

In 2014, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government undertook a massive scale up of its Social Cash Transfer program, adding 125,000 additional households. The Government put into force the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order. In addition, the Government participates in social programs including two programs to eliminate child labor in tobacco production. However, children in Zambia continue to engage in child labor in agriculture and mining. Gaps remain in the current legal framework related to children; for instance, the Education Act does not include the specific age at which education is compulsory and the Government has not defined what the school-going age is 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, including in agriculture and mining. (1, 2) Table 1 provides key indicators on children's work and education in Zambia.

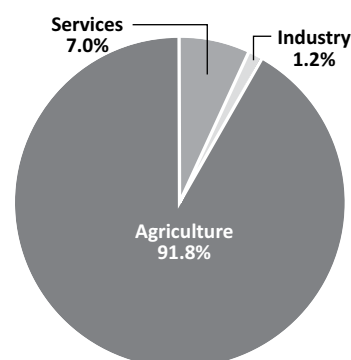
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	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 (%)		91.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Labor Force Survey, 2008.(4)

Figure 1. Working Children by Sector, Ages 5-14



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 corn,* coffee,* and tea* (2)
	Production of cotton† and tobacco† including transplanting, watering, weeding, ridging, grading, stringing, reaping, and applying fertilizers (2, 5)
	Raising and herding† cattle (2, 5-8)
	Fishing,*† activities unknown (2)
	Producing charcoal*† (2)
Industry	Mining gems (2)
	Mining amethysts* and emeralds* (2)
	Mining lead,* zinc,* iron ore,* and copper* (2)
	Quarrying rock,* conducting rudimentary mine drilling†, and scavenging mine dump sites (1, 2)
	Crushing stones† (9, 10)
	Construction,* including transporting construction materials (1, 2, 8)

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

Sector/Industry	Activity
Services	Domestic work (1, 2)
	Street work, including begging and vending (2, 8, 11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 11)
	Agriculture activities such as plowing, weeding, harvesting, and transporting water and supplies and domestic work as a result of human trafficking (2, 12)

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

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ 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 in Zambia were primarily trafficked internally from rural to urban areas for domestic work and agriculture.(2, 12) Some children in Zambia are forced to load trucks with stolen copper ore by Jerabo gangs, which are illegal mining syndicates, in the Copperbelt Province.(11, 12) 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.(13, 14)

Large distances to schools and violence in and around schools create a barrier to education.(5) In addition, there are costs to basic education including fees for school supplies.(5)

II. LEGAL FRAMEWORK FOR 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, although commercial sexual exploitation of children continues to be a problem in Zambia.

The Government has established laws and regulations related to child labor, including 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	Article 24 of the Constitution; Article 12 of the Employment Act (15, 16)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Employment of Young Persons and Children Act; Article 3 of the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (17, 18)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (18)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (15, 19, 20)
Prohibition of Child Trafficking	Yes		Article 24 of the Constitution; Article 143 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (15, 19, 20)

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

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 144 of the Penal Code; Article 2 of the Employment of Young Persons and Children Act (17, 20)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Employment of Young Persons and Children Act (17)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 14 of the Defence Act (21)
Compulsory Education Age	No		Article 16 of the Education Act, 2011 (22)
Free Public Education	Yes		Article 15 of the Education Act, 2011 (22)

* No conscription (21)

At the end of the previous reporting period, the Government put into force the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order.(18) However, gaps continue to exist in the legal framework. Penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.(23) 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 it as a civil penalty and imposes a fine of \$35–\$165. In practice, the Penal Code would be applied; however, research did not discover any such prosecutions in recent years.(24)

The Education Act requires the Government to provide free education up to the seventh grade, and stipulates that education is compulsory for children of “school-going age.”(2, 22, 25) 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.(22) The lack of standards in this area may increase the risk of children’s involvement in the worst forms of child labor.

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 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.(2, 8)
Ministry of Gender and Child Development’s (MGCD) Child Development Department (CDD)	Enforce the Affiliation and Maintenance of Children Act and the Legitimacy Act, which support child labor enforcement efforts and provide services for children withdrawn from child labor.(8)
Zambia Police Service Child Protection Unit (ZPS-CPU)	Work with MLSS and MGCD 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.(13) Work with immigration officials to combat child trafficking, with local officials regarding crimes against children, and with schools to educate and sensitize children about abuse; collaborate with the Ministry of Justice to investigate and prosecute child labor cases.(13, 26)
ZPS Victim Support Unit	Handle the enforcement of laws against trafficking, commercial sexual exploitation, and/or use of children in illicit activities.(2, 8, 13)
Ministry of Justice	Investigate and prosecute child labor cases.(13, 26)

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

Labor Law Enforcement

In 2014, the Ministry of Labor and Social Security (MLSS) employed 58 labor officers who also served as labor inspectors, a significant decrease from the 108 labor inspectors employed during the previous reporting period. The MLSS believes that the number is inadequate to conduct inspections countrywide.(2, 8) The labor officers received basic training on child labor in 2014.

