

Zimbabwe

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Zimbabwe is an associated country of ILO-IPEC.³⁸⁹⁴ The Government of Zimbabwe has created a Child Labor Task Force Committee to define child labor, identify problem areas and propose legislation to resolve these problems.³⁸⁹⁵ The government is also making efforts to incorporate child labor issues into the plans and policies of several government ministries, such as the Ministry of Health,³⁸⁹⁶ the Ministry of Education, Sport, and Culture, the Ministry of Labor,³⁸⁹⁷ and the Department of Social Welfare.³⁸⁹⁸

In 1999, the Central Statistical Office of the Ministry of Public Service, Labor and Social Welfare, in cooperation with ILO-IPEC, published the results of a national child labor survey.³⁸⁹⁹ Recent ILO technical assistance to Zimbabwe has supported a children's play intended to raise awareness

³⁸⁹⁴ 1 ILO-IPEC, *All About IPEC Programme Countries*, [online] August 13, 2001 [cited August 26, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

³⁸⁹⁵ The Committee is composed of the Ministries of Education and Culture, National Affairs, Employment Creation and Cooperatives, Public Service, Labor and Social Welfare, Health and Child Welfare, Lands, Agriculture, and Water Development, and Local Government and Rural and Urban Development. See Education to Combat Abusive Child Labor Activity, *Child Labor Country Brief: Zimbabwe*, [online] September 12, 2002 [cited September 20, 2002]; available from <http://www.beps.net/ChildLabor/Database.htm>. The government has solicited assistance from workers, employers and NGOs to formulate country-specific approaches and strategies to eliminate child labor. See ILO, "Child Labour in Africa: Targeting the Intolerable" (paper presented at the African Regional Tripartite Meeting on Child Labour, Kampala, Uganda, February 5-7 1998).

³⁸⁹⁶ The Ministry of Health included child labor in its 1992 portfolio *Child Welfare*, and it chaired the meeting to develop the National Action Plan for Children, which identified child labor as a problem area and called for improved legal protection of working children. The Ministry of Education policy position warns that child labor should not undermine schooling. See ILO-IPEC, *Child Labour in Commercial Agriculture in Africa*, technical workshop; Dar es Salaam, United Republic of Tanzania, August 27-30, 1996, RAF/95/05/050, Geneva, 1997, [cited December 19, 2002]; available from <http://www.ilo.org/public/english/standards/ipecc/publ/policy/papers/africa/index.htm>.

³⁸⁹⁷ The Ministry of Labor established a Child Welfare Forum that meets four times annually with other government agencies to discuss child welfare issues. See *Ibid*.

³⁸⁹⁸ In response to the growing number of children living and working in the streets of large cities like the capital, Harare, the Department of Social Welfare has initiated a "Children in Difficult Circumstances" program. The Department of Social Welfare is in the process of decentralizing childcare services to local authorities. According to officials at Social Welfare, the Ministry of Local Government, Public Works and National Housing has responsibility for many of these services and is best suited for working with this population. *Ibid*. See also Tendai Mangoma, "More Children Forced to Beg," *allAfrica.com, The Herald* (Harare), May 29, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200205290632.html>.

³⁸⁹⁹ Ministry of Public Service, Labour, and Social Welfare, *National Child Labour Survey: Country Report- Zimbabwe*, Government of Zimbabwe, Central Statistical Office, Harare, 1999, viii [cited December 19, 2002]; available from <http://www.ilo.org/public/english/standards/ipecc/simpoc/zimbabwe/report/index.htm>.

of the dangers of child labor among parents and the community.³⁹⁰⁰ The government has also been engaged in anti-trafficking efforts and programs to combat sexual exploitation.³⁹⁰¹

Following independence in 1980, school fees were abolished, leading to a sharp rise in enrollment.³⁹⁰² However, since primary and secondary school fees were reintroduced (under the country's Economic Structural Adjustment Program of 1991), increases in student enrollment have declined.³⁹⁰³ As of 2000, the government planned to build more schools and expand existing schools to take on more students, provide scholarships and cover education costs for poor children through the Social Development Fund, the Basic Education Assistance Module (BEAM) and other social safety nets, as well as continue training staff and improving school facilities.³⁹⁰⁴ From 1990 to 1999, the number of training centers for out-of-school youth increased from 3 to 15 nationwide.³⁹⁰⁵

³⁹⁰⁰ ILO, *Zimbabwe: Multidisciplinary Advisory Team for Southern Africa in Harare*, [online] August 20, 2002 [cited September 27, 2002]; available from <http://www.ilo.org/public/english/region/afpro/mdtharare/country/zimbabwe.htm>.

