Zambia

The Government of the Republic of Zambia enacted the Child Labor Policy and published the National Action Plan for the Implementation of the Timebound Programme Elimination for the Worst Forms of Child Labor. However, the Government has yet to codify the Child Labor Policy or adopt into law the draft statute on hazardous forms of child labor. Children continue to work in dangerous labor, in agriculture and in mining. Education is not mandatory, leaving children under age 15, who cannot work legally, vulnerable to the worst forms of child labor.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	33.4
Attending School	5-14 yrs.	63.8
Combining Work and School	7-14 yrs.	35.5



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Zambia are engaged in the worst forms of child labor, 6262 primarily in agriculture and mining. 6263 Children working in agriculture help produce cotton and tobacco. 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. 6264 Boys are contracted out by their parents to work as herders, in some cases for years. In these instances, they may be exposed to waste, diseases and attacks from animals. 6265 Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of maize, tea, coffee, fish and charcoal. 6266

Children in Zambia work in mining, primarily in small artisanal and traditional mines, where they extract emeralds, amethyst, aquamarines, tourmalines and garnets; mine and process lead, zinc and copper ore; crush stones; and conduct rudimentary mine drilling and scavenge mine dump sites for residual gems. 6267 Children also quarry rock. 6268 These children may work long hours, 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. 6269

Children perform other dangerous work, including construction and forestry. Some are injured carrying firewood and water, are denied food and are subject to loud noise, excessive hours, smoke inhalation and burns. 6270

Children working as domestic servants or as servers in bars work long hours and carry heavy loads. 6271 Children engage in prostitution, including along highways. 6272 Children of sex workers sometimes work with their parent. 6273 In urban areas, many orphans and vulnerable

children work and beg in the streets.⁶²⁷⁴ Children working on the street may be exposed multiple dangers including severe weather, vehicle accidents and criminal elements.

Child trafficking continues to be a problem in Zambia. Children in agriculture, herding and domestic service often fall victim to internal trafficking, sometimes in exchange for money, goods and gifts to family members. Children from rural areas are trafficked into forced labor and domestic servitude in urban areas, where they may be beaten, starved and physically and psychologically abused. In urban areas, girls engaged in domestic service may initially expect to attend school in exchange for their work but are often prevented from going to school and denied pay. Some Zambian children are also trafficked to Malawi for commercial sexual exploitation or to Angola for forced labor.

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 due to the country's vast 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. 6279 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. 6280

Laws and Regulations on the Worst Forms of Child Labor

The Constitution and the Employment Act set the minimum age for employment at 15.6281 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. 6282 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. 6283 Furthermore, the Government has yet to mandate a compulsory education age, making children under age 15 particularly vulnerable to the worst forms of child labor.

WILOW TO THE PROPERTY OF THE P	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	No
	Free Public Education	Yes

The law prohibits the use of children in military hostilities and children under 18 years cannot be recruited into the military without the consent of a parent, guardian, or local District Secretary. 6284

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. The Juveniles Act of 1956 specifically prohibits the use or procurement of children under age 16 for the purposes of 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. The Penal Code also prohibits pornography, prostitution and the sexual harassment of a child in the workplace. However, the penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code. During the reporting period, an amendment to the Penal Code was passed, extending prohibitions against sexual exploitation of children to children up to 18 years.

Institutional Mechanisms for Coordination and **Enforcement**

The Ministry of Labor and Social Security (MLSS) serves as chair of the National Steering Committee on Child Labor, which monitors and develops policies on child labor. The MLSS Child Labor Unit (CLU) provides technical expertise and coordinates all activities and programs to eliminate child labor in Zambia, including the activities of 16 district child labor committees throughout the country. 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. 6291 The MLSS works closely with the Ministry of Youth, Sport and Child Development (Directorate of Child Affairs); the Zambia Police Service Victims' Support Unit (VSU); the Joint Child Protection Unit; the Ministry of Justice; the Ministry of Community Development and Social Services (MCDSS); the Child Protection Unit and District Street Children Committee; and the Drug Enforcement Commission. 6292

The MLSS 2010 Child Labor Unit budget was \$195,000, of which \$151,000 was allocated for labor inspections. MLSS labor inspectors, responsible for all labor inspections, including child labor, inspect workplaces, including individual households and agricultural fields and investigate child labor complaints. There were 21

labor inspectors during the reporting period. 6294 However, due to a lack of transportation and other resources, regular inspections were not conducted, and those that were conducted primarily took place in the formal sector. 6295 Violators of child labor laws received counseling or were fined. 6296 District level MLSS officers are also responsible for mediating labor disputes between employers and workers. 6297 Fifteen child labor inspections took place in 2010; however, no fines or penalties were assessed, and the parents involved received counseling. 6298

The Government's Ministry of Home Affairs leads an Inter-Ministerial Committee on Human Trafficking, which coordinates and shares information on trafficking issues among government agencies. 6299 Members include the Zambian Police Service, immigration authorities, the Ministry of Justice, the Ministry of Labor and Social Security and the Ministry of Education. 6300 The Committee also established a Secretariat which is responsible for monitoring child labor and developing strategies to implement the National Plan of Action Against Human Trafficking. The Secretariat cooperates with international organizations to design training plans for government officials. 6301