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The Child Labor Unit (CLU) was allocated \$46,000 for 2014, which is a \$11,000 increase from the budget allocated for 2013. (8) The MLSS stated that the training, budget, and transportation were inadequate to conduct inspections. (8) Information was not available on the number, type, frequency, quality, or the geographic location of labor inspections. The MLSS conducts labor inspections in registered private institutions only; it does not conduct any in unregistered institutions, as allowed by law, where child labor is more likely to be found. (2, 27) While the number of child labor cases for the reporting period is unknown, no prosecutions were recorded in 2014. (8)

Criminal Law Enforcement

In 2014, the Zambia Police Service Child Protection Unit (ZPS-CPU) employed seven investigators but training was inadequate. (8) The investigators uncovered 142 cases involving child trafficking, hazardous work, abuse, and labor were identified by the ZPS-CPU. Inspections were only carried out based on complaints and included site visits. (8) However, the overall quality of the investigations and the referral mechanisms were not known. Referral mechanisms exist but social service resources were reported to be limited. (8) Information related to prosecutions, convictions, and implementation of penalties for the cases identified above was not available. However, one child trafficking case was prosecuted and a conviction was secured, but no information was available on the implementation of penalties. (12)

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 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 its worst forms. (2)
MLSS-CLU	Coordinate with District Child Labor Committees (DCLCs) in 26 of Zambia's 102 districts to increase local awareness and mobilize communities against child labor, including its worst forms. (2, 8)
MGCD-CDD	Coordinate Ministry's legislation on child labor. (8)
ZPS-CPU	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. (2)
District Child Labor Committees (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. (2)

The Government intends to establish District Child Labor Committees (DCLCs) in all districts but lacks the resources to do so. DCLCs serve as the main referral mechanism for social welfare services, and it is reported that these mechanisms have been improving. (2, 8) During the reporting period, the Government formed two new DCLCs in Kaoma and Nampudwe districts, and 19 DCLC members were trained on child labor, withdrawal, and rehabilitation. (8) 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. (13)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Zambia has established policies related to child labor, including 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. (2, 25)
National Action Plan for the Elimination of the Worst Forms of Child Labor (2010–2015)	Identifies five specific priorities for the Government to focus on: (1) improve and enforce existing laws and policies on child labor, (2) protect all children from hazardous labor, (3) strengthen institutional capacity, (4) raise awareness, and (5) establish monitoring and evaluation systems. (2, 25)
Revised Sixth National Development Plan (2013–2016)	Includes the eradication of the worst forms of child labor as a goal, and places emphasis on early childhood education and a child's right to education. (2, 8, 28)
National Employment and Labor Market Policy	Includes the elimination of child labor as a goal. (13, 29)
UNDAF 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. (30)

Table 7. Policies Related to Child Labor (cont)

Policy	Description
Education Policy and Education Act of 2011*	Includes rights of children, including the right to free education, and provides for the reentry of teen mothers into school.(2)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Efforts to implement the National Child Labor Policy have been restricted due to inadequate funding.(25)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Zambia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Achieving Reduction of Child Labor in Support of Education (2012–2014)	Japan Tobacco International (JTI)–funded, 3-year project that provides strategies to reduce the worst forms of child labor in tobacco-growing communities.(31)
Program to Reduce the Worst Forms of Child Labor in Tobacco-Growing Communities in Zambia (2011–2015)	A \$4.5 million JTI-funded, 4-year project that reduces child labor in tobacco communities in Brazil, Malawi, and Zambia.(32)
Global Action Program on Child Labor Issues Project (2011–2016)	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.(33)
Social Cash Transfer Program*‡	Government program that provides funds on the condition that parents send their children to school rather than to work. In 2014, the Government undertook a massive scale-up of the program, by adding 125,000 additional households, and increased its contribution to the program.(8, 25, 34)
Government child labor sensitization efforts‡	Government programs and the national and district levels to sensitize the public on child labor through implementing partners.(2)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labour	Ireland-funded, five-country project that promotes social dialogue with the aim of reducing child labor.(35)
Decent Work Country Programme (2013–2016)	Government program emphasizes human development including social protection and addressing child labor, forced labor, and human trafficking.(36)
Protecting Migrant Children from Trafficking and Exploitation† (2013–2015)	A \$2.7 million European Union funded, 3-year program implemented by UNICEF, IOM, the UN Human High Commission for Refugees, and the Government to combat child trafficking.(8, 37)
Zambia National Service Skills Training Camps*‡	Government program that provides life skills training camps to at-risk youth, including to victims of the worst forms of child labor.(13, 25)
Youth Empowerment Fund*‡	Government program that provides startup capital for youth to start businesses based on their skills.(2)
School Feeding Program*‡	Government program that provides meals for children that attend school.(2, 38)

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

† Program was approved during the reporting period.

‡ Program is funded by the Government of Zambia.

Although Zambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly for children working in agriculture and mining, 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 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
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009 – 2014
	Determine through statutory instrument the “school-going age” for compulsory education consistent with international law.	2012 – 2014
Enforcement	Ensure adequate funding, human resources, and training for law enforcement agencies.	2010 – 2014
	Make information publicly available on the number, type, frequency, quality, and location of inspections.	2014
	Ensure that inspections cover all areas where children work, including both registered and unregistered businesses.	2013 – 2014
	Make information publicly available on the training of investigators, the overall quality of investigations and referral mechanisms, and prosecutions, convictions, and implementation of penalties related to criminal law enforcement.	2014
Coordination	Establish DCLCs in remaining districts.	2011 – 2014
	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Policy.	2013 – 2014
	Provide adequate funding to implement the National Child Labor Policy.	2012 – 2014
Social Programs	Publish the data on child labor from the 2008 Labor Force Survey.	2011 – 2014
	Provide free education as required by the Education Act of 2011 and address other barriers to education.	2012 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2013 – 2014
	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 – 2014

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