³⁹⁰¹ In a meeting in October 2001, Interpol and the Southern African Development Community immigration authorities developed strategies to prevent the trafficking of children for prostitution. Protection Project, "Zimbabwe," in *Human Rights Report on Trafficking of Persons, Especially Women and Children*, March 2002, [cited August 29, 2002]; available from <http://209.190.246.239/ver2/cr/Zimbabwe.pdf>. The Department of Social Welfare has worked with UNICEF to raise awareness and conduct research around the problem of sexual exploitation. See also "Analysis of the Situation of Sexual Exploitation of Children in the Eastern and Southern Africa Region" (paper presented at the 2nd World Congress Against Commercial Sexual Exploitation of Children, Nairobi, Kenya, October 2001), [cited December 19, 2002]; available from http://www.unicef.org/events/yokohama/csec-east-southern-africa-draft.html#_Toc527979975.

³⁹⁰² Primary level enrollment increased from 1.2 million in 1980 to 2.2 million in 1990. Consequently, the education budget (as a proportion of recurrent expenditure) rose from 14.8 percent in 1980/81 to 23.1 percent in 1990/91. See UN Committee on the Rights of the Child, *Consideration of Initial reports of States parties due in 1992*, CRC/C/3/Add.35, prepared by Government of Zimbabwe, pursuant to Article 44 of the Convention on the Rights of the Child, December 10, 1995, para.3 [cited December 19, 2002]; available from <http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/b82db9a977eea080412562e600392abc?OpenDocument&Highlight=0,Zimbabwe>. See also Ministry of Public Service, Labour, and Social Welfare, *National Child Labour Survey*, 3-4.

³⁹⁰³ Line Eldring, Sabata Nakanyane, and Malehoko Tshoaeadi, "Child Labor in the Tobacco Growing Sector in Africa" (paper presented at the IUF/ITGA/BAT Conference on the Elimination of Child Labor, Nairobi, October 8-9, 2000), 84. See also World Bank, *Structural Adjustment and Zimbabwe's Poor*, Operations Evaluation Department, [online] 2001 [cited August 26, 2002]; available from <http://wbln0018.worldbank.org/oed/oeddoclib.nsf/e90210f184a4481b85256885007b1724/15a937f6b215a053852567f5005d8b06?OpenDocument>. See also Ministry of Public Service, Labour, and Social Welfare, *National Child Labour Survey*, 4.

³⁹⁰⁴ UNESCO, *The Education for All 2000 Assessment: Country Reports - Zimbabwe*, prepared by Ministry of Education, Sport, and Culture, pursuant to UN General Assembly Resolution 52/84, [cited December 19, 2002]; available from <http://www2.unesco.org/wef/countryreports/zimbabwe/contents.html>. The new budget allocates ZWD \$380 million (USD \$7.08 million) to BEAM, a program which provides waivers for both school fees and levies to children identified by community members as vulnerable and at risk of dropping out. See World Bank, *A directory of early child development projects in Africa*, working paper, August 31, 2001. See also Simba Makoni, *2002 National Budget unveiled*, presentation by Finance and Economic Development Minister, Harare, November 1, 2002. For currency conversion see FX Converter, [online] [cited November 14, 2002]; available from <http://www.carosta.de/frames/convert.htm>.

³⁹⁰⁵ UNESCO, *EFA 2000 Report: Zimbabwe*.

