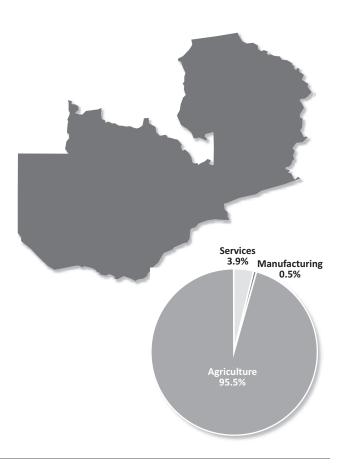
Zambia

The Government of the Republic of Zambia published a national anti-trafficking plan in 2009; however, it has not adopted the draft hazardous child labor list or prioritized the prevention and elimination of the worst forms of child labor in major development policies. Children continue to work in dangerous labor, in agriculture, herding, mining, and on the streets. Education is not mandatory, leaving children under 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 exploited in the worst forms of child labor,⁵⁴⁷² primarily in agriculture.⁵⁴⁷³ Children help produce tobacco and cotton, and they are often exposed to dangerous pesticides and fertilizers, bites from snakes and other animals, and injuries from carrying heavy loads and using dangerous tools and machinery.5474 Boys are contracted out by their parents to work as herders, in some cases for years. They are exposed to waste, diseases, and attacks from animals.5475 Children perform other dangerous work, including construction and forestry. They are injured carrying firewood and water, are denied food, and are subject to loud noise, excessive hours, smoke inhalation, and burns. 5476 Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of maize, coffee, tea, fish, and charcoal.5477

Children working as domestic servants or as servers in bars also work long hours and carry heavy loads.⁵⁴⁷⁸

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 scavenge mine dump sites for residual gems. These children work long hours, are 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. 5480

Other worst forms of child labor exist in Zambia. Children engage in prostitution at transit hubs, along highways, and elsewhere. In urban areas, many orphans and vulnerable children work and beg in the streets. Street children may be exposed to health and safety risks such as severe weather, vehicular accidents, and exploitation by 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.⁵⁴⁸³ 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.⁵⁴⁸⁴ 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.⁵⁴⁸⁵ Some Zambian children are also trafficked to Malawi for commercial sexual exploitation or to Angola for forced labor.⁵⁴⁸⁶

Laws and Regulations on the Worst Forms of Child Labor

The Constitution and the Employment Act set the minimum age for employment at 15.5487 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 Children and Young Persons Act bars children under 18 from engaging in hazardous labor. While the Government has drafted a hazardous labor list, this list has yet to be adopted. Furthermore, the Government has yet to mandate a compulsory education age, making children under 15 particularly vulnerable to the worst forms of child labor.

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.5489 The Juveniles Act of 1956 specifically prohibits the use or procurement of children under the age of 16 for the purposes of begging. 5490 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. 5491 The Penal Code also prohibits pornography, prostitution, and the sexual harassment of a child in the workplace. 5492 However, the penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.5493

In addition, some of the Penal Code's prohibitions against the sexual exploitation of children do not apply to children above age 16.5494

Ex 48	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

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 the worst forms of child labor. The MLSS Child Labor Unit (CLU) provides technical expertise and coordinates all worst forms of child labor 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 on the worst forms of child labor and monitor the implementation of child labor programs at the district and village levels. 5495 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.5496

MLSS labor inspectors inspect workplaces including individual households and agricultural fields and investigate child labor complaints. Violators of child labor laws receive counseling or are fined. 5497 District

level MLSS officers are also responsible for mediating labor disputes between employers and workers.⁵⁴⁹⁸ No information is available on the number of child labor cases investigated, or violations penalized in 2009.

