

BASELINE SURVEY

TRADE UNIONS IN MOZAMBIQUE

BY

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(Translated from Portuguese)

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0. Executive Summary

1987 was the beginning of a period of transformation in the trade union movement, which was challenged by the processes of economic and political liberalization. In 1984 the Mozambican Government formally joined the IMF and the World Bank, which imposed a series of economic programmes with the objectives of reversing the decline of domestic production, reducing financial imbalances, promoting economic “efficiency”, eliminating the informal market and restoring healthy financial relationships with commercial and financial partners. Principal measures to achieve these objectives were the removal of price controls as an incentive for producers, the adjustment of terms of exchange both in the domestic and foreign sectors, a reduction of public expenditure, and privatisation of companies.

A total of 120 000 workers were retrenched during this period, and salaries were eroded. This has resulted in the majority of workers currently living beneath the poverty line. A third of the 1,200 privatised companies are paralysed or produce below capacity, salary payments are delayed and there is a lack of capital for modernizing production and increasing competitiveness.

Following the opening up of the country to the market economy, the ruling party Frelimo started the legal and political transformation necessary for the establishment of a multi-party system (which was an indispensable condition for the peace negotiations and for the international cooperation and development agencies). The constitutional revision in 1990, which preceded the General Peace Agreement of 1992, was carried out for this purpose. The first general presidential and governmental elections were held in 1994. The strong participation by the electorate clearly showed the expectations invested in these changes.

For the trade union movement it was a decisive moment. Unions were faced with the challenge of assuming leadership of the workers in the context of a market economy, whilst having to change their character and functions to meet the dictates of a multi-party democracy. Various trade union rights were passed (freedom of association in trade unions and the right to strike which was later included in the Labour Law no. 8/98), thus ensuring, at least formally, independence and autonomy with regard to political and executive power. Since then, the Government has provided a subsidy to support the operation of trade union organizations. Due the subsidy being so small, the unions had to

develop other ways of sustaining themselves, such as membership fees, income producing projects or donations from international donor or labour organizations.

When the law on trade union freedom (Law no. 23/91) was passed, it permitted trade union associations to become legal entities without being affiliated to a trade union federation. Certain trade union leaders claimed functional autonomy. In 1992, three trade unions declared their independence from OTM (Organization of Workers of Mozambique) and provisionally formed an alliance called “Free and Independent Trade Unions” (“Sindicatos Livres e Independentes”- SLIM). In 1997, SLIM constituted itself legally as trade union federation, and called itself the “National Federation of Free and Independent Trade Unions of Mozambique” (“Confederação Nacional dos Sindicatos Independentes e Livres de Moçambique” - CONSILMO).

The conditions for the social tripartite dialogue were created by the decree that constituted the Consulting Labour Commission (Decree no. 7/94, of 9 March 94). It comprises an equal number of representatives from Government, employers’ and workers’ associations.

Currently, the trade unions enjoy a legal framework that guarantees the full exercise of union rights. Although in practice they are still faced with numerous obstacles due to the application of the law and to the inefficient monitoring of labour legislation implementation. The reduction of the salaried work force in the formal sector, both public and private, has deprived the trade unions of some of their membership basis, and has thus reduced the membership levels.

Confronted by these challenges, the union movement is embarking on a strong growth drive. In addition, it is also seeking to increase capacity to restore fair labour practices and to influence the government’s policies in the fields of socio-economic development, salaries, employment, training, and health and safety.

1. Socio-economic and Political Environment

1.1 Development of the economy and the labour market

1987 was the beginning of a period of transformation for the trade union movement which was challenged by a process of economic and political liberalization. In 1984 the Mozambican Government formally joined the IMF and the World Bank and the first programme of economic readjustment was introduced, in 1987, titled the “Economic Rehabilitation Programme” (“Programa de Reabilitação Económica” - PRE). The objectives of the PRE were to reverse the decline of domestic production, to reduce financial imbalances, to promote economic “efficiency”, to eliminate the informal market and to restore healthy financial relationships with commercial and financial partners. Principal measures to achieve this were the removal of price controls as an incentive for production, adjustment of the terms of exchange both in the domestic and foreign sectors, reduction of public expenditure, and the privatisation of companies.

During that period a 50% salary increase was not enough to maintain the standard of living in view of the immediate escalation of prices brought about by the structural adjustment programmes. The assessment of the PRE for 1987 to 1989 showed that the strategy of planned development excluded the more marginalized population groups whose situation had deteriorated. The Government’s reaction was to integrate an Emergency Programme aimed at reducing poverty into the PRE. In 1990, a social component was introduced into the Economic Rehabilitation Programme (Programme of Economic and Social Rehabilitation - PRES).

Despite these measures, the continuing increase of the poverty index forced the Government in 1995 to reconsider its strategy. Consequently, the PARPA 2001-2005 – Action Plan for the Reduction of Absolute Poverty – was developed and adopted. The PARPA includes short, medium and long-term policies and actions for the fight against absolute poverty. It was assumed that the situation could be reversed only through the economic development of the country. This Plan was developed within the framework of the World Bank and the IMF’s Poverty Reduction Strategy Papers, and makes provision for the participation of the civil society both in its preparation and in its implementation.

In 1989, the Government adopted a policy on the transfer of ownership of State property, reflected in Decree no. 21/89. Two years later, it developed the procedures for restructuring, transforming and re- sizing the State Owned Enterprises sector, including privatisation and transfer of ownership, codified in Law no. 15/91, of 3 August 1991.

The aims were to change technologies to increase the companies' efficiency and competitiveness, to modernize management techniques and increase productivity, to attract national and foreign private investments, to generate income for the State, and to grant citizens, in particular the workers, access to company shares.

This policy mainly affected the work force: in 1987 alone, 35 000 workers were retrenched. With the continuing implementation of PRE measures and the privatisation of companies, the number of retrenchments increased, especially that of female workers¹. As a result, 1990 was characterized, in the city and province of Maputo, by a number of strikes that affected various sectors of the economy.

Table 1: Growth of the work force between 1987 and 1996

Trade Union	No. Of workers in 1987	No. Of workers in 1996	Workers retrenched	% Reduction
SINTIA	22 713	15 097	7 716	33.47
SINTEVEC	19 000	10 860	8 140	42.84
SINTIC	9 818	7 603	2 272	23.14
SINPOCAF ¹	32 500	18 155	14 345	44.13
SINTIME	17 985	13 135	4 850	26.96
SINTIQUIGRA	11 774	10 705	1 069	9.07
SINECOSSE	26 808	24 573	2 235	8.33
SINTAF	-	46 659	-	-
SINTMAP	8 237	6 487	1 750	21.24
SINTIAB	12 692	10 493	2 199	17.32
SNEB	5 635	5 380	255	4.52
SINTAC	9 313	9 004	309	3.31
SINTICIM	50 000	35 239	14 761	29
SINTRAT	-	-	-	-
SINTIHOTS	14 805	19 600	1 123 ²	

Sources: OTM-CS, *The Economic Rehabilitation Programme and its social impacts on the workers*; SLIM. (quoted by A. Assis, 1997)

¹ The figures referring to SINPOCAF include the workers of SINPEOC.

² The retrenchment of 1,123 workers is as a consequence of the privatisation process. 513 workers were retrenched, 610 workers were made redundant due to the closing down of factories. However, the total number of workers increased due to the opening of new units.

¹ Information from the "Seminar on privatizations in the democratic process – political and social impacts", held in Maputo, 1996.

An analysis of that period, prepared in 2003 by the trade unions, estimates that a total of 120 000 workers were retrenched due to this process, which resulted in a salary erosion. This is the reason why the majority of workers at present live beneath the poverty line. Out of the 1,470 privatised companies, a third are paralysed or produce below capacity, salary payments to the workers are delayed and there is no capital to invest in modernizing production to ensure competitiveness.² The majority of the retrenchments occurred in the sectors of cashew production, textile, beverages, railway and ports, civil aviation and telecommunications.

Even in 1996, when about 500 companies were privatised, a study by OTM-CS³ found that privatisation did not reduce poverty, nor did it contribute to an improvement of the employment situation and economic growth. At the same time the trade union federation also denounced the countless labour law violations. The Government was criticized for not enforcing and controlling the adherence of the existing regulations.

The unions were invited to participate in this political process only after the privatisation of public companies had already begun and therefore did not have many opportunities to intervene.

In terms of the labour market, certain groups of unemployed people, such as the demobilized soldiers, returnees and displaced people applied strong pressure on Government. Government recommitted itself to the General Peace Agreement and to the reconciliation and reconstruction of the country. It was noted that - due to the large decrease in the formal sector work force - there was an increase in the importance of income generated in the informal sector. A survey carried out in 2000/2001 shows the following distribution of the work force in percentage (see Table 2).

Due to the increase of the unemployment rate, workplace training and human resource development (which tend to lead to an increase in the competitiveness of the work force, by providing increased knowledge and skills which enables a better response to globalised and regionalized markets in which demand is diversified) were threatened as well.

² OTM-CS, 2003, Study on the decline of the number of trade union members (Phase II). Maputo.

³ "Seminar on the privatizations in the democratic process – political and social impacts", organized by SLIM, in Maputo, 1996.

Table 2: Distribution of the work force in percentage, 2000/2001

Employment in the formal sector in percentage (2000-2001)	
- Employment in the civil service:	3 %
- Employment in the public sector:	1 %
- Employment in the private sector:	6.9 %
Employment in the informal sector (2000-2001)	
- Self-employed	52 %
- Household worker	33.7 %
- Cooperative sector	0.2 %

Source: INE, 2001, Questionnaire on basic indicators of well-being, QUIBB, 2000-2001 (14 500 households were interviewed, representative national and provincial sample, by rural and urban area of residence).

Despite the new Labour Law passed in 1998 (Law No. 8/98) that attempted to meet the demands of this phase of economic, social and political development, there were many incidents of labour conflicts, as a result of blatant violations of labour legislation. A noticeable trend has been to sign an employee on a fixed term contract and then to dismiss that employee prior to him/her being made a permanent employee. This avoids the legal provisions that grant permanent employment to an employee who has worked for two fixed-term contracts of two years each.

1.2. Political Developments

Following the opening up of the country to the market economy, the ruling party Frelimo initiated the legal and political transformation to establish a multi-party system as an indispensable condition for the peace negotiations and for the international cooperation agencies. The constitutional revision in 1990, preceding the General Peace Agreement of 1992, was carried out in this sense. The first general presidential and governmental elections were held in 1994. The strong participation by the electorate clearly showed the expectations invested in these changes.

For the trade union movement it was a decisive moment, as the unions were faced by the challenge of assuming leadership of the workers in the context of a market economy, and at the same time were forced to change their character and functions within the framework of a multi-party democracy.

Trade union rights were confirmed (freedom of association in trade unions, right to strike, later included in the Labour Law no. 8/98), thus ensuring, at least formally, independence and autonomy with regard to political and executive power. Since then, the Government has provided a subsidy to support the operation of trade unions. Due to the subsidy being so small, unions have had to develop other ways of sustaining themselves, such as membership fees, income producing projects or donations from international donor or labour organizations.

When the law on trade union freedom (Law no. 23/91) was passed, it permitted individual industrial union associations to become legal entities without being affiliated to a trade union federation. Certain trade union leaders claimed functional autonomy. In 1992, three trade unions declared their independence from OTM (Organization of Workers of Mozambique) and provisionally formed an alliance called “Free and Independent Trade Unions” (“Sindicatos Livres e Independentes”- SLIM). In 1997, SLIM constituted itself legally as a trade union federation with the designation “National Federation of Free and Independent Trade Unions of Mozambique” (“Confederação Nacional dos Sindicatos Independentes e Livres de Moçambique” - CONSILMO).

The conditions for the social tripartite dialogue were created by the Consulting Labour Commission (CCT) Act, (Act no. 7/94, of 9 March 94), comprising an equal number of representatives from Government, employers’ and workers’ associations.

Currently, the trade union organizations enjoy a legal framework for the full exercise of union rights. Although in practice they are still faced with numerous obstacles due to problems in the application of the law and to the inefficient monitoring of labour legislation implementation. The reduction of the salaried work force in the formal sector, both public and private, has deprived the trade unions of some of their membership basis, and has reduced the membership levels as a result.

Confronted by these challenges the union movement is embarking on a strong growth drive. In addition, it is also seeking to increase capacity to restore fair labour practices and to influence the government’s policies in the fields of socio-economic development, salaries, employment, training and health and safety.