Incidence and Nature of Child Labor

In 1999, a child labor survey conducted by the Zimbabwe Central Statistics Office, in cooperation with ILO-IPEC, estimated that 33.2 percent of children ages 5 to 14 years in Zimbabwe were working.³⁹⁰⁶ Children work in a variety of sectors including traditional and commercial farming, forestry and fishing, domestic service, small-scale mining, gold panning, quarrying, construction, micro industries, manufacturing, trade, restaurants, and begging.³⁹⁰⁷ Over 90 percent of working children aged 5 to 17 reside in rural areas.³⁹⁰⁸ Many of these children work for long hours in the fields, often in exchange for education at farm boarding schools.³⁹⁰⁹ There are indications that children from Zimbabwe have been recruited to work on farms in the Northern Province of South Africa.³⁹¹⁰

In 1999, there were reportedly 12,000 street children in Zimbabwe.³⁹¹¹ Some now estimate the national total to be more than 30,000 children.³⁹¹² Street children are found begging, watching parked cars, and doing other odd jobs.³⁹¹³ In 2001, a growing number of children under 17 years

³⁹⁰⁶ Ministry of Public Service, Labour, and Social Welfare, *National Child Labour Survey*, 53.

³⁹⁰⁷ *Ibid.*, 45, 60. See also Eldring, Nakanyane, and Tshoamedi, "Child Labor in the Tobacco Growing Sector", 87.

³⁹⁰⁸ In both rural and urban areas the percentages of working boys and working girls are relatively the same. Ministry of Public Service, Labour, and Social Welfare, *National Child Labour Survey*, xii-xvi. A survey conducted by the Employer's Confederation of Zimbabwe revealed that over than 84% of underage workers are employed in commercial agriculture. See Financial Gazette, "Tea, tobacco, cotton growers main culprits on child labour," *Panafrica News Agency, Africa News Online*, November 11, 1999, [cited December 19, 2002]; available from <http://lists.essential.org/intl-tobacco/msg00298.html>.

³⁹⁰⁹ Children work after school during the planting and harvesting seasons and full time during holidays. Special boarding schools on the farms allow children to work during busy seasons. See Eldring, Nakanyane, and Tshoamedi, "Child Labor in the Tobacco Growing Sector", 87. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Zimbabwe*, Washington, D.C., March 4, 2002, 776-82, Section 6d [cited December 19, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8411.htm>. Fifty-two percent of work related injuries among child laborers occurred in the agricultural sector. See also Ministry of Public Service, Labour, and Social Welfare, *National Child Labour Survey*, xiv.

³⁹¹⁰ The Institute for Applied Labour Law and Farm Workers Research reports the practice of hiring children who have illegally crossed into South Africa is common among farmers along borders with Mozambique and Zimbabwe. See African Eye News Service, "Over 200,000 children used as child labour on farms," *allAfrica.com*, (Pietersburg), June 2, 1998, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/199806020159.html>. See also Congress of South Africa Trade Unions, *COSATU/SAAPAWU Media Statement on the SAHRC Investigation Into Human Rights Violations in Farming Communities*, press release, *allAfrica.com*, Johannesburg, July 16, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200207160635.html>.

³⁹¹¹ U.S. Department of State, *Country Reports- 2001: Zimbabwe*, 772-76, Section 5.

³⁹¹² "Churches Assist Streetkids," *allAfrica.com, The Herald* (Harare), June 19, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200206190515.html>. See also U.S. Department of State, *Country Reports- 2001: Zimbabwe*, 772-76, Section 5.

³⁹¹³ U.S. Embassy- Harare, *unclassified telegram no. 2971*, October 2001. See also "Churches Assist Streetkids." See also Mangoma, "More Children Forced to Beg."

were reportedly engaged in prostitution.³⁹¹⁴ The traditional practice of offering a young girl as payment in an inter-family feud continues to occur in Zimbabwe.³⁹¹⁵

The child labor situation is compounded by the HIV/AIDS pandemic, which has left over one million children orphaned and reliant on informal work to supplement lost family income.³⁹¹⁶ Zimbabwe has recently witnessed an increase in child headed households. Often children as young as 12 years old must drop out of school and/or travel to urban areas to earn money to provide for younger siblings.³⁹¹⁷

Despite the fact that education is neither free nor compulsory, the gross primary school enrollment has remained relatively high. In 1997, it was 112.5 percent.³⁹¹⁸ In 1994, the gross and net primary attendance rates were 108.9 and 84.6 percent respectively.³⁹¹⁹ However, certain segments of the educational system are particularly weak. Few commercial farms have schools.³⁹²⁰ As a result, students must often travel long distances to attend classes. Landowners who do provide schools have allegedly suspended children from attending classes if they refuse to work in the fields.³⁹²¹ Furthermore, the impact of the recent political turmoil, drought and impending famine in Zimbabwe has yet to be determined and will most likely have a negative effect on school

³⁹¹⁴ U.S. Embassy- Harare, *unclassified telegram no. 2971*.

