

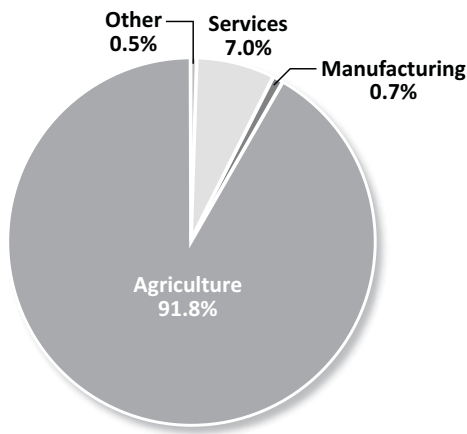
# Zambia

*In 2011, Zambia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government launched its Child Labor Policy and released its Labor Force Survey in 2011. However, data regarding child labor has yet to be released in a separate report. In addition, there continues to be a lack of enforcement of child labor laws and limited budgetary and human resources dedicated to eliminating the worst forms of child labor. The Government has yet to adopt into law the draft statute on hazardous forms of child labor. Education is not mandatory, leaving children under age 15, who cannot work legally, vulnerable to the worst forms of child labor. Children continue to work in dangerous conditions in agriculture and in mining.*

## Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	28.1 (992,722)
Attending School	5-14 yrs.	65.2
Combining Work and School	7-14 yrs.	27.6
Primary Completion Rate		103.3

## Working Children by Sector, Ages 5-14



### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from LFS Survey, 2008.(2)



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Zambia are engaged in the worst forms of child labor, primarily in dangerous activities in agriculture and mining.(3-5) Although information is limited, there is reason to believe that the worst forms of child labor are used in the production of cotton, tobacco, maize, coffee, tea and charcoal.(3) These children may be exposed to dangerous pesticides and fertilizers, bites from snakes and other animals and injuries from carrying heavy loads and using dangerous tools and machinery.(4) Children are also engaged in fishing and raising livestock. Children working in fishing are susceptible to risks such as drowning or falling ill to water-borne diseases.(3)

Children in Zambia work in mining, primarily in small artisanal and traditional mines, where they extract amethysts.(3-5) Limited evidence suggests children extract emeralds, aquamarines, tourmalines and garnets, as well as mine and process lead, zinc, iron and copper ore. Children reportedly crush stones, quarry rock, and conduct rudimentary mine drilling and scavenge mine dump sites for residual gems.(3-5) These children may work long hours without protective gear, be exposed to extreme heat and dangerous chemicals, and suffer injuries including cuts and broken bones from flying rocks and tools, impaired vision from wounds, and night work and silicosis and other respiratory problems from contact with dust.(3, 4)

Children are also involved in construction, domestic service and prostitution.(3, 5) Children of sex workers sometimes become sex workers as well.(6) In urban areas, many orphans and vulnerable children work and beg in the streets.(5, 7) Children working on the streets may be exposed to multiple dangers including violence, sexual exploitation and trafficking.(7)

Child trafficking continues to be a problem in Zambia. Some children in agriculture, cattle herding and domestic service fall victim to internal trafficking, sometimes in exchange for money, goods and gifts to family members.(8, 9) Children from rural areas are trafficked into forced labor and domestic servitude in urban areas, where some may be beaten, starved, and physically and psychologically abused.(3, 8, 10) In urban areas, girls engaged in domestic service may initially expect to attend school in exchange for their work, but they are often prevented from going to school and denied pay.(3, 8)

A number of constraints increase the risk of children's involvement in the worst forms of child labor. The Government of Zambia does not provide public schools in every village because of the country's topography and widespread communities, 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-teachers association and other associated fees prohibit students from attending.(3, 11, 12) In addition, Zambia's high HIV/AIDS rates impact child labor, as children orphaned by HIV/AIDS work to survive, or those with a parent or relative infected with the virus work to support them.(8, 13)

### Laws and Regulations on the Worst Forms of Child Labor

The Constitution and the Employment Act set the minimum age for employment at 15.(14, 15) The Apprenticeship Act regulates the employment of minors as apprentices but does not include a minimum age for apprenticeships or specify the types of work that apprentices can perform. The Employment of Young Persons and Children Act bars children under age 18 from engaging in hazardous labor.(16, 17) While the Government has drafted a statutory instrument that would define the types of hazardous labor prohibited to children, it has yet to be adopted.(3, 5, 18) The Government provides free education up to the seventh grade and has reported to the UNESCO Institute of Statistics that education is compulsory until age 14.(3, 19)

Zambian law prohibits the use of children in military hostilities, and children under 18 years cannot be recruited into

the military. However, children over age 16 can be recruited with the consent of a parent, guardian or the local District Secretary.(20)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	14
	Free Public Education	Yes