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. 5499 Members include Zambia's police, immigration authorities, the Ministry of Justice, the Ministry of Labor and Social Security, and the Ministry of Education. 5500 The Committee also established a Secretariat which is responsible for monitoring, and developing strategies to implement the National Plan of Action Against Human Trafficking. The Secretariat also cooperates with international organizations to design training plans for government officials. 5501

The Child Protection Unit leads enforcement of labor-related trafficking laws, while the Zambian Police Service's Victims' Support Unit handles all other forms of trafficking. The Ministry of Community Development and Social Services provides assistance to child trafficking victims and keeps rescued victims under protective custody. Child trafficking complaints are made through a central number at each ministry. In 2009, 26 cases of trafficking involving children under 18 were reported to IOM. Training on the investigation of child trafficking cases and ILO conventions was provided to Victims' Support Unit staff, police, local court justices, prosecutors, magistrates, labor officers, and immigration authorities.

Government Policies on the Worst Forms of Child Labor

The Government of Zambia's Fifth National Development Plan (2006-2011) and Decent Work Country Program (2007-2011) include the eradication of the worst forms of child labor as a goal. 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. The Child Labor Policy summarizes legislation related to children and provides guidelines for child protection. Zambia has not yet

adopted a draft statutory instrument codifying the worst forms of child labor. The Government also published a National Plan of Action for the Timebound Elimination of the Worst Forms of Child Labor and supporting provincial action plans for each province in Zambia. 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. Still

The Government's Technical Education and Vocational Training Authority developed a strategic plan including protections for working children. The Government published a national Anti-Trafficking Plan of Action in 2009.

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 Poverty Reduction Strategy Paper (2007), the National Youth Policy (2006), the National Strategy on Children, Youth, and Sports Development (2006), the National Employment and Labor Market Policy (2005), and the UN Development Assistance Framework (2011-16). 5514

Between 2008 and 2010, the government collected data on child labor. The Government produced two interagency reports presenting research findings conducted in collaboration with the international UCW Program. The Government conducted a Labor Force Survey; however, Zambia's 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 has participated in several donor-funded projects, including projects targeting children exploited in agriculture and children affected by the HIV/AIDS epidemic, who were atrisk or engaged in the worst forms of child labor. These projects include a \$3.9 million USDOL-funded project to support a national Timebound Program, which withdrew and prevented 11,445 children from exploitive work through the provision of education and vocational training. 5517 Another project withdrew 1,885 and prevented 1,483 children in Zambia from

worst forms of child labor and developed tools and training materials to mainstream HIV/AIDS issues into child labor policies and programs.

The Zambian Government currently participates in the 4-year, \$23.8 million European Commission-funded TACKLE Project to combat child labor through education in 11 countries, including Zambia. Many activities started under the USDOL-funded child labor programs have been continued through this project. Zambia's MCDSS assists 10,000 families through a social cash transfer program which provides funds on the condition that they send their children to school rather than 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.

During the reporting period, the Ministry of Education and teachers from institutions of higher education finalized a yearlong curriculum to teach children about the worst forms of child labor. The Government also trained teachers on child labor and awarded grants

to NGOs for small-scale infrastructure improvement, school materials, recreation equipment, and supplementary feeding programs for street children. The Ministry of Sport, Youth, and Development supports recreation centers and the government also operates two camps for street children, which reunite some children with their families and provide others with support from the Ministry of Science, Technology, and Vocational Training to continue their education. 5522

The Government of Zambia has programs to combat child trafficking and provides counseling and protection to trafficking victims. It refers victims of trafficking to NGO shelters, but it has not yet made progress in constructing its own shelters. With the One UN Joint Program and United States support, 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. S525

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 list of hazardous occupations forbidden for children and extend this to apprentices.
- Harmonize legislation to ensure that penalties for child prostitution are consistent.
- Amend the Penal Code to protect children above the age of 16 from sexual exploitation.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

Publish statistics on child labor enforcement.

IN THE AREA OF POLICY:

- Implement the National Plan of Action for the Timebound Elimination of the Worst Forms of Child Labor that provides a comprehensive strategy to combat all worst forms of child labor by 2016.
- 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.

IN THE AREA OF PROGRAMS:

Expand the scope of programs to address the worst forms of child labor.

5472 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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