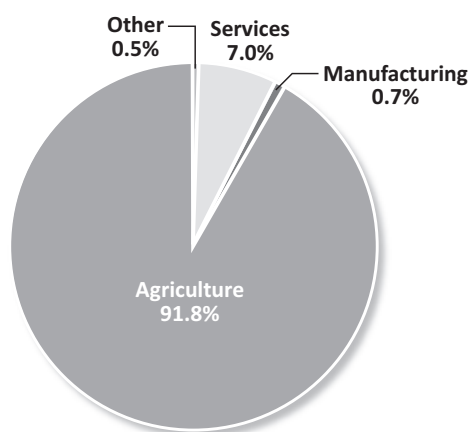


In 2012, Zambia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government has continued implementing its Child Labor Policy. However, there continues to be a lack of enforcement of child labor laws, and limited budgetary and human resources are dedicated to eliminating the worst forms of child labor. The Ministry of Labor and Social Security (MLSS) was moved two times within the reporting period, further hampering efforts to eliminate the worst forms of child labor by reducing the political will and attention to address child labor issues. In addition, the Government has yet to adopt into law the draft statute on hazardous forms of child labor. Although the Government passed the Education Act making education compulsory, it did not include specific ages, which may leave children under the legal working age vulnerable to the worst forms of child labor. Children continue to engage in the worst forms of child labor, particularly 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, 2013.(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, particularly in dangerous activities in agriculture and in mining.(3-5) There are reports that the worst forms of child labor are used in the production of tobacco. Although information is limited, reporting suggests that children are also used in the production of cotton, maize, coffee, and tea.(3) Children working in these sectors may be exposed to dangerous pesticides and fertilizers, and injuries from carrying heavy loads and using dangerous tools and machinery.(3) Children are also engaged in fishing, although the prevalence of the problem is unknown, and raising livestock. Children working in fishing are susceptible to risks such as drowning or falling ill to water-borne diseases.(3) Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(6, 7) Children are also engaged in charcoal production, which involves operating baking ovens and being exposed to heavy lifting and unsafe working environments.(3)

Children in Zambia work in mining, primarily in small artisanal and traditional mines where they extract gemstones.(3-5) Limited evidence suggests children extract amethysts, emeralds, aquamarines, and garnets, as well as mine and process lead, zinc, iron ore, and copper. Children reportedly crush stones, quarry rock, conduct rudimentary mine drilling, and scavenge mine dump sites for residual gems.(3-5) These children may work long hours without protective gear, perform night work, be exposed to extreme heat and dangerous chemicals, and suffer injuries and illnesses

Zambia

including cuts and broken bones from flying rocks and tools, impaired vision from wounds, and silicosis and other respiratory problems from contact with dust.(3, 4)

Children are also involved in construction, domestic service, and commercial sexual exploitation.(3, 5) Children working in construction may be exposed to heavy lifting, unsafe working environments, and long hours using basic tools without protective gear.(3) Children working in domestic service may be required to work long hours, performing strenuous tasks, without sufficient food or shelter. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(8, 9) Children of sex workers sometimes become sex workers as well.(10) In urban areas, many orphans and vulnerable children work and beg in the streets.(11, 12) Children working on the streets may be exposed to multiple dangers, including violence, sexual exploitation, and trafficking.(11, 12)

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.(13) Children from rural areas are trafficked into forced labor and domestic servitude in urban areas, where some may be beaten and physically and psychologically abused.(3, 12, 13) In urban areas, girls engaged in domestic service are led to believe that they will be allowed to attend school in exchange for their work, but they are often prevented from going to school and denied pay.(3, 13) There are limited reports of boys being used by gangs to load stolen copper from mining dump sites onto trucks.(14)

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, 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.(3, 15) In addition, Zambia's high HIV/AIDS rates impact child labor, as children orphaned by HIV/AIDS must work to survive, or those with a parent or relative infected with the virus must work to support their family.(13, 16)