³⁹¹⁵ U.S. Department of State, *Country Reports- 2001: Zimbabwe, 772-76*, Section 5.

³⁹¹⁶ *Ibid.*, 776-82, Section 6d. One source estimates between 900,000 to 1.2 million children have been orphaned as a result of HIV/AIDS. See "Citizens Watch As Poverty Creates Internal Refugees," allAfrica.com, *The Daily News* (Harare), July 23, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200207230236.html>. Another source estimates 780,000 orphans under age 14 have lost parents to HIV/AIDS. See UNWire, *HIV/AIDS: Thousands Of Orphaned Children Run Households in Zimbabwe*, United Nations Foundation, [online] August 5, 2002 [cited December 19, 2002]; available from http://www.unfoundation.org/unwire/util/display_stories.asp?objid=28113.

³⁹¹⁷ Child headed households appear to be the hardest hit by the recent drought. See Ruth Butaunoch, "Child-Headed Families Face Food Shortages," allAfrica.com, *The Herald* (Harare), August 6, 2002; available from <http://allafrica.com/stories/printable/200208070214.html>. See also UNWire, *HIV/AIDS: Thousands Of Orphaned Children Run Households*.

³⁹¹⁸ U.S. Department of State, *Country Reports- 2001: Zimbabwe, 772-76*, Section 5. See also World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002. Net enrollment rates are not available.

³⁹¹⁹ USAID, *Demographic Health Survey* [CD-ROM], 2002.

³⁹²⁰ Integrated Regional Information Networks, "Zimbabwe: 125,000 Children on Farms Not Attending School", IRINnews.org, [online], April 18, 2001 [cited December 19, 2002]; available from http://www.irinnews.org/report.asp?ReportID=5390&SelectRegion=Southern_Africa&SelectCountry=ZIMBABWE

³⁹²¹ According to an April 2001 report in the Daily News, 125,000 children living on farms in Zimbabwe do not attend classes because there are no schools. See *Ibid.*

enrollment and attendance.³⁹²² In addition, the closing of more than 500 schools on formerly white-owned farms, has left over 250,000 children unable to attend classes.³⁹²³ Due to HIV/AIDS and low teacher salaries, schools are faced with a shortage of teachers.³⁹²⁴

Child Labor Laws and Enforcement

The Labor Relations Regulation of 1997 sets 12 years as the minimum age for general employment but prohibits children under 16 years of age from engaging in activities other than light work, apprenticeships, or vocational training.³⁹²⁵ Children under 18 years may not be employed during school terms without the approval of the Ministry of Labor. In addition, children may not be employed in night work or in work which interferes with their education, or work with hazardous substances or special machinery.³⁹²⁶ Additional protection is provided by the Labor Relations Act, which stipulates that any employment contract for a child under 16 years cannot be considered legally valid.³⁹²⁷ The Children's Protection and Adoption Act of 1972 protects children's right to education and prohibits certain types of street vending and trading by children under 16 years.³⁹²⁸ Forced child labor is also prohibited.³⁹²⁹

³⁹²² Several officials have noted a surge in illegal gold panning among children as young as 10 years old. See Tsitsi Matope, "Rushing Faces Food Shortage," allAfrica.com, *The Herald* (Harare), August 16, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200208160250.html>. A Southern Africa Development Community report states that 18 percent of Zimbabwe's families have removed children from school in the past two months due to an inability to pay school fees. See "Eighteen Percent of Cash-Strapped Parents Withdraw Children From Schools," allAfrica.com, *Financial Gazette* (Harare), September 26, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200209260335.html>. According to human rights groups, political violence may have displaced as many as 30,000 people. Many have joined squatter communities surrounding Zimbabwe's major cities. Services in these communities, including education, range from poor to non-existent. See "Citizens Watch."

³⁹²³ Two hundred thousand of the children who attended the closed schools were primary school students. See Itai Dzamara, "Land-Grab Deprives 250,000 Pupils of Education," allAfrica.com, *Zimbabwe Standard* (Harare), July 22, 2002, [cited January 2, 2002]; available from <http://allafrica.com/stories/printable/200207220629.html>.

