

In 2013, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government hired 55 new labor inspectors and created a new District Child Labor Committee in Kaoma District. The Government also eliminated examination fees for grades seven and nine and expanded implementation of the social cash transfer program in some provinces. However, children in Zambia continue to engage in child labor in agriculture and mining. The Government has yet to adopt into law the draft statute on hazardous forms of child labor. Gaps also remain in the current legal framework related to children; for instance, the Education Act does not include the specific age to which education is compulsory and the Government has not defined school-going age as required in the law, which may leave children under the legal working age vulnerable to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zambia are engaged in child labor in agriculture and mining. Table 1 provides key indicators on children's work and education in Zambia.

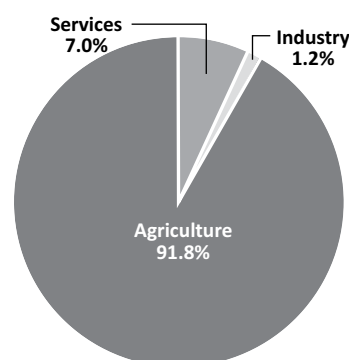
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7-14 yrs.	28.1 (992,722)
Attending School (%)	5-14 yrs.	65.2
Combining Work and School (%)	7-14 yrs.	27.6
Primary Completion Rate (%)		91.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2013.(1)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the LFS Survey, 2008.(2)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of maize,* coffee,* and tea* (3)
	Production of tobacco and cotton (3)
	Raising cattle (3-5)
	Fishing,* activities unknown (3)
Industry	Mining gemstones (3, 6)
	Extracting amethysts* and emeralds* (3)
	Mining and processing lead,* zinc,* iron ore,* and copper* (3, 6)
	Quarrying rock,* conducting rudimentary mine drilling, and scavenging mine dump sites (3, 6)
	Crushing stones (7)
	Construction, activities unknown (3, 6)
	Producing charcoal* (3)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic service (3, 6)
	Street work, including begging (3, 8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (3, 8)
	Agriculture activities such as plowing, weeding, harvesting, and transporting water and supplies and domestic service as a result of human trafficking (3)

* Evidence of this activity is limited and/or the extent of the problem is unknown.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children who were trafficked for agriculture work were primarily trafficked from the Democratic Republic of the Congo or neighboring countries, while most domestic service workers who were trafficked were trafficked internally. (3) Some children in Zambia are forced by *jerabo* gangs, which are illegal mining syndicates, to load trucks with stolen copper ore in the Copperbelt Province. (8) In addition, the Government has yet to release information on child labor from the 2008 Labor Force Survey, although the general Labor Force Survey results were released in 2011. (9, 10)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Zambia has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

Zambia has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, while commercial sexual exploitation of children continues to be a problem in Zambia.

The Government has established relevant laws and regulations related to child labor, including in its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Constitution, Employment Act (11, 12)
Minimum Age for Hazardous Work	Yes	18	Employment of Young Persons and Children Act (13, 14)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Constitution; Penal Code; Anti-Human Trafficking Act of 2008 (3, 11)
Prohibition of Child Trafficking	Yes		Constitution; Penal Code; Anti-Human Trafficking Act of 2008 (3, 11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Penal Code; Employment of Young Persons and Children Act (3, 13)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Employment of Young Persons and Children Act (13)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Defence Act (15)
Compulsory Education Age	No		Education Act (16)
Free Public Education	Yes		Education Act (16)

* No conscription or no standing military.

Zambia has not enacted into law a list of hazardous occupations prohibited for children, although the draft Statutory Instrument on Hazardous Forms of Child Labor is pending Parliamentary adoption.⁽³⁾ In addition, the penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.⁽¹⁷⁾ While the Penal Code treats child prostitution as a felony with a minimum 20 year jail sentence, the Employment of Young Persons and Children Act treats penalties as civil and punishment is a fine of \$35–\$165. In practice, the Penal Code would be applied, however research did not discover any such prosecutions in recent years.⁽¹⁸⁾ The Education Act of 2011 requires the Government to provide free education up to the seventh grade, and stipulates that education is compulsory for children of school-going age.^(3, 16, 19) However, the Act does not provide a specific age or definition of “school-going age,” which may allow children to leave school before they are legally able to work.⁽¹⁶⁾ The lack of standards in this area may increase the risk of children’s involvement in the worst forms of child labor. Furthermore, the Government of Zambia does not provide public schools in every village, so some communities must contribute their own labor and resources to fill this gap. While government primary schools are free, schools are understaffed and parent-teacher association and other associated fees prohibit some students from attending.⁽²⁰⁾ In 2013, the Government undertook new efforts to promote female education and eliminated

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including in its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS) Child Labor Unit (CLU)	Implement and enforce child labor laws. ⁽³⁾
Zambia Police Service Child Protection Unit (CPU)	Work with MLSS to identify and remove vulnerable children from the streets. Work with 72 District Street Children Committees to rescue street children from child labor, including the worst forms, and place them with families, in foster care, or in children’s homes. ^(9, 17) Work with immigration officials to combat child trafficking, with local officials regarding crimes against children, and with schools to education and sensitize children about abuse; and collaborate with the Ministry of Justice to investigate and prosecute child labor cases. ^(9, 21)
Zambia Police Service (ZPS) Victim Support Unit	Handle the enforcement of laws against trafficking, commercial sexual exploitation, and/or use of children in illicit activities. ⁽³⁾
Ministry of Justice	Investigate and prosecute child labor cases. ^(9, 21)

Law enforcement agencies in Zambia took actions to combat child labor, including in its worst forms.