Laws and Regulations on the Worst Forms of Child Labor

The Constitution and the Employment Act set the minimum age for employment at 15.(17, 18) The Apprenticeship Act regulates the employment of minors as apprentices, but does

not 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.(19, 20) 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, 21) The Government provides free education up to the ninth grade, and the Education Act of 2011 stipulates that education is compulsory for children of school-going age.(3, 22) 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. The Government has reported to the UNESCO Institute of Statistics that education is compulsory until age 14.(23)

International Conventions and Selected Laws on Child Labor and Education

	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

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.(3, 24, 25)

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; use of children in illicit activities; and work harmful to the safety, health, or morals of children and young people.(17, 19) 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, 12, 17, 26) The Penal Code also prohibits pornography, prostitution, and the sexual harassment of a child in the workplace.(26) However, the penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.(27)

Institutional Mechanisms for Coordination and Enforcement

The MLSS is the lead agency for coordinating government efforts on issues of the worst forms of child labor.(3) The MLSS Child Labor Unit (CLU) coordinates with District Child Labor Committees (DCLCs) in 19 of Zambia's 102 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 community levels. The CLU has stated its intention to establish DCLCs in all 102 districts but currently lacks the resources to do so.(3) The Government added one new DCLC during the reporting period.(3) The MLSS underwent a number of changes in 2012. The MLSS was moved under two other ministries, including its budget allocations, before again being established as an independent ministry.(3) This reshuffling appears to have impeded efforts to eliminate the worst forms of child labor in Zambia by reducing the political will and attention placed on child labor issues.(3)

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.(27, 28) Nominated members are from the Zambian Police Service (ZPS) and the Department of Immigration from the Ministry of Home Affairs, the Ministry of Justice, the MLSS, the Ministry of Health, and the Ministry of Community Development Mother and Child Health (MCDMCH).(4, 13, 27, 29) The National Secretariat has been performing these tasks 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.(27) During the reporting period, the Government continued to provide anti-trafficking training to law enforcement officials.(12)

CLU is the primary government agency responsible for implementing and enforcing child labor laws.(3) The CLU

and ZPS partner with the Ministry of Justice; the Ministry of Education, Science, Vocational Training, and Early Education; the MCDMCH'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.(3) The ZPS Child Protection Unit (CPU) works with MLSS officials to identify and remove vulnerable children from the streets.(30) The ZPS 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.(27, 30) In addition, the CPU works with immigration officials to combat child trafficking, with local officials regarding crimes against children, with schools to educate and sensitize children about abuse, and collaborates with the Ministry of Justice to investigate and prosecute child labor cases.(29, 30) Enforcement actions were not carried out effectively in some cases as a result of overlapping responsibilities and communication lapses.(30)

The MLSS allocated \$900,000 in the 2012 budget to carry out labor inspections.(3) There were 48 labor inspectors during the reporting period. The MLSS reportedly intends to hire additional inspectors in 2013 due to the inadequate number of inspectors in 2012.(3) Due to a lack of transportation and inspectors, regular inspections were not conducted. The MLSS conducted 1,300 labor inspections in 2012.(3) In addition, 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. No child labor cases or prosecutions were recorded in 2012.(3) Violators of child labor laws received mediation or counseling.(3)

The ILO, UNICEF, and IOM collaborated with the Government of Zambia to provide training to inspectors in the past.(30) Although inspectors are aware of the hazardous forms of child labor, there is no official and specific training for labor inspectors regarding the enforcement of child labor laws.(3)

The ZPS Victim Support Unit handles the enforcement of laws against trafficking, commercial sexual exploitation, and/or use of children in illicit activities.(3) The ZPS CPU enforces child labor-related trafficking laws.(3) No information was available on the number of child trafficking violations and enforcement in 2012; however, the one trafficking conviction in the country involved child trafficking.(3, 29) The CPU employed 12 child protection officers in the Province of Lusaka (up from 10 the previous year) and 70 in the entire country.(3) Inspectors reportedly lacked sufficient office facilities, transportation, fuel, and other necessary resources and therefore could not conduct inspections or investigations.(3)