2. Legal and Practical Structure of Labour Relations

2.1. Labour relations: over view and recent trends

2.1.1. Legal Situation

1998 saw the passing of a new Labour Law (8/98), which replaced the 1985 Labour Law (Law 8/85). The Constitution of the Republic and the Acts issued by the Assembly of the Republic and the Government comprise the legal foundation and the source of labour rights as contained in the Labour Law (8/98) in Article 4. The Constitution of the Republic (1990) guarantees the dignity and the protection of labour, freedom of association and freedom of trade unions to organize and the right to strike.

The scope of the Labour Law applies to the “employers and foreign and national salaried employees in all fields of activity who carry out their work in Mozambique in the State sector, the cooperative sector, the mixed State/private sector and the private sector”(Article 2). It also includes public companies and their respective employees. However, civil servants are governed by a specific statute. Other categories of labour relations (household, artistic, rural, etc.) fall under the provisions of this law “in so far as it is suited to their particular nature and characteristics” (Article 3).

Regarding individual employment relationships (Chapter II, Section I), “Freelance Employment and Retainers” are considered individual labour contracts for a fixed or indefinite period. This form of contract is permitted only for specific short-term tasks or for the temporary substitution of employees. Another restriction is that fixed-term contracts for a period of up to two years may only be renewed once (Article 9). These contracts include probationary periods.

Regarding mutual duties of employees and employers (Article 14), the law states that there is a duty to “respect and ensure respect for the applicable provisions of the laws and the collective labour regulations and to work together towards high level of entrepreneurial productivity and constant human and social advancement in respect of work.

Labour rights comprise freedom of association (both for employees and employers – Article 84), free exercise of trade union activity within the company or establishment (Article 95) and independence and autonomy of trade union associations (Article 98).

Other aspects included in the law relate to the protection of the rights and dignity of working women; the right to strike, employment, education and social security; and the right to inspection (to ensure compliance with labour legislation).

Nearly six years have passed since the Labour Law (8/98) came into effect, and its assessment has brought about different responses from trade unions and employers. The employers' association has already given the tripartite dialogue forum its assessment of the law, as well as its proposals for revision. Although the trade unions recognize the need for a revision of the labour law, they strongly disagree with the employers' positions, which in their opinion will deteriorate work conditions and remove already won rights such as the 60 days maternity leave. Given the extreme importance of the issue, the trade unions requested additional time for the discussion, analysis and preparation of the new bill of law, to ensure their participation.

2.1.2. Recent trends in labour relations

The trade unions consider the 8/98 Labour Law to be progressive; it guarantees the basic rights of the workers. However, labour legislation compliance has not been effective due to both the lack of resources and the lack of political interest. Thus, there has been room for illegal labour practices, which lead to a deterioration of labour conditions.

The unions accuse employers of non-compliance with the law on fixed-term contracts by not hiring employees permanently. Although the legal requirements for fixed term contracts have been in place, the lack of a fully functional Labour Inspectorate leads to the abuse of the provisions of the law by employers. Firstly, the most frequent abuse is the dismissal of employees after two fixed terms contracts, thereby avoiding the permanent employment which would have provided the employee with more stability and protection and given the employer additional responsibilities. Secondly, due to the changes in the business sector and due to lack of knowledge, certain employers convinced some permanent employees to accept fixed-term contracts. There are cases where workers, although aware of the law, have been forced to become occasional workers under threat of losing their job.

Therefore, the unions believe that the increase in the number of workers on fixed-term contracts, influences and will continue to influence trade union membership rates and will make unions more vulnerable to pressure from employers.

As can be seen below (2.4. Dispute resolution and the right to strike), some of these situations could be solved if the mechanisms for labour legislation compliance were functioning in accordance with the law and labour regulations.

2.2. Foundation and functioning of unions

2.2.1. Legal Situation

The Constitution of the Republic of 1990 states that workers have the right to organise themselves into professional associations or trade unions (Article 90). Furthermore, Mozambique ratified Convention no. 87 of the ILO, on Freedom of Trade Unions (Resolution no. 4/94, of 25 August 1994).

The right of association is specifically mentioned in the Labour Law, in Sections I and II of Chapter III, “Collective Rights and Collective Employment Relations”. The right of association applies to both employees and employers and states that the purpose of the associations is to promote the protection of the interests of its members, collaborate with the State in the preparation of labour legislation and in the development and execution of policies related to labour, employment, vocational training and development, production, salaries, health and safety at work; exercise the right to collective bargaining; and assist the Labour Inspectorate in monitoring the implementation of labour legislation and collective labour regulation instruments (Article 85).

In accordance with the Labour Law, “trade unions and employer associations shall become legal entities by registering the minutes of the general assembly, the list of names of its members and of its constitution at the Ministry of Labour, the central office of labour administration (Article 87). On registration, the Ministry shall publish the constitution in the Bulletin of the Republic, and any relevant acts, such as alteration, mergers and dissolution shall be noted subsequently in the Register of Associations (Article 89)”.

Trade union freedom and the protection of trade union rights are regulated in several sections. Article 95 states, on the exercise of trade union activities that “employees and trade unions have the right to carry out union activity within the enterprise or establishment”. One of the enterprise’s duties is “not to cause detriment to the employee for the performance of trade union duties” (Article 18). Further, Article 43, lists the types of absences, and states that all absences arising out of “the performance of necessary

and indispensable duties in trade union bodies or political parties, with the prior authorization of the employer, shall be considered justified.”

Furthermore, also within the framework of protection of trade union freedom, the law prohibits and shall consider null and void any acts by the employer seeking to make the employment of an employee conditional upon membership in a trade union, dismiss or transfer an employee because of his trade union membership or trade union activity (Article 102). This protection is emphasized in the case of trade union leaders (leaders of trade union associations and trade union committees). In these cases, the law states that they “may not be transferred away from their workplace without prior consultation with those associations, nor may they be discriminated against in any way because of the execution of trade union duties.” The law also prohibits the cancellation of these leaders’ employment contracts without just cause (Article 103).

Other stipulated trade union rights are the holding of meetings at the workplace outside normal working hours (Article 99) and the right to display information at the work place (texts, meeting dates, notices) regarding trade union affairs (Article 100). The deduction of trade unions membership fees (“check-off”) is not done automatically. An employee must submit a written statement authorizing direct debit of the fee indicating the amount to be deducted from his/her salary (Article 101).

The Shop Steward Committee, (“basic trade union representative in the establishment” – Article 96) has the following functions: to represent employees in the negotiation and execution of enterprise agreements and in the discussion of social and vocational problems at the workplace (Article 97). Recognition of the Shop Steward Committee by the employer shall be done by means of a letter identifying the elected members.

Trade unions are guaranteed independence and autonomy from employer associations and other non-trade organizations, which may not “promote the formation of, maintain and subsidize trade union associations or otherwise interfere with the affairs of their management or function” (Article 98).

2.2.2. Trade union rights in practice

The right of association guaranteed by law is not applicable to the state sector employees who will be subject to specific regulations that do not yet exist. Regarding this matter, recent attempts in 2001 have been made to legalize the National Trade Union of

the State Sector (“Sindicato Nacional da Função Pública” or SINAFP), which does not yet have legal status and awaits the issue of regulations as a result of the agreement between OTM-CS and Government, represented by the Ministry of State Administration. The regulations should have been developed within a six months’ period as was agreed between the parties. However, until now nothing has been put forward.

The prohibition to form associations with trade union characteristics also applies to the military and paramilitary forces.

Except for the above-mentioned cases, legislation permits a wide legal base for the exercise of trade union activity in all other sectors. The rights pertaining to the recognition of trade unions are considered to be relatively simple and accessible; the right to hold meetings at the workplace and to protect employees participating in trade union activities are guaranteed. Despite the guarantees provided by law, however, in practice there are some obstacles for the establishment of Shop Steward Committees in new companies, or in companies that have been formed after privatisation. The employer rarely grants any time off, the use of work place facilities is not permitted and sometimes the most active members are even persecuted. These employees are not harassed directly, but it is made to look as if they are going to be made redundant due to workplace reorganisation.

2.3. Salary determination and collective bargaining

2.3.1. Legal Situation

The labour law guarantees the principle of equal salary and equal benefits for equal work. It states that “the salary level of employees shall correspond to the growth in production, work productivity and economic development of the country “. The Government is responsible for setting minimum salaries applicable to different categories of employees (Article 47). In the “Comissão Consultiva do Trabalho” or CCT (Consultative Labour Commission), a tripartite forum including Government, employer and employee associations (see point 2.6), the minimum salary issue has been constantly on the agenda. However, agreements reached by this forum are not binding, and it is up to the Council of Ministers to make the final decision.

The determination of salary levels and career paths may be agreed upon directly between employees and companies by means of collective bargaining.

The right of association and collective bargaining is guaranteed in the Labour Law. In addition, the Mozambican Government ratified Convention no. 98 of the ILO (Resolution no. 4/94, of 25 August 1994).

The Labour Law states that the purpose of exercising the right of collective bargaining “is to establish and stabilize collective employment relations” (Article 106). It therefore regulates the mutual rights and duties of both the employees and employers bound by individual employment contracts. It regulates the resolution disputes which arise out of the execution or revision of collective regulation agreements and the respective extension process. The interested parties may freely determine the content of these agreements, provided they do not violate the provisions of the law.

Several types of collective regulatory agreements are noted, such as the Company level agreement, the Collective agreement, the Arbitration award, and the Compliance agreement (Article 107). The provisions apply to enterprises and establishments with more than 10 employees, and may only be ratified by employers and employees through the respective organizations or associations (Article 108). The procedure is outlined as follows: Firstly, either the trade union or the employer must submit a proposal. The recipient of the proposal has a 30-day timeframe within which to submit a written response. The direct negotiations constitute the final phase (Articles 109, 110 and 111). Trade unions and employers are called upon to behave in accordance with the “principles of good faith” when bargaining and “supplying the other party with the necessary information. The information must be credible and appropriate for the progress of the negotiations, and should not raise issues that have already been agreed” (Article 112).

The agreements reached shall be registered in writing, and the original of the collective agreement shall be deposited with the pertinent local labour administration office within 20 days after signing. The signing parties are obliged to respect the agreements and the workers may not resort to strikes with the purpose of forcing changes to the agreement (Articles 113, 114 and 115).

It must be noted that the Government agreed to some of these rights after union pressure to ratify the following ILO Conventions:

- Convention no. 100, on the equality of remuneration between men and women (Decree-Law 22/77, of 28 May);

- Convention no. 111, on discrimination at work (Decree-Law 22/77, of 28 May);
- Convention no.144, on tripartite consultations with the purpose of promoting observance of international labour norms (Resolution no. 4/94, of 25 August).

2.3.2. Salary determination and collective bargaining in practice

The trade unions believe that salaries have lost their real value in real terms due to the loss of purchasing power. This has been one of the main issues for discussion in the tripartite forums. The points of disagreement are:

- The trade unions argue that the minimum salary should be defined on the basis of the minimum food basket (according to the ILO Convention no.131, which the Government refused to ratify). The Government and the employers believe that current circumstances do not yet favour the adoption of that method. Meanwhile, the minimum salary level is set in accordance with the rate of inflation and production⁴.
- The Government's and the trade unions' analysis of economic performance do not always coincide. For instance, the disagreement in 2003 was caused by the fact that the Government submitted to CCT a report that was different from the one it had presented in Parliament. In addition, the Government's reports on the final information are often only handed over at the moment when negotiations start; the unions are thus unable to prepare for the negotiations.

The minimum salary proposal presented by the trade unions to CCT in February 2003 showed the effects of the reduction in the real purchasing power of the minimum salary. In May 2002 it only covered about 50% of food costs (but has now decreased to currently approximately 39%). The trade unions' minimum salary proposal also noted that the minimum food basket does not include other expenses such as transport, water, education, and health. It is for these reasons that the minimum salary currently covers less than 39% of a family's expenditure.

⁴ Calculation of the readjustment rate of the minimum salary is based on the following model:

$$Tr = [(1+t1) (1+t2) - 1] + \mu$$

Where:

Tr – Readjustment rate of the minimum salary

T1 – Average inflation rate./T2 - Productivity

μ - Bargaining factor.

Table 3: Cost of essential foodstuffs for a household of 5 persons

Products	Consumption Kg/month	Price per kg	Total Cost per Person	Total Cost per Household
Normal rice	1,0	9,000.00	9,000.00	45,000.00
Maize flour	9,0	14,000.00	126,000.00	630,000.00
Vegetable oil	1,5	28,000.00	42,000.00	210,000.00
Brown sugar	1,5	14,000.00	21,000.00	105,000.00
Peanuts	1,0	17,000.00	17,000.00	85,000.00
Beans	1,5	20,000.00	30,000.00	150,000.00
2 nd class fish	2,0	25,000.00	50,000.00	250,000.00
Vegetables & fruit	6,0	12,500.00	75,000.00	375,000.00
Energy (firewood and Kerosene)			52,000.00	260,000.00
			422,000.00	2,110,000.00

Source: OTM-CS, 2003

Regarding the minimum salary in the agricultural sector, the trade unions criticize the large gap between the industrial and agricultural sectors. They maintain that the “viability of the agricultural sector should not be achieved only through the workers’ personal sacrifice”, and point to studies on poverty levels which clearly show that poverty is more acute in rural areas. Therefore, to reduce the gap between the minimum salaries of those two sectors would assist in alleviating poverty. Thus, they propose a higher increase in the minimum salary readjustment in the agricultural sector than that of the industrial sector.