The Employment of Young Persons and Children Act specifically prohibits the worst forms of child labor, including child prostitution, slavery, forced military recruitment of children, and work harmful to the safety, health or morals of children and young people.(14, 16) The Juveniles Act specifically prohibits the use or procurement of children under age 16 for the purpose of begging.(21) However, this leaves children ages 16 to 18 vulnerable to be procured for begging. The Constitution, the Penal Code and the Anti-Human Trafficking Act of 2008 prohibit forced labor and the trafficking of children, while the Constitution and Penal Code both prohibit slavery.(3, 10, 14, 22) The Penal Code also prohibits pornography, prostitution and the sexual harassment of a child in the workplace.(23) However, the penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.(24)

### Institutional Mechanisms for Coordination and Enforcement

The Ministry of Information, Broadcasting and Labor (MIBL), formerly the Ministry of Labor and Social Security (MLSS), is the lead agency coordinating government efforts on issues of the worst forms of child labor.(3) The MIBL's Child Labor Unit (CLU) coordinates with District Child Labor Committees (DCLCs) in 18 of Zambia's 83 districts to combat child

labor, increase local awareness of child labor and mobilize communities against the worst forms of child labor and human trafficking.(3) These committees create awareness of the worst forms of child labor and monitor the implementation of child labor programs at the district and village levels. The CLU intends to establish DCLCs in all 86 districts but currently lacks the resources to do so.(3, 5)

The Government's Ministry of Home Affairs is in the process of establishing an Inter-Ministerial Committee on Human Trafficking, which will coordinate and share information on trafficking issues among government agencies.(18, 25) Nominated members are from the Zambian Police Service, immigration authorities, the Ministry of Justice, the Ministry of Labor, the Ministry of Health, and the Ministry of Community Development.(4, 8, 25) The National Secretariat has been operating on an interim basis pending the Committee's formation, and is responsible for developing strategies to implement the National Plan of Action Against Human Trafficking.(25) During the reporting period, the Government cooperated with international organizations to provide anti-trafficking training to law enforcement officials.(10)

The MIBL's CLU is the primary government agency responsible for the implementation and enforcement of child labor laws.(3) The CLU and the Zambia Police Service (ZPS) partner with the Ministry of Justice; the Ministry of Education, Science, Vocational Training and Early Education; the Ministry of Community Development, Mother and Child Health's Child Protection Unit and District Street Children Committees; the Ministry of Gender and Child Development's Child Protection Unit; and the Drug Enforcement Commission. The ZPS Child Protection Unit (CPU) works with MIBL officials to identify and remove vulnerable children from the streets.(3) The CPU also works with 72 District Street Children Committees to place street children in the worst forms of child labor with families, in foster care or in children's homes.(3) In addition, the CPU collaborates with the Ministry of Justice to investigate and prosecute child labor cases. Enforcement actions were not carried out effectively in some cases as a result of overlapping responsibilities and communication lapses.(3)

The former MLSS, now the MIBL, allocated \$136,000 in the 2011 budget to carry out labor inspections.(3) MIBL labor inspectors, responsible for all labor inspections, including child labor, inspect workplaces including individual households and agricultural fields and investigate child labor complaints.(26) There were 20 labor inspectors during the reporting

period.(3, 10) The ILO, UNICEF, and IOM collaborated with the Government of Zambia to provide training to inspectors. Although inspectors are aware of the hazardous forms of child labor and received some donor-funded training, the training was insufficient to identify and halt child labor practices.(3)

Due to a lack of transportation and inspectors, regular inspections were not conducted. The Child Labor Control and Management Unit, the administrative support unit of the MIBL, did not provide data for the number of labor inspections that took place in 2011.(3) No prosecutions were reported in 2011, and violators of child labor laws received mediation or counseling.(3, 10)

The ZPS Victim Support Unit (VSU) handles the enforcement of laws against trafficking, commercial sexual exploitation and/or use of children in illicit activities. The ZPS CPU enforces labor-related trafficking laws.(3) Specifically, the CPU works with MIBL officials to identify and remove vulnerable children from the streets. The 2011 VSU budget was \$34,088, and the CPU budget was \$653,053.(3) No information is available on what percentage of these budgets went towards enforcement, and the number of child trafficking violations in 2011 was unavailable. The CPU employed 10 child protection officers in the Province of Lusaka.(3) Both VSU and CPU investigators lacked sufficient office facilities, transportation, fuel and other necessary resources and therefore could not conduct inspections or investigations.(3, 10)

## Government Policies on the Worst Forms of Child Labor

The Government of Zambia launched the Child Labor Policy in April 2011. The policy establishes an action plan and designates responsible agencies to address child labor issues.(3) Both District Child Labor Committees and Community Child Labor Committees have been created to help implement the policy. The MIBL launched the National Action Plan for the Implementation of the Timebound Programme (TBP) for the Elimination of the Worst Forms of Child Labour in 2011, which supports the continuation of child labor awareness efforts implemented under the country's TBP.(3) This plan identifies five specific priorities for the Government to focus on, including the improvement and enforcement of existing laws and policies on child labor and the establishment of monitoring and evaluation systems. During the reporting period, the MIBL allocated \$10,400 for awareness raising on and dissemination of the National Action Plan for the Elimination of Child Labor.(3)