The Ministry of Home Affairs' Child Protection Unit (CPU) leads enforcement of labor-related trafficking laws, while the Zambian Police Service's Victims' Support Unit (VSU) handles all other forms of trafficking.6302 The Ministry of Community Development and Social Services provides assistance to child trafficking victims and keeps rescued victims under protective custody. 6303 Every ministry has a central number that individuals can call to make complaints against child traffickers. 6304 The 2010 VSU budget was \$37,900 and the Child Protection Unit budget was \$726,000. No information is available on what percentage of these budgets went towards enforcement, and the number of child trafficking violations in 2010 was unavailable.6305

Government Policies on the Worst Forms of Child Labor

The Government of Zambia enacted the Child Labor Policy in June 2010.⁶³⁰⁶ This policy specifically addresses the worst forms of child labor and provides a guideline for child protection; however, it does not codify this issue into law.⁶³⁰⁷The Government also published the National Action Plan for the Implementation of the Timebound Programme (TBP) during the reporting period.⁶³⁰⁸ This plan supports the continuation of activities to support employee awareness and prevention of child labor implemented under the country's TBP. The Government also supported provincial action plans for each province in Zambia.⁶³⁰⁹

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. 6310 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. 6311 The Government contributed to the drafting of the ILO-IPEC-coordinated National Plans of Action to Combat Child Domestic Labor and to Eliminate Child Labor in Mining. 6312 No information is available on the status of these plans of action.

The Government of Zambia's Free Basic Education Policy provides children in grades one through seven with free access to government-run schools, reducing barriers to education for children engaged in or vulnerable to child labor. The Government's Technical Education and Vocational Training Authority also developed a strategic plan that includes protections for working children. The Government also has a national Anti-Trafficking Plan of Action. No information is available on the implementation of these plans.

A number of policies in Zambia that could benefit working children do not currently focus 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 2006–2010.⁶³¹⁶

The Government produced two interagency reports presenting research findings conducted in collaboration with the international Understanding Children's Work Program. The Government conducted a Labor Force Survey in 2008; however, the Central Statistics Office has yet to release the survey data. The results of this survey will assist the Government in measuring the impact of its efforts to eradicate the worst forms of child labor.

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

The Government of Zambia participated in the 4-year, \$4.2 million, USDOL-funded Timebound Support Project—implemented by the ILO which ended in April 2010. The project withdrew and prevented 9,722 children from the worst forms of child labor through the provision of direct educational services and supported the Government's efforts to design, implement and monitor activities to address the worst forms of child labor. The project also established recreation centers and provided psychosocial support training for community workers. 6318 The Government of Zambia currently participates in the 4-year, \$23.8 million European Commissionfunded TACKLE Project to combat child labor through education in 11 countries. 6319 Many activities started under the USDOL-funded child labor programs have been continued through this project. These programs provide limited assistance to children engaged in agriculture and mining.

Zambia's 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 parent's send their children to school rather than to work. 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. The camps only serve a small number of street children.

The Government of Zambia has programs to combat child trafficking and provides counseling and protection to trafficking victims.⁶³²² It refers

victims of trafficking to NGO shelters, but it has not yet made progress in constructing its own shelters. While not specifically focused on child trafficking, the Government of Zambia, with the IOM, conducted a training of trainers for law enforcement instructors and is developing a comprehensive curriculum for immigration and police training officers to conduct counter trafficking trainings for existing and new police officers. 6324

With the UN Joint Program, the Government of Zambia mobilizes local leaders on anti-trafficking efforts, conducts public awareness campaigns, and provides technical assistance to reduce the incidence of human trafficking and to build their capacity to identify and respond to trafficking cases in the country. 6325

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

IN THE AREA OF LAWS AND REGULATIONS:

- Amend legislation to ensure that education is compulsory for all children.
- Adopt the draft statutory instrument enumerating the hazardous occupations prohibited for children and apprentices and the minimum age for apprenticeships.
- Harmonize legislation to ensure that penalties for child prostitution are consistent.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

Publish statistics on child labor enforcement and child trafficking violations.

IN THE AREA OF POLICY:

- Codify the Child Labor Policy through a statutory instrument or an action plan.
- Support implementation of the National Plan of Action for the Timebound Elimination of the Worst Forms of Child Labor
- Publish the results of the 2008 Labor Force Survey.
- Incorporate goals and strategies for the prevention and elimination of the worst forms of child labor into major development policies, including the National Youth Policy and the National Employment and Labor Market Policy.

IN THE AREA OF SOCIAL PROGRAMS:

- Integrate a component on the worst forms of child labor into existing social programs, including those focused on HIV/AIDS. Scale up the Zambia National Service camps, cash transfer programs and other programs providing direct services to children.
- Expand programs to serve more children working in the agriculture, construction, and mining sectors.

6262 Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010. Data provided are from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

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