However, although CCT seeks to achieve consensus, the final decision on the minimum salary is the Government’s responsibility, as prescribed by law.

Another issue raised by the trade unions is the determination of salary levels in companies. Current practice is to adjust salaries by the minimum salary percentage increase, without taking into account professional qualifications or length of service.

This is one of the union’s points in collective bargaining at company level, although many employers do not put forward staff lists or financial balance sheets.

It is estimated that only 15% of the national trade unions affiliated in OTM-CS have collective labour agreements, which falls short of the objective of reaching 50% in 2003.

In 2003⁵, 39 new collective agreements were signed (benefiting 707 employees), 4 were renewed and another 5 are currently under negotiation.

As for the trade unions affiliated in CONSILMO, the situation in 2003 was as follows:

Table 4: Collective agreements signed by trade unions affiliated to CONSILMO and in force until 2004

Trade Unions	No. Of Shop Steward Committees	No. Of Agreements	%
SINTICIM	288	66	22.92
SINTRAT	83	12	14.46
SINTIHOTS	721	69	9.57
SINTESPGM	34	6	17.47
TOTAL	1 126	153	13.59

Source: CONSILMO, 2004

Until now collective agreements at company level have been given priority. This is considered necessary to proceed to a second phase in which the objective is to have more inclusive sector agreements. So far there is only one sectoral agreement, that of the banking sector (SNEB).

Nevertheless, all parties acknowledge the need to increase the number of collective agreements. The obstacles that have already been identified are the Shop Stewards Committees' lack of training in collective bargaining; low economic growth rates; high inflation rates; and resistance from the employers. Employers often do not disclose the true information about a company's economic performance. Employers also do not comply with existing agreements and often cite financial difficulties without consulting on these matters with the Shop Stewards Council.

In the context of collective bargaining, priority issues for the trade union movement are:

- Payment of backdated remuneration and salaries in arrears;
- Placing employees in career paths and upgrading their jobs with commensurate salary increases;
- Professional certificates;
- Payment of bonuses based on length of service and productivity;

⁵ Provisional numbers.

- Payment of compensation for night and abnormal shift work and for management positions;
- Payment of family allowance;
- Payment of food allowance;
- Payment of the 13th salary cheque;
- Providing safety and protective personal equipment in the workplace;
- Medical assistance and medicines;
- Assistance for HIV-infected employees;
- Group transport for employees.

2.4. Conflict resolution and the right to strike

2.4.1. Legal Situation

a) Mechanisms, procedures and institutions involved in conflict resolution: Framework of conflict resolution.

The Labour Law states that “collective disputes arising out of the establishment or revision of collective labour regulation agreements may be resolved through mediation or arbitration” (Article 116). Requests for mediation shall be submitted to the responsible local labour administration authority, and, in case an agreement cannot be reached with regard to the mediator’s proposal, arbitration may be requested (Articles 117 to 123). Given the need to accelerate the resolution of labour conflicts, the Arbitration Law was published (Law 11/99, of 8th July). This law refers to Arbitration, Conciliation and Mediation as an alternative means of conflict resolution to the judicial system. The parties in dispute may refer the matter for arbitration by means of an explicit arbitration agreement, even if a lawsuit has been opened in a court of law.

Workers in Industrial Free Zones are subject to a special regime, regulated by Decree no. 75/98 of 12th October, which states that collective labour conflicts are subject to compulsory arbitration (Article 9).

The Labour Inspectorate oversees labour legislation compliance. It is part of the Ministry of Labour and answers directly to the Minister. Its task is to confirm employers’ and employees’⁶ compliance with their obligations in terms of the law. The Labour Law states as its’ responsibilities the control and inspection of compliance with labour

⁶ The legislation that regulates the Labour Inspection is as follows: Decree no. 32/89 of 8th November – Reorganizes the Labour Inspection and sets the rules for its functioning; Ministry Diploma 17/90 of 14th February – Regulation of the Labour Inspection; Ministry Diploma 88/99 of 11th August – Alters some Articles of the previous Regulation.

legislation and the reporting of verified violations to the relevant authorities of the State (Articles 207 and 208). The Labour Inspectorate's scope of action includes all branches of activity across the national territory.

The courts are the ultimate authority in terms of labour conflict resolution. Although Labour Courts have been provided for in Law 18/92 of 14th October, these are not yet functioning. The Labour Courts are to substitute the Labour Justice Committees (founded by Decree no 14/75 of 11th September), as they are inadequate in light of the new political, social and judicial order based on the constitution of 1990.

According to law 18/92, the Labour Courts shall function at provincial and district level, each one of them will have a professional judge and a representative of the Public Prosecution. These Courts have the responsibility to evaluate and judge issues related to labour, occupational illnesses, work accidents and infringements of labour norms and social security. These Courts shall seek to solve disputes by conciliation, reaching an agreement whenever possible.

As mentioned above, the Labour Courts have not yet been created. In the interim the labour sections of the Provincial Courts perform their functions.

b) Extension and limitations of the right to strike

The right to strike is guaranteed both in the Constitution (Article 90) and in the Labour Law (Section V), which regulate how it may be exercised. However, it is forbidden for the Armed and Police Forces to resort to strike action. In the cases of essential services and activities, it is necessary to ensure availability of minimum (essential) services, the scope of which is determined by the employers after compulsory consultation with the trade unions.

Employers are strictly forbidden to lockout. "Lock outs" are defined as the employer's right "to close the enterprise or services or to suspend work in part or all of its sectors, with the intention of pressuring its employees to maintain existing working conditions or to establish other less favourable conditions" (Article 131). Furthermore, it is also forbidden to carry out any act with the purpose of causing detriment to an employee for supporting or not supporting a strike declared in accordance with the law. It is stated that employees on strike may not be substituted by employees who were not in the employ of the enterprise at the date of strike notice (Articles 132 and 140). During a strike, certain

terms of the employment contract are suspended: - the right to remuneration and the duty of subordination and diligence, unless there is a clear violation of the collective agreement on the part of the employer (Article 141).

Strike action is prohibited as a means of changing or revising collective agreements whilst they are still in force (Article 115), except if employers commit serious violations and if all other means of peaceful resolution should fail (Article 133).

The law prescribes the procedures required for declaring a strike in an enterprise or establishment: Resort to strike shall be decided by the trade unions after consultation with the workers. If no trade union is represented in the enterprise or establishment in question, the decision shall be made by means of secret voting in a workers' assembly; employees on strike are represented by the respective trade union. The trade union shall submit a prior written notice 72 hours before the start of the strike (indicating reasons, places where the strike will occur and the duration). The respective local labour administration shall also be notified 48 hours in advance.

For employees in Industrial Free Zones (Decree no. 75/98 of 12th October) the period of prior notice is set at 7 days; the strike shall be convened by the provincial or national trade union, "after the Council of Industrial Free Zones has guaranteed the supply of minimum (essential) services (Article 9).

2.4.2. Conflict resolution and the right to strike in practice

Trade unions state that there have been many cases of labour legislation violations over the past few years and that employees have few opportunities to exercise their rights.

In 2002, in those companies where employees were members of national trade unions affiliated to OTM-CS, there were 336 registered labour conflicts, of which 155 were individual and 181 collective. The main causes were dismissals without just cause and non-payment of compensation. By the end of the year, the situation was as follows: the employees won 79 of the cases, 180 were referred to the courts and 77 are still under negotiation.

Although the law makes provision for monitoring and compliance, in practice this does not happen satisfactorily. The Labour Inspectorate, which according to the law is the most important body for verifying and correcting illegalities, is not functional, and is suspected of corruption. This issue has constantly been discussed in the tripartite

forums, but it is felt that nothing has been resolved. The most frequent complaint from the Shop Steward Committees is that when they report irregularities to the Labour Inspectorate, they are not informed of the follow up. Sometimes, they find out indirectly that Inspectors have visited the enterprise and met with the employer. At other times it is suspected that nothing has been done about the complaint. Many complaints are related to non-compliance with collective agreements and, when some conflicts result in a strike, the workers are accused of acting illegally or in contravention of the Labour Law, which clearly states that the resort to strike action does not apply while the collective agreements are in force (Article 133).

Besides, Labour Inspectors are also accused of hampering the trade unions' work, by questioning the automatic deduction of membership fees (check off) in enterprises due to collective agreements. Legally, a written statement by the employee authorizing such deduction from his/her salary shall suffice for the purpose. However, even in enterprises where check off is implemented legally, the Labour Inspectorate has questioned it.

Furthermore, the majority of Labour Inspectors have been in their positions for a long time, some for more than 20 years, which – according to the trade unions – leads to corruption. This fact has been reported at several tripartite meetings, and the need for more frequent reassignments of Labour Inspectors has been stressed, but no concrete decisions have been taken. One of the reasons given by the Government for the weak functioning of the Labour Inspectorate services has been the lack of resources to reach all enterprises in the country. The trade unions state that the lack of resources cannot justify the extreme violations of labour rights, and that it is the State's responsibility to try to ensure good compliance with the law in the country.

The unions are not satisfied with the arbitration process outside the judicial system. This is why the union leadership always recommends mediation. Arbitration is expensive (the parties involved must pay the cost) and the Government members who arbitrate are suspected of favouritism. Experience has shown that workers always lose arbitration processes.

Based on the experience accumulated over the years that the law has been in force, the trade union movement states that it is necessary to use independent and autonomous mediation in order to ensure respect for the rights of all parties.

Thus, the contravention of workers' rights has resulted in the outbreak of countless strikes. A survey on labour conflicts in Mozambique in the period 1987-2001⁷ showed that the majority of interviewed workers had participated in one or more strikes. Main causes indicated were, in order of importance: low salaries (38.5%), delays in salary payments (28.2%), lack of salary readjustment (11.2%) and other causes (22.2% - including non-compliance with the compensation claims provisions, abuse of power and lack of safety equipment). Although the interviewed workers have already participated in strikes, the majority consider strike action to be the last resort, and promote other means of conflict resolution, namely: bargaining (55.7%), mediation (27.8%), arbitration and other forms (16.4%).

Examples of reasons for strike action where OTM-CS affiliated trade unions went on strike in 2003 are:

- At ZUID (assembling factory for domestic electro-appliances), the workers went on strike twice during the year due to their salaries being 34 months in arrears. The strike did not solve the problem as the owner abandoned the company. The employees are currently negotiating with the Government through the National Board of Industry, to receive not only their salaries but also the compensation that they are entitled to.
- At IMA (zinc and fibrocement plate production), the workers went on strike because their salaries were 36 months in arrears. The company is still functioning, but the employees did not manage to get their salaries. The National Board of Industry is handling the case as the trade union referred the matter to court.
- In other companies where there was strike action, the causes were also a delay in payment of salaries, allowance, and benefit claims (which includes payment of medical assistance and pharmaceutical allowances, a social centre at the work place, transport for the employees, etc.).

Despite the protection provided for by law, some workers were dismissed for having participated in strikes, which is a breach of Article 140 of the Labour Law. The above-mentioned survey on labour conflicts states that a "significant number" of employees

⁷ See Eusébio António et al., 2003, Sociological analysis of labour conflicts in Mozambique, 1987-2001 (Research report), Maputo: Labour Ministry/Office of Studies; the survey included a representative sample of the entire country, with 113 enterprises and 1,285 employees, of which 1,080 men and 205 women.

were dismissed as a consequence of their participation in strikes. In these cases the workers were entitled to ask for compensation, as in the case of the strike at MOZAL (aluminium industry, which has the status of a Free Processing Zone) in 2002. Forty employees who were dismissed for going on strike won their case in court and received compensation. The slow pace at which labour conflicts are resolved in the courts and in the dispute solution processes leaves employees with few options other than going on strike.

One of the gaps in the legal provisions on the right to strike is that the law refers only to a situation of duly regulated suspension of work in an enterprise. For those strikes that do not fit into that context, there is a legal void. For instance, in 2000, all the trade unions joined forces to dispute the increase in the minimum salary and threatened a general strike. There was a view that the strike action would be illegal. The unions' opinion was that the right to strike is indisputable and is clearly expressed in legislation.