³⁹²⁴ The ILO estimates that Zimbabwe may lose a further 16,200 teachers to HIV/AIDS over the next decade. See "More Teachers to Die of AIDS, Says International Labor Organisation," allAfrica.com, *The East African Standard* (Nairobi), August 10, 2002, [cited December 19, 2002]; available from <http://allafrica.com/stories/printable/200208120575.html>. See also Itai Dzamara, "Schools to Challenge Fees Decree," allAfrica.com, *Zimbabwe Standard* (Harare), July 2, 2002.

³⁹²⁵ Government of Zimbabwe, *Labour Relations Regulations: Employment of Children and Young Persons*, (1997), [cited October 4, 2002]; available from <http://ilis.ilo.org/cgi-bin/gpte/stbna/natlexe/46825>. Light work is defined as anything that will not threaten a child's education, health, safety, rest, or social, physical, or mental development. See U.S. Embassy- Harare, *unclassified telegram no. 2971*.

³⁹²⁶ Eldring, Nakanyane, and Tshoaedi, "Child Labor in the Tobacco Growing Sector", 86. See also *Labour Relations Regulations, 1997*.

³⁹²⁷ Government of Zimbabwe, *Labour Relations Act*, (1984), [cited October 4, 2002]; available from <http://natlex.ilo.org/txt/E96ZWE01.htm>.

³⁹²⁸ Eldring, Nakanyane, and Tshoaedi, "Child Labor in the Tobacco Growing Sector", 85.

³⁹²⁹ Government of Zimbabwe, *Labour Relations Amendment Act*, (2000), [cited October 4, 2002]; available from http://ilis.ilo.org/cgi-bin/gpte/stbna/natlexe?wq_fld=B380&wq_val=Zimbabwe&wq_rel=AND&wq_fld=B250&wq_val=Labour+Relations+Act&wq_rel=AND&wq_fld=B520&wq_val=&wq_rel=AND&wq_fld=B500&wq_val=&wq_rel=AND&wq_fld=B380&wq_val=. See also U.S. Department of State, *Country Reports- 2001: Zimbabwe*, 776-82, Section 6c.

Pursuant to the Sexual Offenses Act of 2001, a person convicted of prostituting a child under the age of 12 is subject to a fine of up to ZWD³⁹³⁰ 35,000 (USD 653) or imprisonment of up to seven years.³⁹³¹ No laws specifically address trafficking in persons.³⁹³² However, the Immigration Act considers anyone who is a prostitute to be a “prohibited person” and penalizes anyone who through bribery or misrepresentation attempts to transport prohibited persons.³⁹³³ Furthermore, common law criminalizes the removal of a child without the consent of the child’s parent or guardian.³⁹³⁴

Labor regulations, and specifically child labor laws, are poorly enforced because of weak interpretations of the laws themselves, a lack of labor inspectors, and a poor understanding among affected workers of basic legal rights.³⁹³⁵

The Government of Zimbabwe ratified ILO Convention No. 138 on June 6, 2000, and ILO Convention No. 182 on December 11, 2000.³⁹³⁶

³⁹³⁰ Zimbabwe dollars.

³⁹³¹ U.S. Embassy- Harare, *unclassified telegram no. 2971*. For currency conversion see FX Converter, available from <http://www.carosta.de/frames/convert.htm>. The Child Protection and Adoption Act also prohibits children from living in or frequenting a brothel or engaging children in prostitution or immoral acts. See ILO, “Child Labour in Africa”. See also UN Committee on the Rights of the Child, *Initial Reports of States Parties: Zimbabwe*, para. 260.

³⁹³² U.S. Department of State, *Country Reports- 2001: Zimbabwe*, 776-82, Section 6f.

³⁹³³ Protection Project, “Zimbabwe.”

³⁹³⁴ UN Committee on the Rights of the Child, *Initial Reports of States Parties: Zimbabwe*, para. 265.

³⁹³⁵ Eldring, Nakanyane, and Tshoedi, “Child Labor in the Tobacco Growing Sector”, 85-86.

³⁹³⁶ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited August 27, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.