Zambia

Government Policies on the Worst Forms of Child Labor

The Government of Zambia continued carrying out the Child Labor Policy which establishes an action plan and designates responsible agencies to address child labor issues.(3) DCLCs and Community Child Labor Committees have been created to help implement the policy. The MLSS continued implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labour.(3) This plan identifies five specific priorities for Government focus: improving and enforcing existing laws and policies on child labor, protecting all children from hazardous labor, strengthening institutional capacity, raising awareness, and establishing monitoring and evaluation systems. Efforts to implement the Child Labor Policy reportedly have been restricted due to inadequate funding.(3)

The country's 2011 Poverty Reduction Strategy Paper, Sixth National Development Plan (2011-2016), and National Employment and Labor Market Policy (2006) include the eradication of the worst forms of child labor as a goal.(30, 31) The Government's 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. In addition, the Policy focuses on providing skills and education to prepare young people for decent and productive work.(20) In accordance with the Sixth National Development Plan, the UN Development Assistance Framework for Zambia includes the prevention, protection, and rehabilitation from the worst forms of child labor as a policy outcome (2011-2015).(32)

The Government also began implementing a 2012-2015 National Anti-Trafficking Plan of Action developed in March 2012 after completing its 2011-2012 National Action Plan on anti-trafficking efforts.(12, 14)

The Government conducted a Labor Force Survey in 2008 that was released by the Central Statistics Office in August 2011.(30, 33) 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.(34)

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

The Government of Zambia participated in the European Commission-funded TACKLE Project (tackling child labor

through education), which included 12 countries and was extended until August 2013. The project includes ILO training on child labor issues for government officials and teachers; the implementation of four Action Programs to assist children exposed to or at risk of child labor, especially those living in vulnerable communities; and raising awareness of child labor through education initiatives.(3, 30, 35, 36) In addition, the project aims to strengthen the capacity of national and local authorities to implement and enforce child labor policies.(3)

In 2012, Zambia participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is active in approximately 40 countries. In Zambia, the project aims to improve the evidence base on child labor and forced labor through data collection and research.(37)

Zambia's MCDMCH operates a pilot social cash transfer program, which provides funds on the condition that parents send their children to school rather than to work.(3) Due to a lack of funding, 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 Ministry of Sports and Youth announced the re-launching of skills training camps for youth through the Zambia National Service.(3) The camps will provide life skills training to at-risk youth, including victims of the worst forms of child labor and children living and working in the streets.(3, 30)

The Government of Zambia has programs to combat child trafficking and provides counseling and protection to trafficking victims.(12, 13, 30) While not specifically focused on child trafficking, the Government, with the IOM, conducted a training of trainers for law enforcement officers using a newly developed counter-trafficking training handbook.(38, 39)

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. Coalitions were created in 10 districts to continue awareness-raising efforts.(12, 14)

Existing Government programs do not sufficiently address some of the most common worst forms of child labor in Zambia, particularly children engaged in dangerous 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 that enumerates the hazardous occupations prohibited for children and apprentices.	2009, 2011, 2012
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009, 2011, 2012
	Revise the Education Act to include specific ages, or determine through statutory instrument the school-going age for compulsory education.	2012
Coordination and Enforcement	Establish District Child Labor Committees in remaining districts.	2011, 2012
	Implement the planned increase in labor inspectors to effectively enforce child labor laws	2012
	Improve lines of communication and clarify responsibilities among enforcement agencies, especially in instances where ministries have been reshuffled.	2011, 2012
	Improve training for labor inspectors to identify and halt child labor practices.	2010, 2011, 2012
	Provide transportation and other appropriate resources for conducting child labor inspections and child trafficking investigations.	2010, 2011, 2012
Policies	Publish statistics on child labor enforcement and child trafficking violations.	2011, 2012
	Provide adequate funding to implement the National Child Labor Policy.	2012
	Publish the data on child labor and forced labor from the 2008 Labor Force Survey.	2011, 2012
Social Programs	Increase efforts to address the worst forms of child labor in Zambia, particularly for street children and those working in the agriculture and mining sectors.	2011, 2012

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