That there was a legal omission on the procedures in calling for a general strike did not mean the strike was illegal.

The Labour Courts, as mentioned above, have not yet been constituted; instead there are Labour Sections in the Provincial Courts. However, due to an insufficient number of judges, these labour sections do not have the capacity to respond to the amount of cases that are submitted every week. It is estimated that in the city of Maputo alone, nearly 10,000 court cases have been pending for three years or more. This situation seriously infringes workers' rights. There are cases where the awards could not be carried out, as the enterprise that had to pay the prescribed compensation was no longer in existence. Regarding this issue, a trade union leader said that when a case is sent to court, one should expect it never to be resolved.

2.5. Employees' participation at enterprise level

2.5.1. Legal Situation

The possibility of participation by employee representatives in the planning and management processes of the enterprises is not provided for in the law. This is despite the experience gained during the early years after independence, under the rule of a government that adopted a socialist model. Some attempts by the trade unions to discuss this issue in tripartite forums were summarily dismissed, with the recommendation that it was not opportune to "revive corpses".

2.6. Trade union representation in tripartite structures and other advisory structures

2.6.1. Legal Situation

The most important forum in which trade unions participate is the Consultative Labour Commission – CCT (Comissão Consultiva do Trabalho), founded by Decree no. 7/94 of 9th March, allows “the necessary transformation for economic reorganization and national development to proceed in the context of concerted peace and observing the principles and objectives that rule Mozambican society”. In this context, CCT is “destined to promote dialogue and social adjustment in the framework of the economic, social and labour policies provided by the Government” (Article 1), and its task is to “analyse and give opinion on fundamental issues regarding the functioning of the economy, particularly with regard to the social and labour domain”.

The CCT is a tripartite structure composed of Government representatives, employers and employees: the Minister of Labour as Chairman; ministers in charge of the main sectors of economic activity, namely Planning and Finance, and Industry and Energy; six representatives from the employers’ representative organizations and six representatives from the employees’ representative organizations. Each one of these has a renewable tenure of two and a half years.

CCT is expected to convene specialized sub-commissions that will carry out studies of social and economic activities (Article 9). It should also have a Technical Council consisting of professionals and technicians assigned by the Chairman (Article 10). The CCT shall meet half-yearly in ordinary sessions and in extraordinary sessions when requested by one of its members.

The discussions of this forum are not binding in character: “The conclusions, recommendations or opinions of the plenary meetings shall be submitted to the Prime Minister in order that the Government may evaluate them ”(Article 13).

Labour is also represented at the National Institute of Social Security (Instituto de Segurança Social) – INSS⁸ (founded by Decree no. 17/88 of 27th December), whose Board consists of equal numbers of representatives of the State, employers and employees. The INSS is the managing body of the social security system. It is a legal

⁸ Translator’s note: from now on referred to as INSS.

entity with administrative and financial autonomy and falls under the supervision of the Ministry of Labour.

The Action Plan for the Reduction of Absolute Poverty – PARPA, 2001-2005, which was adopted by the Government, is another body that labour participates in. The PARPA is a medium term programme which aims to clarify the strategy for the fight against poverty, to identify actions and to set indicators and targets. Absolute poverty in the country was estimated at 70% in the year 1997, and through the implementation of the PARPA is expected to drop to less than 60% in 2005, and to less than 50% in 2010.

Labour criticized civil society's weak involvement in the discussion and concept of the PARPA in the Forum for Social Adjustment. It drew attention to the need to give priority to the economic growth and development.

2.6.2. The Tripartite system and social dialogue in practice

One of the top priorities for the trade unions regarding their participation in the CCT was the need to present a cohesive position as a social movement. For that purpose, in 1995 the Forum for the Coalition of Trade Unions (Fórum de Concertação Sindical – FCS) was constituted with the aims of ensuring labour unity and to coordinate trade union vision and action in the context of the struggle for the advancement and protection of workers' rights and interests.

According to the Regulation (April 1998), the FCS is defined as “a platform for the shared responsibilities and ideas, actions and trade union intervention” whose task is “to plan and carry out coordinated initiatives that realise the objectives of member union organizations, in the pursuit of the objectives specified in their respective constitutions and programmes”. It comprises the two trade union federations, OTM-CS and CONSILMO, the independent unions SNJ and ONJ-SNP, and an association for pensioners, APOSEMO.

The FCS's objectives are to: promote coordination between the trade unions; to study and propose joint measures or public positions on trade union matters in the country; to carry out research and fund raising, to promote the image of the trade unions, and to disclose their activities. A coordinator chosen from amongst its members, with a one-year tenure, chairs this forum. Generally, the forum meets monthly and once a year in plenary session; quarterly meetings are attended by the trade union Secretary Generals.

The FCS meetings generally precede the CCT sessions, attempting to prepare for the tripartite meetings.

The establishment of this forum has clearly strengthened the unions' participation in the CCT. Although the unions continue to face other types of problems namely the lack of technical, legal and economic advice in order to obtain access to more substantial and updated information on the economic trends, both nationally and global. The unions also lack necessary resources for negotiating claims with greater legal consistency. This last point is considered an essential condition for labours' participation on equal terms in the debates with the representatives of the Government and the employers' association (CTA). The Government has its own advisors and, with financing from USAID, the CTA has been able to contract the technical staff it needs to support its positions.

To overcome this situation of blatant inequality in contrast to the other partners in the tripartite dialogue, the unions propose that Government allocates an operational budget to CCT. This budget would allow funds to be allocated for technical assistance and would reinforce the participants' capacity.

According to the unions, another difficulty in the functioning of the CCT is related to Government's position during the negotiations, as issues such as salary and work conditions may lead to conflicts of interest. The State is not only the largest employer in the country, but some political leaders are also entrepreneurs (although they are not represented as such in the CCT sessions). Therefore, the Government which is expected to perform the role of mediator between employers and trade unions, is also a directly interested party.

In 2003, the following issues were debated, some of which will continue on the agenda during 2004, as the partners did not reach any satisfactory consensus or because the issues need to be constantly readdressed:

- Readjustment of the minimum salary;
- Elimination of the disparity between salaries in the industrial and agricultural sectors;
- Regulation on professional certification;
- Construction of 4 Labour Court buildings in Maputo, Sofala, Nampula and Zambézia;
- Revision of the Law on the Social Security System.

Another issue that has been presented many times to the CCT and INSS is that some enterprises do not transfer the social security system contributions to INSS. The present contribution rate for the national security system is 7% of the employees' monthly remuneration, the employees and employers pay 3% and 4%, respectively. As this contribution is automatically deducted from the salary, it means that when a company does not transfer the funds to the INSS, it does not pay the 4% it is supposed to pay, and it also retains the employees' contributions.

The trade unions believe that there are several factors that prevent full support for the INSS. In the first place, despite the fact that the Government, employers and trade unions should have the same level of representation in the Board of Administration of this institution.

The Government not only has the three representatives determined by regulation, but is represented also by the Chairman of the Board of Administration, the representative of the Minister of Labour, and the Director of the INSS (but without right to vote).

Secondly, it is important to mention that a consensus reached by the Board of Administration is not binding; the Minister of Labour is responsible for making the final decision. As a consequence of this lack of joint decision-making power with regard to the social funds, the last few years have seen decisions on investment or fund allocation that threaten the sustainability of the system.

Thirdly, trade unions and employers maintain that they are the only entities contributing to the social security system and they demand participation. In fact, the social security system and the INSS are maintained by the contributions of the employees' and the enterprises, but Government manages the system.

The trade unions have started participating in the revision of the social security system regulation. They highlight the small pensions paid to retired employees and demand that the minimum pension should not be less than the minimum salary. They also highlight the small social benefit packages paid to registered employees. The trade unions' participation in the PARPA is still in its initial stage, as labour was not included in the conception phase of the plan. In a positive response by Government to pressure from the trade union movements, some representatives were invited to take part in the Poverty Observatory, an advisory forum comprising Government, donor community and civil

society⁹. In a FCS meeting (FCS, Maputo, 15/8/2002), the unions' position on the contemplated strategies and programmes was that Government should not ignore the fact that the national industry is in decline and that this has led to thousands of unemployed workers.

The following was suggested:

- The Government should take over enterprises where the privatisation process was unsuccessful;
- A policy of fiscal incentives, for instance revision of customs' tariffs;
- A policy of concession for more accessible bank credits with lower interest rates;
- A policy for the clampdown on the illegal entry of industrial products that compete on uneven terms with the national industry;
- The Government should assume responsibility for employees who lost their jobs due to the impact of the adopted policies, as happened in the cashew sector.

3. Trade Union Labour Movement Profile

3.1. Trade Union History

One of the possible approaches to the study of the trade union movement in Mozambique is its link to political power and the nature of its relationship with the workers' interests. From this point of view it is possible to outline three phases in its development.

The creation of the Production Councils in 1976 meant a formal break from corporate unionism, the only form of workers' organisation permitted during the colonial period. The Production Councils fell under the protective shield of the new state. The new organisational structure of the workers that appeared was extremely dependent on the ruling party and on the government. This was justified by the assumed similarity of interests to those of the socialist state and the workers. In 1983, the Workers' Organization of Mozambique (Organização dos Trabalhadores de Moçambique – OTM) was formed which united the various trade unions. Despite the new requirements regarding structure and articulation to the different areas of economic activity, the trade union work continued to be based on the Production Councils. The development of a

⁹ Four representatives of religious organizations, 6 representatives of NGO networks, 4 representatives of NGOs active in the area, 1 representative of scientific associations and 3 representatives of trade unions.

patriotic and proletarian consciousness was required. Great importance at the time was placed on ensuring that workers had the necessary technical and scientific competence, on work organization and discipline; and on ensuring the socialist transformation of labour relations.¹⁰

After this period, the trade union faced the problem of being a state union and ensuring the functioning of the state, whilst simultaneously having to meet the new challenges of liberalisation policies and the introduction of an open market economy. The massive strikes of the 90's in the city of Maputo defied the movement with its loyalty to Frelimo and Government. It was also a period of strong internal contests that led to secession within OTM, especially after the law that guaranteed the freedom of trade union associations was passed in 1991 (Law 23/91). Three of the seventeen trade union branches became independent and organized themselves in the National Federation of Free and Independent Trade Unions of Mozambique, CONSILMO. CONSILMO was legalized in 1997. OTM itself was forced to reconsider its working methods, which were too centralised, and converted to a trade union federation, granting wider autonomy to the national trade unions.

The unions also had to demarcate themselves clearly from the Government and from the ruling party, especially as they were viewed with suspicion by the workers who saw the union work as a continuity of the activities of the Production Councils and later of socialist unionism¹¹. Strategies had to be developed both for the information and communication of a new image for the acting trade union movement and for the capacity to intervene in the context of the new economic model. Under pressure to respond to the new demands regarding the protection of workers' rights, the labour movement searched for a platform of joint union action through the creation of the FCS, in 1995. The two trade union Federations, OTM-CS and CONSILMO, two independent trade unions, SNJ and ONJ-SNP, and one association, APOSEMO participated in the FCS. The FCS has been an important platform for the discussion of and the search for consensus with regard to the strategies and perspectives of the trade union movement, especially at a

¹⁰ S. Machel, 1983, Trade unions will organize the workers to eliminate hunger and nudity (speech held at the opening of the Constituting Conference of Mozambican Trade Unions, 31/10/83, Maputo), Maputo, Editions of the Frelimo Party, p. 20.

¹¹ See Study by A. Mathe and F. Mazoio, 1999.

time when the trade unions saw their traditional foundations weakened by the reduction of members from the salaried workforce of the formal sector.

3.2. Membership growth rate and union density

Since 1987, the large reduction in the number of salaried workers has strongly affected the traditional union membership base. The crisis in the national industry had an impact on the sectors of production and on the membership rates of all national trade unions, whereby some suffered more than others. In the cashew production sector, for example, the number of SINTIC Shop Steward Committees dropped from 12 to 4 between the years 2000 and 2002, the number of workers from 10,296 to 1,833, and the number of members from 8,000 to 476 (number from OTM-CS, 2003). This situation affected the national trade unions affiliated to OTM-CS and CONSILMO equally, as can be seen in the two following tables:

Table 5: Membership growth rate in OTM-CS

Year	No. Of workers	No. Of members	Membership rate (%)
1990	293 908	199 857	67.91
1994	196 875	131 823	66.95
1998	184 456	116 986	63.42
2000	175 293	103 957	59.03
2002 ¹	247 802	91 523	36.90

Source: OTM-CS, 2003

¹ The integration of the recently founded Trade Union of State Sector Employees (Civil Servants) contributed to the decline of membership rates.

