cases, according to workers and community members interviewed.⁵⁴ Therefore, Verité recommends further measures to improve the capacity of the labor inspectorate, including:

- Providing additional capacity building to labor inspectors on how to understand and identify key elements of TIP risk, forced labor risk and other serious labor abuse and how they may manifest in key sectors and settings;
- Ensuring that labor inspectors receive adequate compensation;
- Paying for labor inspectors' travel expenses;
- Providing incentives to carry out inspections in remote locations;
- Hiring additional inspectors to ensure that the number of active labor inspectorate staff engaged in inspections is adequate for the number of inhabitants;

- Including female labor inspectors in labor inspections to ensure that female employees are more comfortable in reporting issues of sexual harassment and abuse;
- Issuing sanctions against employers who fail to grant inspectors full, unimpeded access to all areas of worksites.

In addition, the Government of Mozambique should:

- Ensure processes that enable affected communities to directly participate in project planning, including impact mitigation planning. Notes from public meetings, as well project planning documents should be made available in Portuguese and local languages then disseminated through accessible communications and media.
- Increase the capacity of the National Roads Authority of Mozambique (ANE) to conduct due diligence in the selection of road construction contractors. Due diligence should include clear and measurable criteria for observance of the ILO's fundamental labor standards and Mozambican labor law; The ANE should conduct regular monitoring of contractor adherence to Mozambican law and donor safeguards; and develop and enforce remediation corrective action plans where misconduct is detected.
- Where there is evidence that local law enforcement is impacted by corruption, work to ensure that workers have alternative avenues for recourse. This may include additional monitoring from labor inspectors

from outside the region or the engagement of third-party monitors. It could also include the development of an independent grievance mechanism.

- Continue to support issuance of DUATs (Direito do Uso e Aproveitamento da Terra – the long-term right to use and benefit from a piece of land) and other forms of recognition of communal land rights⁵⁵ – and uphold their protection for local populations – as a means to reduce displacement of communities. Work to develop an approach for a more transparent and centralized listing of land claims.

history of violating labor rights or other social safeguard elements.

- Ensure robust consultations with affected communities and civil society prior to project implementation and ensure that relevant planning and review documents are easily publicly accessible, in local languages.⁵⁸
- Commit to supporting independent grievance mechanisms as required by social safeguard frameworks and explore developing these mechanisms in collaboration with host governments.
- Require third-party monitoring to ensure compliance with lending safeguards.



Recommendations for International Finance Institutions

Weaknesses in labor and environment-related safeguards associated with lending by international financial institutions have long been a subject of scrutiny and concern among civil society and affected communities.⁵⁶ In order to better protect against harm to humans and environment associated with international financial institutional lending, calls from civil society organizations should be heeded to bolster the depth of IFI social safeguard frameworks, as well as associated accountability mechanisms. IFIs should:

- Build out current labor safeguards to encompass benchmarks that specifically address the ILO's forced labor indicators and other known risk factors for trafficking in persons and forced labor.⁵⁷
- Develop and make transparent a system for screening and tracking the past social performance of contractors and project implementers. IFIs can withhold funding when a proposed contractor has a past

Recommendations for Contractors

Contractors should put in place an effective and transparent system for preventing the risk of forced labor and trafficking in persons in their operations and those of their contractors, based on robust management practices and including:

- A process to identify, evaluate, and prioritize forced labor and human trafficking risk in its operations and to understand and implement applicable legal and customer requirements for the prevention of forced labor and human trafficking to its operations and supply chain.
- Incorporation of operational controls into business processes to minimize the identified risks of forced labor and human trafficking and to comply with legal and customer requirements.
- Clear communication about the organization's anti-human trafficking policies, practices, expectations, and performance, as well as legal prohibitions on trafficking in persons, communicated



to workers, subcontractors, clients, and external stakeholders.

- Regular due-diligence monitoring of the risk of trafficking in persons and forced labor among the workforce and workforce of any subcontractors.
- A confidential grievance mechanism made available for workers in their local languages that ensures workers can raise grievances anonymously, without intimidation or retaliation.
- Procedures to address worker grievances in a timely manner and report the resolution back to the workers.

- Regular self-assessment to evaluate conformance with internal policies and procedures and customer requirements as well as to verify compliance with legal requirements.

Guidance and implementation criteria for these and other management practices to ensure against the risk of forced labor and trafficking in persons are available at ResponsibleSourcingTool.org and [Verité's Fair Hiring Toolkit](#).