The country's Poverty Reduction Strategy Paper (2002), Fifth National Development Plan (2006-2011), National Employment and Labor Market Policy (2005) and Decent Work Country Program (2007-2011) include the eradication of the worst forms of child labor as a goal.(27-29) The Government of Zambia's National Employment and Labor Market Policy proposes interventions for the elimination of the worst forms of child labor in agriculture through health and education services aimed at preparing young people for decent and productive work.(17)

The Government also has a national Anti-Trafficking Plan of Action 2011-2012. The National Anti-Trafficking Plan prioritizes the development of trafficking victim referral procedures.(10)

There are a number of policies in Zambia that could benefit working children but are not specifically focused on the worst forms of child labor. These include the National Youth Policy (2006); the National Strategy on Children, Youth, and Sports Development (2006); the National Employment and Labor Market Policy (2005); the UN Development Assistance Framework (2011-2016); and the National HIV/AIDS Strategic Framework for 2006-2010.(3, 17, 28-30) The impact of such plans on the worst forms of child labor does not appear to have been assessed.

The Government conducted a Labor Force Survey in 2008 that the Central Statistics Office released in August 2011.(3, 28) The survey provides statistics on the general labor force and the informal sector; however, information on child labor and forced labor will be published in different reports that were not released during the reporting period.(31)

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

The Government of Zambia participated in the 4-year, \$23.8 million European Commission-funded TACKLE Project to combat child labor through education in 11 countries, which ended in February 2012. The project included ILO training on child labor issues to government officials and teachers, the implementation of four Action Programs to assist children living in vulnerable communities, and raising awareness on child labor through education initiatives.(3, 32) However, these programs will not be continued without sustained financial support from the Government.(3)

Zambia's Ministry of Community Development and Social Services (MCDSS provides administrative support to and assists over 10,000 families through a pilot social cash transfer program, which provides funds on the condition that parents send their children to school rather than to work.(3) Despite its current size, the scale of the social cash transfer program is not sufficient to reach all Zambian children engaged in or vulnerable to the worst forms of child labor. The MCDSS also operates two Zambia National Service camps providing skills training to 400 victims of the worst forms of child labor and children living and working in the streets.(3) The camps target children with the greatest risk of involvement in child labor.(3)

The Government of Zambia has programs to combat child trafficking and provides counseling and protection to trafficking victims.(3, 8) It refers female victims of trafficking to NGO shelters; however, no services are available for men.(10) While not specifically focused on child trafficking, the Government of Zambia, with the IOM, conducted a training of trainers for law enforcement officers using a newly developed counter-trafficking training handbook.(33, 34)

With support from the UN Joint Program, the Government of Zambia participates in its "Breaking the Chain of Human Trafficking" campaign that mobilizes local leaders on anti-trafficking efforts and conducts public awareness campaigns. Child coalitions were created in 10 districts to continue awareness-raising efforts.(10)

Existing Government programs do not sufficiently address some of the most common worst forms of child labor in Zambia, particularly children engaged in hazardous work in the agriculture and mining sectors and those working on the streets.

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Zambia:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Adopt the draft statutory instrument enumerating the hazardous occupations prohibited for children and apprentices and the minimum age for apprenticeships.	2009, 2011
	Harmonize legislation to ensure that penalties for child prostitution are consistent.	2009, 2011
	Amend the Juvenile Act to prohibit the use or procurement of any child under 18 for the purpose of begging.	2011
Coordination and Enforcement	Establish District Child Labor Committees in remaining districts.	2011
	Improve lines of communication and clarify responsibilities among enforcement agencies.	2011
	Improve training for labor inspectors to identify and halt child labor practices.	2010, 2011
	Provide transportation and other appropriate resources so child labor inspections and child trafficking investigations can be conducted.	2010, 2011
	Publish statistics on child labor enforcement and child trafficking violations.	2011
Policies	Assess the impact of the National Youth Policy, the National Strategy on Children, Youth, and Sports Development, the UN Development Assistance Framework, the National HIV/AIDS Strategic Framework, and the National Employment and Labor Market Policy on child labor.	2011
	Publish the data on child labor and forced labor from the 2008 Labor Force Survey.	2011
Social Programs	Provide appropriate resources to ensure the continuation of the four Action Programs initiated by the TACKLE Project.	2011
	Scale up the Zambia National Service skills training camps and cash transfer programs providing direct services to children, particularly for street children and those working in the agriculture and mining sectors.	2011
	Provide trafficking victim referral services that accommodate both men and women.	2011

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