Table 6: Membership growth rate in CONSILMO

Year	No. Of workers	No. Of members	Membership rate (%)
2000	74 961	41 407	59.06
2003 ¹	98 819	59 775	57.86

Source: CONSILMO, 2003

¹ The integration of the recently founded Trade Union of Workers of Private Security and Guarding Companies contributed to the decline in the membership rate.

OTM-CS, in 2002, through the incorporation of the state sector employees into SINAFP, showed a steep decline in the membership rate which does not correspond

proportionally to the reduction of the total number of unionised employees. The same occurred in CONSILMO, with the integration of SINTESPGM (employees of private security and guarding companies) in 2001.

Where new members signed-up, the trend has indicated that they are mainly younger workers. This reflects the strategies of the Shop Steward Committees to attract mainly younger workers to rejuvenate the unions. In fact, when considering the delegates to the IV Congress of OTM-CS (2002), we find the following demographic composition:

Table 7: Age of the delegates to the IV Congress of OTM-CS, 2002

Age groups	No. Of participants
18 – 25 years	--
26 – 35 years	11 = 5 %
36 – 45 years	85 = 40 %
46 – 55 years	99 = 46 %
56 years or more	20 = 9 %

Source: OTM-CS, 2002

Table 8: Delegates to the IV Congress of OTM-CS, by sex, 2002

Sex	Number
Male	158 = 69 %
Female	71 = 31 %
Total	229

Source: OTM-CS, 2002

When analysing the two tables, we can state that both women and the youth are still under-represented in the Congress, which is also reflected in the composition of the trade union leadership. The following Table 9 shows the proportion of women in the trade union leadership positions of OTM-CS.

The under-representation of women is also obvious in the percentage of unionised workers, (see Table 10) but it should be noted that in some sectors the female workforce is minimal (see Tables 10 and 11).

Table 9: Participation of women in trade union leadership positions, OTM-CS, 2003

Members of the Secretariats	Total	54
	% Women	29.2
Members of the National Councils	Total	292
	% Women	26.7
No. Of Shop Steward Committees in the companies		1 034
No. Of women committees in the Shop Steward Committees		279

Source: COMUTRA, OTM-CS

Table 10: Number of workers and trade union members, by sex, OTM-CS, 2002

Trade Unions	Number of workers				Number of trade union members			
	Total	Men	Women	% Women	Total	Men	Women	% Women
SINTIAB	6530	5552	978	14.97	3886	3004	882	22.69
SINTIME	10559	9224	1335	12.64	6913	6251	662	9.55
SINTMAP	6375	6145	230	3.60	3239	3023	216	6.66
SINTIQUIGRA	8651	7247	1404	16.22	5734	4705	1029	17.94
SINTIA	880	19115	2765	12.63	13431	12957	837	6.23
SINTEVEC	9565	7124	2441	25.52	8640	6360	2280	26.38
SINTAF	2407	17454	2953	14.47	15531	13717	1814	11.67
SINPOCAF	11159	10784	375	3.36	5728	5518	210	3.66
SNAFP	110000	53000	57000	51.81	4166	2083	2083	50.00
SNEB	--	--	--	--	--	--	--	--
SINTIC	1883	1227	656	34.87	476	476	--	--
SINTAC	7911	5408	2503	31.63	5911	4189	1722	29.13
SINECOSSE	2912	16687	8226	33.02	9225	6918	2307	25.00
SINPEOC	5138	5057	81	1.57	3568	3500	68	1.90
TOTAL	183970	164024	80947	44.00	86448	72701	14110	16.32

Source: COMUTRA, OTM-CS, 2003

Table 11: Number of workers and trade union members, by sex, CONSILMO, 2003

Trade Unions	Number of workers				Number of trade union members			
	Total	Men	Women	% Women	Total	Men	Women	% Women
SINTICIM	36649	36176	470	1.29	26470	26320	150	0.56
SINTRAT	14000	13610	380	2.79	10000	9895	105	1.06
SINTIHOTS	31517	19950	11567	57.97	18410	13263	5147	38.80
SINTISPEGM	16653	16443	210	1.27	4895	4803	92	1.91
TOTAL	98819	86182	12637	12.79	59775	54281	5492	9.19

Source: CONSILMO, 2003

With the creation of the Committees of the Working Woman (COMUTRA in OTM-CS and COMUT in CONSILMO) as of 1993, the attempts to mobilise female workers to join trade unions intensified. These Committees tried to create appropriate platforms to discuss the problems and specific needs of female workers and to identify common strategies in their struggle.

3.3. Trade union structure

3.3.1. Trade union federations:

At present, there are 20 national trade unions in Mozambique, of which 18 are affiliated in two trade union federations, OTM-CS and CONSILMO. In addition there are two independent trade unions, SNJ and SNPM/ONP and APOSEMO, which is an association for pensioners.

OTM-CS is the oldest trade union federation and has 14 of the 20 national trade unions as affiliates. It is represented at national, provincial and district levels. In 2000, there were 175 293 workers employed in the sectors in which OTM-CS was active.

OTM-CS affiliated unions had 104 056 members i.e. a membership rate of 59.3%¹². OTM-CS aims to protect “the unity and the interests of the workers and national interests, and acts in full independence” with regard to other non-trade union organizations. Its objectives are to: promote unity of the trade union movement; ensure the protection of the lawful rights and interests of the workers; and to promote and

¹² In the figures for 2002, with the legalization of the National Trade Union of State Sector Employees (SINAFP), the number of workers rises by 110,000 which reduces membership rates.

consolidate class conscience and solidarity among the workers in the context of the general struggle for better living conditions, justice and social progress.

As a federation its functions are to: coordinate and provide assistance in the activities of its affiliates; represent affiliates in meetings with government, the employers' organizations and tripartite forums; and to participate in the development of the policies that affect the workers and the trade union movement.

CONSILMO was legally constituted in 1997. It unites 4 national trade unions and is represented in all provinces. In 2002/2003, there were 98,189 workers in the sectors in which it was active, of which 57,212 were union members, i.e. membership rate of 58.3%. Three of the trade unions that originally joined to form this federation gained their autonomy from OTM in 1992. Its constitution states the following objectives: to fight for a society that is just, free and equalitarian; to strengthen the Mozambican trade union movement through the democratisation of trade union structures and through the promotion and the creation of national and autonomous trade unions; and to protect the individual and collective freedom and the rights and interests of the workers. With regard to its affiliates, CONSILMO has a coordinating role, ensuring and respecting their total autonomy.

Both OTM-CS and CONSILMO as collective bodies are legal entities, with financial, administrative and patrimonial autonomy. They are governed by the principles of trade union democracy: guaranteeing free affiliation to the national trade unions and their participation in the organization, and ensuring the right to freedom of expression and opinion. This means that the working methods are based on the eligibility, representativity and on the accountability of the elected officials and on the principle of voting as the means of decision-making.

Initially, the relationship between the two trade union federations was tense as a result of the crisis situation that caused the secession. However, faced by the challenges of trade union militancy, the dialogue was resumed and in 1995 OTM-CS and CONSILMO founded the Forum of Trade Union Conciliation.

Both organizations have by definition total autonomy and independence with regard to the employers, state, political parties, religious groupings and other non-trade union organizations. However, they admit and encourage cooperation on the basis of the

principles of freedom and independence, within the context of their mission and their objectives.

3.3.2. National trade unions:

The national trade unions are similarly structured, although they are affiliated to two trade union Federations, covering workers by economic sector.

The following table shows the ten national trade unions that had the largest number of registered members in 2002/2003 ¹³.

Table 12: National Trade Unions with the largest numbers of members, 2002/2003

Trade Union	No. of companies	No. of Shop Steward Committees	No. of workers	No. of members	Membership rate	National Affiliation
SINTICIM	810	288	36 649	23 907	65.23	CONSILMO
SINTIHOTS	5 029	721	31 517	18 410	58.41	CONSILMO
SINTAF	176	130	20 407	15 531	76.10	OTM-CS
SINTIA	12	5	23 000	13 431	58.39	OTM-CS
SINTRAT	205	83	14 000	10 000	71.42	CONSILMO
SINECOSSE	7 912	178	24 912	9 225	37.03	OTM-CS
SINTEVEC	46	40	9 565	8 640 ¹	90.32	OTM-CS
SINTIQUIGRA	236	103	9 448	6 923	73.27	OTM-CS
SINTIME	286	53	10 959	6 913	63.08	OTM-CS
SINTAC	40	229	7 772	5 911	76.05	OTM-CS

Source: OTM-CS and CONSILMO

The structure of the trade union organization begins at company level with the Shop Steward Committees that can be constituted in work places with 10 or more workers. The Shop Steward Committee is led by a Secretary who liaises with the provincial trade union which in turn is led by a Provincial Secretary. The provincial trade union liaises with the national trade union, led by a Secretary General. The supreme decision making body of each national trade union is the Congress that is convened every five years.

¹³ Some of the sectors that traditionally had stronger presence in the trade union movement were heavily affected by privatization and suffered drastic reductions in their workforce, as for instance railway, stowage, cashew industry and food industry.

It is the Shop Steward Committees in the companies that carry out the basic trade union work, such as: mobilization of the workers; assessing and resolving labour problems and cases of violation of labour legislation; collection of membership fees and collective bargaining.

The provincial trade union coordinates the activities of the Shop Steward Committees, ensuring that trade union strategies are observed, and providing trade union assistance by training union leaders in legal matters or by the resolution of cases that cannot be resolved at company level.

The union provincial representation is determined by the number of workers and companies that exist locally in their sectors. Therefore, some unions only cover certain regions of the country.

Following the principle of trade union democracy, all leadership positions, from company to federation level, are filled by secret and individual ballot. In addition to the elected leadership, the national trade unions have permanent employees at provincial and national level who perform secretariat and administrative functions. Currently unions are attempting to contract more qualified staff, especially in the legal and economic fields. However, the poor financial conditions in which almost all trade unions find themselves have hampered this initiative.

Trade unionists have critically stated that in some national trade unions the tenure of leadership positions, as specified in the union constitutions, has expired and there are no resources to convene a congress to address this issue. Similarly, national meetings are not held within the specified time frames, as the membership is spread through the whole country. There is insufficient assistance to the local offices that need regular assistance in labour legislation training, trade union history and management. Also, the tenure of some of the Shop Steward Committees has expired and the leadership needs to pay attention to this, to ensure the legitimacy of these committees.

3.3.3. Relationship between trade union federations and affiliates:

According to the OTM-CS (2002) constitution, trade union members have the right: to be represented in the functions and decision making bodies of the trade union federation at all levels and to participate in all activities of the organisation; to receive help and assistance in their union struggles in the specific branch or sector; and to benefit from

the assistance and training programmes organized at federation level. The members' duties are: to respect the trade union federation constitution; to pay their fees regularly; to be represented in the union decision making bodies; to participate actively in union activities; and to respect and apply the principles of trade union democracy and freedom.

The federations maintain their independence with regard to trade union action, as well as financial and patrimonial autonomy. The Secretary Generals are represented in the Executive Committee, the decision-making body of OTM-CS that decides on all current issues of the organization and guides trade union activity. It is through their participation in these decision-making bodies that it is ensured that the trade union federation responds to the problems of all affiliated trade union organizations. However, in 1999 this relationship was considered unsatisfactory, both due to poor participation of the representatives of the national trade unions in the decision making bodies of OTM-CS and to the weak involvement of the latter in the activities of the affiliated trade unions¹⁴.

The problem of poor communication between the trade union affiliates and union members needs to be addressed, as this would improve the relationship between the grass roots level members and the union leadership. In 2003, due to financial constraints, the weekly transmission of a radio programme on Rádio Moçambique (public) was ended, as was the publication of the paper "The Worker".

The CONSILMO constitution (1997) ensures the rights of the trade unions to: elect and to be elected into leadership functions; participate in all activities of the organization; benefit from all services provided; request assistance by the trade union federation in conflict resolution; and state opinions with regard to all the affiliates matters of interest. Duties of the affiliated unions are to: participate in all activities of the organization; comply with the constitution and regulations; support the actions of the federation; pay the fees and report on their activities.

The Executive Committee of CONSILMO provides support to the Secretary Generals. Its functions are to: decide on all current issues of the organization; approve the requests for affiliation on proposal by the Executive Secretariat, declare or cancel a general strike; and authorize the disbursement of budgeted expenses.

¹⁴ A. Mathe; F. Mazonio, 1999, Research on the weak points of trade union organization, Maputo: FFE.

3.4. Internal organization and finances

In their constitutions, the two union federations adopt the principles of union democracy. This is reflected in their structure, which is based on consultative organs, representing all members and all regions in the country. These positions are filled by election, through individual and secret vote.