Endnotes

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not listed as a commercial species recognized by the Zambian government. However, the demand (particularly by the Chinese market) was so high and widespread, that a ban on the conveyance and export of was issued in 2014. Before the timber ban, harvesters needed a license to cut trees, which specified the location, tree species and estimated fees to be paid to the authorities. Because of ever-growing international demand for timber, together with the high prices the wood fetches, most harvesters have been felling the forests without a license and exporting them illegally to Asia, according to government and forest experts interviewed for this study. In fact, the government of Zambia lifted the ban in mid-2016. Only in January 2017 was a new ban issued. Between 2001 and 2014, Zambia lost more than one million hectares – an area roughly the size of Lebanon – of three types of *Pterocarpus* trees. Malawi has faced many legal battles to impose the ban for *Pterocarpus tinctorius*. Malawi also banned export of all roundwood in 2008. The Zambian government has issued and lifted various regulations relating to *Nkula* in rapid sequence over the years, which have left enforcement agencies on the ground unclear about what rules applied where and when. This has boosted corruption, which means many officials have no incentive to ensure the trade is well regulated. One study found that USD 1.7 million is paid in rosewood-linked bribes each year for a certain time period, most of which were collected along Zambian roads where trucks had to make payments to proceed towards the points of export. See *Cycles of Destruction: Unsustainability, Illegality and Violence in the Hongmu Trade*. EIA, 2016. https://s3.amazonaws.com/environmental-investigation-agency/posts/documents/000/000/521/original/EIA_Unsustainability_Illegality_and_Violence_in_the_Hongmu_Trade.pdf?1474900133. Accessed 3 March 2020; and Cerutti, Paolo Omar and Davison Gumbo. “Why Zambia Has not Benefitted from Its Rosewood Trade with China.” *The Conversation*, 25 Jun 2018. <http://theconversation.com/why-zambia-has-not-benefitted-from-its-rosewood-trade-with-china-98092>. Accessed 13 June 2019.

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55 All land in Mozambique is ultimately held by the state. Individuals or groups can obtain either individual or community long-term occupancy and usage rights via a *Direito de Uso e Aproveitamento da Terra* (DUAT), similar to a land title, under the 1997 Land Law. Some land, known as public land, is held in perpetuity by the state, and no DUATs can be issued. DUATs can be obtained by formal registration or based on customary tenure. Occupancy rights based on customary tenure are widely socially recognized and can provide important protections for communities. At the same time, customary tenure rights may not be equally recognized by all government institutions. This can lead to situations in which the government, facing a shortage of available land suitable for development, has granted third-party investment or usage rights in spite of ongoing and longstanding community or individual residency. Disputes can also arise when community land is held collectively rather than by individuals. In these cases, the local community – via local officials – retains land management oversight that would otherwise fall to the national government. In these cases, the potential arises for individual community members to disagree on key matters of land allocation. The 1997 Land Law requires investors seeking to secure land rights to determine via direct community consultation whether land is truly unoccupied or whether a party holds DUAT rights. This prescribed consultation process was intended to facilitate community-level input into land decisions. However, civil society organizations have noted that, in reality, these processes tend to be cursory with little meaningful community participation. See Mozambique.” *Land Links*. <https://www.land-links.org/country-profile/mozambique/#land>. Accessed 11 Feb 2020.; *Republic of Mozambique Country Strategic Opportunities Programme 2018-2022*. IFAD, 2018. https://www.ifad.org/documents/38711624/40234873/mozambique_cosop2018-2022.pdf/054028a1-22c7-47cb-b24b-b867856c747a. Accessed 11 Feb 2020 and “Mozambique.” *Land Links*. <https://www.land-links.org/country-profile/mozambique/#land>. Accessed 11 Feb 2020.

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57 The World Bank’s current Environmental and Social Framework and Standards contain a labor safeguard and accompanying guidance that “instructs borrowers and project contractors to not use disguised employment relationships to deny workers their rights” (ITUC 2018). The guidance document advises on prevention of abuse of migrant workers, child labor, forced labor, and hazardous working conditions. However, the labor safeguard and accompanying guidance do not contain benchmarks or guidance specifically referencing the International Labour Organization (ILO)’s forced labor indicators or other known risk factors for trafficking in persons and forced labor. See Environment and Social Standards. *World Bank*. <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards>. Accessed 4 June 2020; and ITUC Urges Full Implementation of the World Bank Labour Safeguard. International Trade Union Confederation (ITUC). 7 September 2018. <https://www.ituc-csi.org/ituc-urges-full-implementation-of> Accessed 4 June 2020.

58 The African Development Bank (AfDB) is currently undergoing an evaluation of its engagement with civil society. As part of that effort, the Bank Information Center has offered the following recommendations on how to strengthen civil society engagement, many of which are relevant for this Niassa case study: •*The AfDB must improve information disclosure throughout the project cycle and update their website more regularly to connect civil society organizations (CSOs) with relevant information;* •*The AfDB should produce project documents, including structures, finances, decision making processes, policies, and procedures, that are easily understandable by all stakeholders, including communities. The Bank should provide a list of upcoming opportunities for public input, releasing consultation and communication plans ahead of time;* •*Project information should be widely disseminated through the website, country offices and member country local communication networks. The AfDB should clarify their translation strategy to facilitate distribution in local languages. When documents are updated, the AfDB*

should advise CSOs and publish them again. The AfDB should make information available early in the project development process, so affected parties and interested stakeholders can effectively access and understand the project. Therefore, they can actively participate in decision-making; • AfDB staff in country offices should prioritize CSO engagement, including by making themselves available to CSOs at accessible CSO forums or open office days; • The AfDB must work with CSOs on effective ways to engage with the AfDB and promote third party monitoring. The Bank must update its CSO database and share information about events and how CSOs can participate. Excerpted from: Phiona Nampungu. “How Can the African Development Bank Strengthen Its Engagement with Civil Society?” Bank Information Center. 3 June 2020. <https://bankinformationcenter.org/en-us/update/how-can-the-african-development-bank-strengthen-its/>. Accessed 4 June 2020.

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