Labor Law Enforcement

In 2013, the MLSS recruited and trained 55 new labor inspectors, increasing the number to 108. Despite the addition of 55 new labor inspectors, the MLSS believes that the number is inadequate to conduct inspections country-wide and plans to continue to seek an increase in the number of inspectors.⁽³⁾ The new labor inspectors received a month-long training on child labor in 2013. The CLU was allocated \$36,000 for 2013, which is the same as the budget allocation for 2012.⁽³⁾ The MLSS stated that the budget and transportation were inadequate to conduct

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inspections.(3) No child labor cases or prosecutions were recorded in 2013; the MLSS conducted labor inspections in public institutions only and did not conduct any in the private sector where child labor is more likely to be found.(3)

Criminal Law Enforcement

In 2013, 7 potential child trafficking cases were identified by the Government.(8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including in its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MLSS	Coordinate government efforts on issues of child labor, including the worst forms.(3)
MLSS-CLU	Coordinate with District Child Labor Committees (DCLCs) in 24 of Zambia's 102 districts to increase local awareness of child labor. Mobilize communities against child labor, including its worst forms.(3)
Zambia Police Service Child Protection Unit	Coordinate with the Ministry of Community Development, Mother, and Child Health (MCDMCH) to protect children from general abuse, including the worst forms of child labor.(3)
DCLCs	Respond to child labor complaints at the local level and file complaints to the MLSS. Composed of ZPS, MLSS, MCDMCH, and civil society stakeholders.(3)

In 2013, the Government created a DCLC in Kaoma District in the Western Province. Kaoma District was targeted due to the high prevalence of child labor on tobacco farms.(3) The Government intends to establish DCLCs in all districts but lacks the resources. DCLCs serve as the main referral mechanism for social welfare services.(3) Due to overlapping responsibilities and communication lapses, individual agency mandates may not be carried out effectively in some cases and a lack of DCLCs may lead to inadequate referral mechanisms.(9)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Zambia has established policies related to child labor, including in its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Child Labor Policy	Establishes an action plan and designates responsible agencies to address child labor issues.(3, 19)
National Action Plan for the Elimination of the Worst Forms of Child Labor	Identifies five specific priorities for Government focus: improve and enforce existing laws and policies on child labor, protect all children from hazardous labor, strengthen institutional capacity, raise awareness, and establish monitoring and evaluation systems.(3, 19)
Poverty Reduction Strategy Paper*	Includes the eradication of the worst forms of child labor as a goal.(9)
Sixth National Development Plan (2011–2016) *	Includes the eradication of the worst forms of child labor as a goal.(3, 22)
Education Policy and Education Act of 2011*	Includes rights of children, including the right to free education, and provides for the re-entry of teen mothers into school.(3)
National Employment and Labor Market Policy*	Proposes interventions to eliminate the worst forms of child labor through services provided in the agriculture, health, and education sectors. Provides skills and education to prepare young people for decent and productive work.(9, 14)
UN Development Assistance Framework for Zambia (2011–2015)*	Includes the prevention, protection, and rehabilitation from the worst forms of child labor as a policy outcome in accordance with the Sixth National Development Plan.(23)

*The impact of this policy on child labor does not appear to have been studied.

Efforts to implement the Child Labor Policy have been restricted due to inadequate funding.(19)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Zambia funded and participated in programs that include the goal of eliminating or preventing child labor, including in its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Tackling Child Labor through Education (TACKLE) project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and the Caribbean countries and the Pacific group of states (ACP).(24) Aims to strengthen the capacity of national and local authorities to implement and enforce child labor laws and policies in Zambia.(9, 19, 25, 26) Extended until August 2013 and included ILO training on child labor issues for government officials and teachers; implementation of four Action Programs to assist children exposed to or at risk of child labor, especially those living in vulnerable communities; and awareness-raising on child labor through education initiatives.(9, 19, 25, 26)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. In Zambia, the project aims to improve the evidence base on child labor through data collection and research.(27)
Pilot social cash transfer program*‡	Government program that provides funds on the condition that parents send their children to school rather than to work.(19)
Government child labor sensitization efforts‡	Government programs to sensitize the public on child labor at the national and district levels through implementing partners.(3)
Zambia National Service skills training camps*‡	Government program that provides camps for life skills training to at-risk youth, including victims of the worst forms of child labor and children living and working in the streets.(9, 19)
Youth Empowerment Fund*‡	Government program that provides start-up capital for youth to start businesses based on their skills.(3)
School Feeding Program*‡	Government program that provides meals for children that attend school.(3)

*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Zambia.

In 2013, the Government expanded the implementation of the social cash transfer program in various provinces.(3) Although Zambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially in some of the most common worst forms of child labor, particularly children in the agriculture and mining sectors and those working on the streets.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including in its worst forms, in Zambia (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2013
	Adopt the draft statutory instrument that enumerates the hazardous occupations prohibited for children.	2009 – 2013
	Determine through statutory instrument the school-going age for compulsory education.	2012, 2013
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009 – 2013
Enforcement	Provide transportation, staffing, and other appropriate resources for conducting child labor inspections and child trafficking investigations and ensure that inspections cover all areas where children work, including both public and private sectors.	2010 – 2013
	Provide free education as required by the Education Act of 2011.	2012, 2013
Coordination	Establish DCLCs in remaining districts.	2011 – 2013
	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2013
Government Policies	Provide adequate funding to implement the National Child Labor Policy.	2012, 2013
	Assess the impact that existing policies may have on addressing child labor.	2013

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to determine the activities carried out by children working in construction to inform policies and programs.	2013
	Assess the impact that existing social programs may have on addressing child labor.	2013
	Institute and implement programs to address the worst forms of child labor in Zambia, particularly for street children and those working in the agriculture and mining sectors.	2011 – 2013
	Publish the data on child labor from the 2008 Labor Force Survey.	2011 – 2013

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