3.4.1. OTM-CS

According to its constitution, the structure of OTM-CS includes the following:

- Congress – supreme decision making body of the union federation, meeting every 5 years; it has authority to alter the constitutions, define policies, redefine objectives and strategies, approve the programme, confirm the constitution of the Central Trade Union Council, and elect the Presidency.
- Central Trade Union Council – the highest body in the period between two congresses meets once a year. Its functions are to: define the tasks to be carried out by the union structures in accordance with the decisions of the congress; analyse and approve the activity reports and the annual programmes; define collective bargaining strategies; decide on union training policies; define the organization's international policy; decide on affiliation of or disassociation from union organizations at regional and international level; and elect from among its members the Secretary General of OTM-CS, the Secretaries of the Federation Trade Union Council and the Auditing Council.
- Executive Committee – decision-making committee in the interval between the sessions of the Central Council; it is in this committee that the Secretary Generals of the affiliated trade unions and the National Coordinator of COMUTRA are represented.
- Presidency – the office of political guidance, consisting of a Chairman and a Vice-Chairman.
- Executive Secretariat of the Federation Trade Union Council – executive office of the Central Trade Union Council, directed by the Secretary General of OTM-CS and involving another four secretaries who are responsible for specific work areas. The Secretariat reports to the Central Trade Union Council and to the Executive Committee.
- Auditing Council – the office that verifies compliance with statutory principles, plans, programmes and management of financial resources and patrimonial assets of the organization, and reports to the Central Union Council.

- Committee of Working Women (COMUTRA) – structure responsible for guaranteeing incorporation and participation of working women in trade union activity, in the struggle to eliminate gender discrimination and to protect the equality of rights between men and women.

The Chairman of OTM-CS is the most senior leader responsible for directing the Central Trade Union Council, the Executive Committee and the Presidency, and the working of the relationship between the Secretariat of the Federation Trade Union Council and the National Trade Unions. The Chairman represents the organization both at internal and external level.

The Secretary General is the executive leader of OTM-CS. The task of the Secretary General, is to direct the activity of the Executive Secretariat of the Federation Trade Union Council, guide the activity of the Provincial Secretaries of OTM-CS, direct all union activity in accordance with the programmes, plans and other operational norms, and to ensure good relations between the union federation and its affiliates.

The federation is represented at provincial and district level. The structure of the provincial OTM-CS involves the same offices that operate at national level but is more simplified; the Presidency is not included. In the districts, OTM-CS district delegations are created only when there is sufficient economic development and the requisite number of salaried employees. Due to a lack of resources it is difficult for the OTM-CS to maintain these offices.

The structure of OTM-CS was extensively debated in preparation for the IV Congress, which took place in 2002 (long after the deadline provided for in the constitution). Criticism was directed towards those leadership officials whose legitimacy was in question as their mandates had expired. In addition criticism was levelled towards ineffectiveness of those structures (i.e. the Central Trade Union Council) that did not meet as regularly as required due to insufficient resources. In general, the structure of the federation was considered heavy, burdensome and rather inflexible. The restructuring of the organization following the revision of the constitution (2002) was aimed at responding to these concerns: the number of posts in the Congress, the Central Council, the Provincial Councils of Trade Unions and the Presidency were reduced; the positions of chairman and vice chairman were eliminated at provincial level. The

structure of the Executive Committee was re-discussed in order to make it more operational and permit the affiliated unions to be more active.

It is still too early to evaluate the success of this restructuring, but it is still a central issue for the democratic functioning of the organization. Unless the decision-making bodies function properly, the structure of OTM-CS will be highly centralised. It should be noted that the purpose of the division of responsibilities between the Chairman and the Secretary General is to avoid concentrating too much power in the hands of a single union leader.

With regard to the participation of women in decision-making, a significant change was made, namely the institution of the COMUTRA Coordinator as a legitimate member of the Executive Committee. Access to this decision-making body is important, as only one out of the 14 national affiliated trade unions is lead by a woman.

One of the weaknesses of OTM-CS is the lack of qualified staff with the capability to analyse the socio-economic and political situation in the country in order to develop more appropriate union strategies necessary for the strengthening of the union's performance. This lack of capacity is seen both as the result of the particular situation in which the union organizations developed and as a result of the lack of resources to hire new staff that are needed for studies and research and for the legal and economic sectors. In 2003, the organization managed to establish a Legal Office with only one full-time and two part-time lawyers. It has not yet been possible to establish an Economic Advisory Office. An economist is contracted in on an "as-needs" basis.

In financial terms, according to the constitution, OTM-CS has the following resources: members' contributions, subsidies, donations, other contributions and funds from fund raising activities. In practice, the payment of membership fees by affiliated trade unions (10% of the total amount collected), is insignificant, not only because of the decreasing number of trade union members but also because of the difficulties in the collection process (the check-off system can only be activated by means of collective agreements with the enterprises). The union federation receives a monthly State subsidy, which is then distributed among all national unions affiliated to OTM-CS. This subsidy is not enough to cover fixed expenses, such as water and electricity, telephone bills and staff salaries. The majority of the programmes are funded by similar organizations or donor

agencies. Overall, OTM-CS is struggling with a huge lack of resources, which seriously restricts the development of union activity.

3.4.2. CONSILMO

In accordance with its Statutes, the central federation offices of CONSILMO are:

- General Congress – supreme decision making body, which is convened every 5 years. It has authority to revise the Statutes, define or alter the fundamental principles that rule union practice, decide on important matters that affect the organization, elect the leaders at federation level and the members that make up the main organs.
- General Council – the highest body between two General Congresses is meeting once a year, with the following tasks: organization, information, communication, and international relations and cooperation; legal and labour relations; administration, finance and property; research and projects. It approves the annual budget, the activity reports and the report from the Auditing Council, decides on associations with other trade union organizations and the affiliation of CONSILMO to international trade union organizations, arbitrates conflicts, decides on appeals with regard to the decisions of any statutory organs, and ratifies the requests for affiliation with CONSILMO.
- Executive Committee – decision-making committee in the period between two sessions of the General Council (although it is also an “advisory organ”). It consists of the Executive Secretary, the Secretary Generals of the affiliated Trade Unions, the Secretary of the Committee of Working Women and the Secretary of the Auditing Council.
- Executive Secretariat – directed by the Secretary General of CONSILMO. It is responsible for directing and coordinating all union activity as per the strategies defined by the General Congress and with the deliberations of the General Council.
- Auditing Council – consists of three members. It is directed by the secretary of the Auditing Council. Its’ authority is to control the application of the fundamental principles of the organization and the transparency in financial and administrative management.

The Secretary General of CONSILMO chairs the General Council and the meetings of the Executive Committee, directs the Executive Secretariat, ratifies the elections of the

Provincial Coordinators, and represents the organization in meetings with the Government and other national and international trade union organizations.

At provincial level, CONSILMO consists of a Provincial Executive Committee whose functions are not specified in the constitution but which has the same authority as the executive committee at central level. A Provincial Coordinator directs the Provincial Executive Committee.

CONSILMO has not yet held its II Congress, which according to its constitution should have taken place in 2002. Consequently, the mandates of its leaders have already expired. Also, due to insufficient resources, the General Council, which ensures both national and trade union representation, has not held its meetings as regularly as specified in the constitution. The poor functioning of these collective decision-making organs leads to centralised decision-making by the Secretary General and the Executive Secretariat.

Women's participation in decision-making at federation level depends on the functioning of the Executive Committee. The coordinator of the Committee of Working Women ensures the proper functioning of the Executive Committee. None of the Secretary Generals of the affiliated Trade Unions is a woman.

As with OTM-CS, CONSILMO is struggling with an immense lack of qualified staff to advise on trade union work. Whenever resources are available, CONSILMO obtains the services of advisors on legal and economic issues.

This union federation's financial situation is rather critical. The contributions of the four national affiliated trade unions, however symbolic¹⁵, are the only stable source of income. CONSILMO does not receive a state subsidy, as does OTM-CS, although it has asked the Ministry of Planning and Finance for a subsidy. CONSILMO was promised that the situation would be revised. There is a perception that because COMSILMO does not receive a state subsidy, it is not recognized as a legitimate trade union federation.

CONSILMO's main expenses are covered by the affiliated national trade unions. As the headquarters of the union federation are located at SINTICIM's headquarters, it is the

¹⁵ Each Trade Union pays 750.000,00 Mt per month , which is equivalent to USD 30.86.

latter that covers all expenses related to communications, office material and staff. Each trade union must provide the necessary resources for the execution of the tasks it has been assigned.

CONSILMO has been able to finance training activities through support from international donor and other agencies.

3.5. Services provided

3.5.1 National Trade Unions

Ideally the national trade unions at company level primarily provide three types of services to their members: resolution of work disputes and representation in legal matters; ensure labour rights by establishing collective agreements at enterprise or sector level, and provide training (professional and union related) for its members. In practice, all these activities are carried out, but only very few members benefit from them, E.g., not one of the national trade unions has a Legal Office to provide legal assistance in disputes, and the percentage of enterprises with signed collective agreements is very low (15% for the trade unions affiliated in OTM-CS, in 2002; 13.59% for the trade unions affiliated in CONSILMO, in 2003).

Providing conflict resolution assistance to its members is one of the unions' priorities. The unions try to assist at company level, either by negotiating with the employer or by calling the Labour Inspectorate. The success rate is rather low. Unsolved cases are first referred to the Provincial Trade Unions and, if still unresolved, submitted to the National Trade Unions. In order to be successful it is necessary to have lawyers at these two levels, but due to lack of resources this is not the case.

Training activities are not systematic and depend mainly on funds donated by international organisations. Unions admit their weaknesses in this area.

Some National Trade Unions established mutual aid and support systems in cases of death and support to employees suffering family crises. One National Trade Union, the SNEB (of OTM-CS), managed to obtain medical assistance for its members by increasing its membership fees (2% instead of 1%). This initiative has been presented by the OTM-CS as an example of good practice to be followed by its other affiliates.

3.5.2. Trade Union Federations

Both union federations are unable to provide adequate legal assistance to their members, although OTM-CS created a Legal Office in 2003 with one full-time and two part-time lawyers. Their functions are to provide legal assistance to members and to assist with those cases submitted by the National Trade Unions. This may imply that there is legal support and advice with regard to all union activities, particularly in the CCT dialogue.

Despite the CONEFS (National Commission for Union Education and Training) programmes, there is insufficient funding for training.

The main contribution by the union federations has been to create awareness of the trade union movement in the country and to form partnerships with union and non-union organizations, both internally and externally. OTM-CS is affiliated to the African representation of the International Confederation of Free Trade Unions (ICFTU) and to the Southern African Trade Union Coordination Council (SATUCC). CONSILMO is part of the Trade Union Community of Portuguese Speaking Countries (CSPLP) as well as of SATUCC. There is insufficient funding to pay the necessary fees for full membership and participation.

At national level, both Federations are registered to LINK, a network of Mozambican NGOs that promote development. COMUTRA of OTM-CS is a member of the Fórum Mulher (Women's Forum), a network of NGOs that promote gender equality. This type of partnership has been strengthened to protect the union movement's position on economic development and the labour market.

However, the greatest contribution of the union federations has been their capacity to intervene and influence the development of national laws and policies that affect labour and labour rights. The most important forum where this activity takes place is the CCT, but also the INSS, and the commission for the implementation of the PARPA.

In a document prepared by FCS on the union movement's vision of the country (2000), the union organizations wanted more opportunities to exercise their right to participate in the preparation of national development strategies. They stated that they want to assume responsibility and want to reinforce good governance, which is also transparent, competent and participative. This is part of an assertive strategy that aims at providing

unions with more scope and involvement than merely ad hoc temporary interventions. Thus the relationship between the Government and the unions is clear. The latter seek to exercise a “positive and constructive” influence on national policies and request participation in the development of governance programmes and the General State Budgets. The union movements’ main issues regarding national policies are to:

- Maintain and create new jobs and professional training policies;
- Correct and evaluate the process of privatisation and transfer of public enterprises, either by cancelling unsuccessful processes or by creating incentives to develop the national industry;
- Develop credit policies and fiscal incentives for the development of small and medium enterprises;
- Develop adequate sector strategies, particularly in the cashew and agricultural sectors.

Union participation in the CCT has been extremely important, as the union movement has managed, united by FCS, to effectively influence the setting of the minimum salary.

3.6. Government – Trade Union Relations

Legally, trade unions have complete independence and autonomy from Government, political parties and employers. This autonomy has been respected, despite the subsidy paid by the State to the trade unions.

The State has announced that unions are entitled to the subsidy, as they are organizations that are useful to the public in general and that they contribute to the exercise of labour rights and to the economic and social development of the country.

The dialogue between trade unions and Government takes place through tripartite forums such as CCT, INSS and PARPA, and in meetings with the President of the Republic, which have been irregular. In these instances, the union movement is represented by FCS, which ensures a cohesive trade union movement vision and strategy.

Although the relations with the Government may be described as good, there have been tense moments, particularly when extreme positions are adopted in the CCT with regard to the analysis of the economy’s performance and the readjustment of the minimum salary. One example are the negotiations at CCT that took place from May to July 2000

on the readjustment of the minimum wage. The trade unions called a general strike for 26, 27, and 28 July as government and the employers would not agree to the unions demand for a 30% increase. Although, it may be assumed that government doubted the trade unions' capacity for mobilization, government agreed to the 30% increase due to the wide public support, and the strike was not declared¹⁶.

The Government reacted on 29th July. In a meeting in Xai-Xai, Joaquim Chissano, President of the Republic, revealed that during the negotiations on the social accord "foreigners specialized in the organization of strikes were in the country, but they had been discovered before they could organize any action together with the trade unions". "Out of prudence", he declared, no names were disclosed, but he warned that "foreigners" would not be allowed to interfere in the internal affairs and stated that it was not the first time attempts of this kind had been noted¹⁷. The unions denied any involvement of foreign trade union activists and assumed full responsibility for their actions¹⁸.

Despite the unions' efforts to remain autonomous and to protect the interests of the workers, there are some who believe that the union leadership should be firmer in the tripartite negotiations. Others accuse the unions of maintaining the same kind of dependence that OTM had in the period of socialist administration¹⁹.

In 2004, in view of the governmental and presidential elections, the trade union organizations do not exclude the possibility of creating political alliances with those political parties that include the protection of workers' rights and interests in their governance programmes.

¹⁶ For a sector of public opinion, the Government's position was suspicious. It was accused of being on the employers' side, since several of its members are also owners of enterprises (Savana, 28/7/00, "With the Government in the middle of the tumult, employers and trade unions dragged on"). Leaders from various political groups stated that, if the strike should take place, it would be just and even unavoidable as they accuse the Government of not having the political will to resolve labour problems, in a time when social differences escalate in the country and the gap between rich and poor becomes increasingly wider ("Opposition accuses Government of lack of political will", *Notícias*, 26/7/00; "Despite the apparent consent of the Government, employees are still disappointed with the minimum salary", *Savana*, 28/7/00). The trade union leadership, until then suspected of being politically on the side of the Frelimo Party, were generally respected for conducting the negotiations firmly.

¹⁷ "Foreigners tried to support the organization of a strike – Chissano said in Xai-Xai", *Domingo*, 30/7/00.

¹⁸ M. Arthur, personal interview, 2000.

¹⁹ A. Mathe; F. Mazoio, 1999, Research on the weaknesses of the trade union organization, Maputo: FFE.

3.7. Role and importance of international cooperation and assistance

The support of international cooperation / assistance has been mainly for training, research and advice, on strengthening the trade union structures and for assisting in the building of unity in the union movement.

Although it has not been possible to cover all training needs, courses and workshops were organized for union leadership. The courses were related to the following areas: history and traditions of the union movement; principles and rules for good union leadership; principles and rules for collective bargaining and social tripartite dialogue. The assistance in capacity building for union leadership is considered a great contribution for the union movement.

Research and advice focussed on: the trade unions' dynamics of operation (which formed the basis for the organisational reform); the real effects of labour legislation and its implications for union activity; and on the economic, social and political situation of the country (which assisted in the development of union strategies for collective bargaining and for bargaining in tripartite forums). The preparation of specialist analysis in these various areas assisted the unions' in their meetings with Government and employer associations and in other forums of social dialogue.

Financial support for national and regional conferences of national trade unions and trade union Federations was important not only for strengthening the union structure, but also for reinforcing trade union democracy. The trade unions regret that this field is not a priority in terms of financing. The following tables (Tables 13 and 14) show the main programmes.

4. Problems and Perspectives

4.1. Internal organizational problems and union response

Trade unions face organizational problems due to the reduction of their social base and dropping membership rates, the lack of specialists to advise on union matters, the lack of resources to develop their activities and to maintain the democratic functioning of the unions, and their image among workers. The current trend is to reduce the number of union structures and the number of full-time staff, and to multi-skill existing staff to ensure more pro-active and flexible work practices. There is also the need to ensure that union leaders do not stay longer in their positions than specified.

Table 13: Summary of the main trade union programmes / ongoing projects that are financed by international cooperation – OTM-CS

Programme	Description	Beginning and end of programme/project	Donor
Training and institutional capacity building	Courses and seminars to debate trade union problems and strategies	Renewed annually	FES
Programme for the fight against poverty through job creation	Professional training; support to the creation of micro-companies	2002-2004	UGT-Spain
Support programme for workers' education, 2 nd phase (CONEFS)	Training in trade union matters	2002-2004	LO-FTF – Danish Trade Union Confederation
Project for the reinforcement of research capacity	Research on matters of trade union interest	2001/...	CISL-Afro

Table 14: Summary of the main trade union programmes / on going projects that are financed by international cooperation – CONSILMO

Programme	Description	Beginning and end of programme/project	Donor
Training and institutional capacity building	Courses and seminars to debate problems and trade union strategies	Renewed annually	FES
NEPAD	Training and discussion about NEPAD from the trade unions' perspective	2004-2005	NIZA

As previously mentioned, one of the criticisms from the ground is the lack of leadership change or renewal²⁰.

The Women Committees may, by demanding greater representation and participation of women in trade union structures, bring about changes to the internal functioning and in the decision-making processes. The committees' potential to bring about change may be lost if women restrain themselves to "women issues", and do not participate in all union activities.

The need to include youth and integrate them into the unions has also been identified as a union priority. It will contribute to broadening the trade unions' social basis, and will also satisfy the need to accommodate the new demands for participation.

²⁰ Idem.

The strategies to deal with declining membership rates fall into two areas. The first is the support for the Shop Steward Committees on company level. This implies a huge effort to mobilize and train the unionised workers. It also implies an even bigger effort to attract more workers into the unions, in particular women and the youth. Therefore, the work of the trade unions must focus on company level issues much more than in the past.

A second perspective is to enlarge the trade unions' membership bases by including groups that are traditionally not organized in trade unions, such as employees of the informal sector and domestic workers. The informal sector has experienced constant growth over the last few years. A significant number of employees in this sector have experiences with unions, as a large number of these employees were retrenched during the privatisation of state enterprises. An informal trader association, ASSOTI, has already been established to cater for this need. This association is a pilot project that will be extended to all municipalities of the country.

The trade unions are aware that the inclusion of non-traditional sectors in the unions is risky, that the project may not be successful and may impact negatively on the unions' vision and objectives.

Another strategy is to focus on the Shop Steward Committees in order to maintain and improve the capacity for mobilization and intervention in the companies. The priority is to improve the communication capacity and the flow of information between the union federations and the national trade unions, and between these and the Shop Steward Committees. The intention is that these efforts may also assist in changing the trade unions' current negative image among workers.

Finally, it is clear that support is needed for technical assistance on legal matters, economic policies and research. This will only be possible by improving the unions' financial capacity. One of the core strategies therefore is to source sustainable funding. To date this has not been successful.

4.2. External challenges and trade union response

The trade union movement in Mozambique faces several challenges in its relationship with the Government. The unions try to influence the formulation of economic and labour market policies with the aim to – at least – maintain the standard of living and level of employment. For the unions issues with highest priority are: the restructuring of the

social security system; the professional certification system; and the establishment of the Labour Courts.

Overall, the trade unions struggle for a more pro-active role in policy formulation. Therefore, both trade union federations have made efforts to ensure a more effective participation in the main tripartite forums (CCT, INSS, PARPA), mainly by developing their own expertise on the country's economic situation, on the behaviour of the main economic actors, and on state policies.

With the aim of strengthening its capacity to influence government policy formulation, the trade unions have sought alliances and partnerships with non-trade union organizations who share similar objective and strategies, such as the Human Rights' Commission, LINK and the Women's Forum. Participation in the Poverty Observatory (PARPA) has led to some new partnerships with other organisations of the civil society.

4.3. Perspectives

Since 1988, the trade union movement has faced several challenges, starting with the introduction of the Programmes for Economic Readjustment. Although trade unions have lost a large part of their traditional support base due to the reduction of salaried employees in the formal sector, they have managed to maintain their presence at company level and try to extend their activities into the informal sector.

The need to respond to the demands of this new phase led to a revision and reform of the basic trade union working methods. Trade union democracy has been strengthened which in turn has led to the strengthening of the trade union movement as a whole. Drivers for the reform efforts were both internal (members who demanded more participation in the development of strategies and action programmes) and external (the need to respond to the new economic and political order). At the same time, priority was given to trade union unity in order to not weakening further the mobilisation and action base of the unions.

Relations with the Government altered significantly. New opportunities for the unions to influence government policy making were created with the establishment of tripartite institutions. Due to the insufficient in-house expertise on economic and social matters, and the lack of financial resources to secure expertise from outside, the participation in

the tripartite forums is not always effective and the ability to influence policy formulation limited. Only in the negotiations for the determination of the minimum wage, the unions were able to make a difference and limited the deterioration of workers' real salaries.

Currently, the union movement gives priority to: increasing its size and membership rates; basic union education; technical capacity building; intensifying union democracy; and forming alliances with other union organizations (at regional and international level) and with other civil society organizations.

The trade unions have a clear perspective of the challenges they face and are aware of the adverse conditions under which they act. The last few years have shown the need for more aggression and more readiness to respond to problems they face. With will and perseverance, the union movement in the country may not only survive, but may also become a force to be reckoned with.

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ANNEXURE

1. Socio-economic information

Population in 2003 (estimate)	18 521 246
Gross Domestic Product (US\$), (2002)	3 569 600 000
GDP/inhabitant (US\$), 2002	197.4
Economically active population in 2003 (estimate, considering the population of age 10 and above)	10 356 259
Employment in the formal sector in percentage (2000-2001)	
- Employment in the civil service:	3 %
- Employment in the public sector:	1 %
- Employment in the private sector:	6.9 %
- Employment in the informal sector (2000-2001)	
- Independent/ Self employed	52 %
- Household worker	33.7 %
- Cooperative sector	0.2 %
Number of unemployed workers registered at the Ministry of Labour, 2002	15 212

Source: INE, 1999, Annual projections of total population, 1997-2020; INE, Statistic Directory 2003; INE, 2001, Questionnaire of Basic Well-being Indicators, QUIBB, 2000-2001 (14 500 households were interviewed, national and provincial representative sample, by residential rural and urban area); Ministry of Labour, Labour Market Statistics 2002.

2. Summary of labour legislation

<p>Procedural Labour Law and Conciliation Boards (Decree-Law no. 45 497, of 30th December 1963, applied to Mozambique by Decree no. 87/70, of 2nd February)</p> <p>Regulates the judicial procedures related to labour issues. Parts of this law are revoked by later legislation.</p>
<p>Decree that creates the National Institute of Social Security (Decree no. 17/88, of 27th December)</p> <p>The Institute is considered as a public institution, with management functions of the social security regime, granted legal entity, administrative and financial autonomy and own assets. Government, employers and employees are represented on equal terms at the Board of Administration.</p>
<p>Law that creates the Social Security System (Law no. 5/89, of 18th September)</p> <p>The system aims at guaranteeing the subsistence of the employees, particularly in situations of lack or reduction of their capacity to work, and includes national employees and resident foreigners, relatives under their responsibility, and other employee categories. The regime comprises sections for illness, retirement, disability and survival, and for subsidy in case of death. It is open to the creation of other social security services.</p>
<p>Regulation of the Law that creates the Social Security System (Decree no. 46/89, of 28th December)</p> <p>States the ways and conditions for the application of the provisions of the social security law (Law no. 5/89, of 18th of September).</p>
<p>Decree that reorganizes the Labour Inspection and sets the rules for its functioning (Decree no. 32/89, of 8th November)</p> <p>It establishes the rules for the functioning of the Labour Inspectorate whose performance shall be carried out in close collaboration with the employees, employers, trade unions, administrative authorities and police forces.</p>

<p>Diploma that approves the Regulation of the Labour Inspection (Ministry Diploma no. 17/90, of 14th February)</p> <p>Regulation legally supported by Decree no. 32/89, of 8th November. It states that the Labour Inspectorate carries out its activity in the entire national territory and all fields of activity, in enterprises of the following sectors: State, cooperative, mixed and private; it does not act in the context of juridical-labour relations concerning State employees. Its function is to ensure compliance with the norms of labour legislation included in the laws, collective agreements and decisions of the Government, including: organization of labour and salaries, hygiene and safety at the workplace, social security, employment and professional training.</p>
<p>Diploma that alters the Regulation of the Labour Inspection (Ministry Diploma no.88/99, of 11th August)</p> <p>Alteration of articles 2, 11 and 24 (on Direction, on the Provincial and City Departments, on the payment of fines and deposit of amounts).</p>
<p>Law that guarantees Freedom of Trade Union Association (Law no. 23/91, of 31st December)</p> <p>Revoked with the promulgation of Labour Law 8/98</p>
<p>Law for the creation of Labour Courts (Law no. 18/92, of 14th October)</p> <p>Creates the Labour Courts that had been nullified by Decree no. 14/75, of 11th September, for being considered inadequate before the new political, social and juridical order. The law creates these courts that have specific authority, but are part of the judicial system and exercise their jurisdiction in accordance with the judicial division established by law.</p>
<p>Decree that creates the CCT (Decree no. 7/94, of 9th March)</p> <p>Establishes a tripartite composition with representatives of the governmental departments, of employers and employees; its function is to analyse and give its opinion on the economic situation, with emphasis on the social-labour domain. The decisions made in this forum are not binding.</p>
<p>Alteration of the Decree that creates the National Institute of Social Security (Decree no. 27/95, of 17th July)</p> <p>This Decree introduces the principle of remuneration of the members of the Board of Administration.</p>
<p>Labour Law (Law no 8/98, of 20th July)</p>
<p>Arbitration Law (Law no. 11/99, of 8th July)</p> <p>Refers to Arbitration, Conciliation and Mediation as alternative means to the judicial system of conflict resolution.</p>

<p>Foreign Labour Recruitment Regime (Decree no. 25/99, of 24th May)</p> <p>Mechanisms and procedures for recruitment of foreign labour, in accordance with the provisions in No 3 of Article no. 171 of the Labour Law.</p>
<p>Decree that creates the Work Visa (Decree no. 26/99, of 24th May)</p> <p>Introduces a new type of work visa.</p>
<p>Decree that creates the Council of Industrial Free Zones (Decree no. 61/99, of 21st September)</p> <p>Creates a sub-committee of the Council of Ministers in order to determine specific policies for investment projects under the Industrial Free Zones regime and to accelerate approval processes and procedures.</p>
<p>Regulation of Industrial Free Zones (Decree no. 62/99, of 21st September)</p> <p>Regulation that establishes a specific judicial structure in accordance with the following legal provisions: Constitution of the Republic (paragraph e) of article 153) and Law nr 3/93, of 24th July (article 29).</p>
<p>Decree that alters the Regulation of Industrial Free Zones (Decree no. 35/2000, of 17th October)</p> <p>Introduces alterations to the Regulation of Industrial Free Zones, approved by Decree no. 62/99, of 21st September.</p>
<p>Decree that establishes the Regime of Work Conditions in Industrial Free Zones (Decree no. 74/99, of 12th October)</p> <p>Determines that all legal instruments ruling subordinate work are applicable, except the norms and procedures for: recruitment of foreign labour, prior notice of strike – which must be given seven days in advance, and the obligation to resort to arbitration whenever collective labour conflicts arise.</p>
<p>Regulation of Private Employment Agencies (Decree no. 6/2001, of 20th February)</p> <p>Applicable to agencies that recruit labour on behalf of third parties and to any other services related to demand and offer of employment or work for third parties.</p>

Law for the Protection of HIV/AIDS infected Employees (Law no. 5/2002, of 5th February)

This law aims at imposing adequate measures for the prevention of exclusion, stigmatisation and discrimination against HIV/AIDS infected persons. It is applicable to all employees of the public and private sector, including household employees. Amongst others, it guarantees the right: to privacy and confidentiality (including prohibition of testing for the purpose of hiring, promotion and professional training); to equality of opportunities; and to professional re-orientation in case of reduction of work capacities due to illness. Dismissal on the grounds of being HIV positive is considered dismissal without just cause, and entitles the employee to compensation and immediate reinstatement.

Decree that Ratifies Some Conventions of the ILO (Decree-Law no. 22/77, of 28th May):

- Convention no. 1, concerns the duration of employment in industry
- Convention no.11, concerns employees' right to association
- Convention no. 14, concerns weekly rest in industry
- Convention no.17, concerns compensation for labour accidents
- Convention no. 18, concerns compensation for occupational illness
- Convention no.30, concerns length of working hours in shops and offices
- Convention no. 52, concerns paid annual leave
- Convention no.81, concerns organization of labour in industrial companies
- Convention no.88, concerns the organization of employment services
- Convention no. 100, concerns equality of remuneration for men and women
- Convention no.105, concerns abolishment of forced labour
- Convention no. 111, concerns discrimination at the work place

Resolution that Ratifies some Conventions of the ILO (Resolution no. 4/94, of 25th August):

- Convention no. 87, concerns freedom of trade union association
- Convention no. 98, concerns the right to collective organization and bargaining
- Convention no. 122, concerns employment policy
- Convention no. 144, concerns tripartite consultations for the purpose of promoting the enforcement of international labour norms

Resolution that Ratifies some Conventions of the ILO (Resolution no. 5/93, of 15th June):

- Convention no. 170, concerns safety in the use of chemical products
- Convention no. 171, concerns night labour

3. Trade Union Statistics

Membership rate (% of employees from the formal sector)	39.91
Coverage of collective bargaining (% of employees from the formal sector covered by collective agreements)	
Number of trade union members, 2002/2003 --- Female (% of the total number)	137 419
% Of women in leadership positions in trade unions (% of the total number of leaders)	
Number of trade unions in 2003	20
Number of national centrals in 2003	2
Number of trade unions affiliated in main national centrals	18
Sectors that tend to have sectoral trade unions	
Strikes and lockouts (man/days lost in strikes related to salary) (year)	

4. National Union Federations (all national federations)

Organization of Workers of Mozambique – Union Federation (OTM-CS)	
<u>Number of affiliates -2003</u>	14
<i>Members (year)</i>	
<i>Political orientation</i>	Impartial organization, independent of organizations of non-union character
<i>Affiliations in international trade unions</i>	International Confederation of Free Trade Unions (ICFTU) – in coordination with CISL AFRO
<i>Affiliations in regional & sub-regional trade unions</i>	Southern Africa Trade Union CC (SATUCC)
<i>Name of Chairman</i>	Amós Júnior Matsinhe
<i>Name of Secretary General</i>	Joaquim Fanheiro
National Confederation of Free and Independent Trade Unions of Mozambique (CONSILMO)	
<u>Number of affiliates - 2003</u>	4
<i>Members – 2002/2003</i>	98 819
<i>Political orientation</i>	Impartial organization
<i>Affiliations in international trade unions</i>	Comunidade Sindical dos Países de Língua Portuguesa (Trade Union Community of Portuguese Speaking Countries) - CSPLP
<i>Affiliations in regional & sub-regional trade unions</i>	Southern Africa Trade Union CC (SATUCC)
<i>Name of Chairman</i>	
<i>Name of Secretary General</i>	Jeremias Timana

5. Most important trade unions

Name (and acronym)	Organized Sectors (No. of companies)	Number of members In 2002	Affiliation national (Or independent)	International affiliation
Sindicato Nacional dos Empregados Bancários (National Trade Union of Bank Employees) – SNEB	44	3 080	OTM-CS	Union Network International – UNI
Sindicato Nacional dos Profissionais da Estiva e Ofícios Correlativos (National Trade Union of Stowage Professionals and other Correlated Trades) – SINPEOC	28	3 568	OTM-CS	International Transport Worker’s Federation – ITF
Sindicato Nacional dos Transportes Rodoviários e Assistência Técnica (National Trade Union of Road Transport and Technical Support) – SINTRAT	85	10 000	CONSILMO	International Transport Worker’s Federation – ITF
Sindicato Nacional dos Trabalhadores Agropecuários e Florestais (National Trade Union of Agricultural and Forest Workers) – SINTAF	130	15 531	OTM-CS	União Internacional dos Trabalhadores do Ramo Alimentar – UITA (International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations) – IUF
Sindicato Nacional dos Trabalhadores da Aviação Civil e Comunicações (National Trade Union of Civil Aviation and Communications) – SINTAC	53	5 911	OTM-CS	Union Network International – UNI
Sindicato Nacional dos Trabalhadores da Indústria Alimentar e Bebidas (National Trade Union of the Food and Beverage Industry) - SINTIAB	92	3 886	OTM-CS	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations – IUF (UITA)

Sindicato Nacional dos Trabalhadores da Indústria de Construção e Madeiras (National Trade Union of the Construction and Timber Industry) - SINTICIM	288	23 907	CONSILMO	International Federation of Building and Wood Workers - IFBWW
Sindicato Nacional dos Trabalhadores da Indústria do Açúcar (National Trade Union of the Sugar Industry Workers) – SINTIA	5	13 431	OTM-CS	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations - IUF (UITA)
Sindicato Nacional dos Trabalhadores da Indústria do Caju (National Trade Union of Cashew Industry Workers) – SINTIC	4	476	OTM-CS	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations - IUF (UITA)
Sindicato Nacional dos Trabalhadores da Indústria Hoteleira e Serviços (National Trade Union of Hotel and Services Industry) - SINTIHOTS	5 029	18 410	CONSILMO	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations - IUF (UITA)
Sindicato Nacional dos Trabalhadores da Indústria Metalúrgica, Metalomecânica e Energia (National Trade Union of the Metallurgy and Energy Industry) - SINTIME	103	6 913	OTM-CS	Federação Internacional dos Trabalhadores Metalomecânicos (International Metallurgical Worker's Federation) - FITIME
Sindicato Nacional dos Trabalhadores da Indústria Química, Borracha, Papel e Gráfica (National Trade Union of Chemical, Rubber, Paper and Printing Industry) – SINTIQUIGRA	119	5 734	OTM-CS	* Union Network International – UNI * ICEM – International confederation of energy and mine workers
Sindicato Nacional dos Trabalhadores da Marinha Mercante e Pescas (National Trade Union of Merchant Navy and Fishing Workers) - SINTMAP	56	4 300	OTM-CS	International Transport Worker's Federation - ITF

Sindicato Nacional dos Trabalhadores da Indústria Têxtil, Vestuário, Couro e Calçado (National Trade Union of the Textile, Garment, Leather and Footwear Industry) - SINTEVEC	40	8 860	OTM-CS	International Textile, Garment and Leather Worker's Federation - ITGLWF
Sindicato Nacional dos Trabalhadores do Comércio, Seguros e Serviços (National Trade Union of Commerce, Insurance and Services Workers) - SINECOSSE	178	9 225	OTM-CS	Union Network International - UNI
Sindicato Nacional dos Trabalhadores dos Portos e Caminhos de Ferro de Moçambique (National Trade Union of Ports and Railway Workers - SINPOCAF	133	5 728	OTM-CS	International Transport Worker's Federation - ITF

**6. Situation of the National Trade Unions Affiliated to OTM-CS and CONSILMO,
2002/2003**

Trade Union	No. Of Companies	No. Of Shop Steward Committees	No. Of Employees	No. Of Members	Membership rate %	National affiliation
SINAFP ¹		20	110 000	4 116	3.74	OTM-CS
SINECOSSE	7 912	178	24 912	9 225	37.03	OTM-CS
SINPEOC	6	28	5 138	3 568	69.44	OTM-CS
SINPOCAF		133	11 159	5 728	51.33	OTM-CS
SINTAC	40	53	7 772	5 911	76.05	OTM-CS
SINTAF	176	130	20 407	15 531	76.10	OTM-CS
SINTESPGM ¹	82	34	16 653	4 895	29.39	CONSILMO
SINTEVEC	46	40	9 565 ²	8 640	90.32	OTM-CS
SINTIA	12	5	23 000	13 431	58.39	OTM-CS
SINTIAB	150	92	6 530	3 886	59.50	OTM-CS
SINTIC	11	4	1 885	476	25.25	OTM-CS
SINTICIM	810	288	36 649	23 907	65.23	CONSILMO
SINTIHOTS	5 029	721	31 517	18 410	58.41	CONSILMO
SINTIME	286	103	10 959	6 913	63.08	OTM-CS
SINTIQUIGRA	236	229	9 448	6 923	73.27	OTM-CS
SINTMAP		56	7 500	4 300	57.33	OTM-CS
SINTRAT	205	83	14 000	10 000	71.42	CONSILMO
SNEB	5	44	4 393	3 803	86.56	OTM-CS

Source: OTM-CS; CONSILMO

¹ These trade unions were recently set up.

² This number will diminish significantly with the already announced closure of one of the big companies of the sector, Textáfrica, which has more than 3000 employees.