

# Zimbabwe

*The Government has engaged with international organizations and NGOs in some efforts to combat the worst forms of child labor. However, children are found in a variety of worst forms, including dangerous work in agriculture and mining, forced labor and commercial sexual exploitation. The Government has not dedicated sufficient resources for labor inspections and research found no evidence of child labor or child trafficking enforcement activities.*



## Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Zimbabwe are exploited in the worst forms of child labor.<sup>5506</sup> In agriculture, they face occupational health and safety risks in the production of tea, cotton, and tobacco.<sup>5507</sup> For example, they may use potentially dangerous machinery and tools, carry heavy loads, and apply toxic pesticides.<sup>5508</sup>

Children are exploited in diamond, gold, chrome, and tin mining including in the extraction of material from underground passages and quarries.<sup>5509</sup> Children in mining work long hours in unhealthy and dangerous conditions. Child labor has been found in the military-controlled Marange diamond fields of Eastern Zimbabwe.<sup>5510</sup>

Other children work as domestic servants and may be exposed to long hours of work and physical or sexual exploitation.

An estimated 1.3 million Zimbabwean children are orphaned.<sup>5511</sup> Of these, around 100,000 survive on their own in child-headed households, often working

as street vendors.<sup>5512</sup> Children engaged in work on the street may be vulnerable to a variety of dangers, such as severe weather, accidents caused by proximity to vehicles, and vulnerability to criminals. While there is no evidence that such practices occurred during the reporting period, some orphans have been rounded up by police and taken to farms where they are forced to work as unpaid laborers.<sup>5513</sup>

Children are trafficked within Zimbabwe to border towns and to the neighboring countries of Botswana, Mozambique, and South Africa where they suffer forced labor in agriculture and domestic service, and commercial sexual exploitation.<sup>5514</sup> Specific reports concern girls as young as age 12 who are trafficked along the Zambezi River to the Mozambican port of Beira and to Central Mozambique,<sup>5515</sup> and children from Zimbabwe who are sexually exploited by taxi and truck drivers in exchange for transportation to and across unofficial border crossings to South Africa.<sup>5516</sup>

Reports suggest that between 3,000 and 15,000 unaccompanied children from Zimbabwe move into and out of South Africa every month.<sup>5517</sup> These children go in search of work harvesting crops on

plantations and small farms or work; or for work in urban areas as street vendors, domestics, hairdressers, and/or day-laborers loading and unloading materials.<sup>5518</sup>

## Laws and Regulations on the Worst Forms of Child Labor






The Labor Relations Act sets the minimum age for employment at 15.<sup>5519</sup> However, a child age 13 or 14 may work as an apprentice or perform work as part of training at a school or technical or vocational institution.<sup>5520</sup> The Act prohibits employers from hiring a person under age 18 to perform hazardous work.<sup>5521</sup> Hazardous work is defined in the Children's Protection and Adoption Amendment Act of 2001 as any work that jeopardizes or interferes with education of a child; involves contact with hazardous substances, electronically-powered hand tools, cutting tools or grinding blades; involves underground mining; exposes a child to extreme heat, cold, or noise; or requires a child to work a night shift.<sup>5522</sup> It is not known if these provisions are applied in such a manner as to cover all types of work-related hazards to which children are exposed.

Zimbabwean law does not establish an age or period of study that is compulsory for all children. This creates an increased risk that children may fall into the worst forms of child labor as they are not required to be in school but are not legally permitted to work either.

Zimbabwe's Constitution prohibits forced labor, including forced child labor.<sup>5523</sup>

Provisions of the Sexual Offences Act, the Children's Act, and the Censorship and Entertainment Control Act prohibit sexual offenses against children, such as child pornography, prostitution, and other forms of child sexual abuse.<sup>5524</sup> For example, they prohibit procuring an individual for prostitution either inside the country and acquiring a person to leave the country with the intention of engaging them in prostitution.<sup>5525</sup> They also prohibit sexual relations with children under 16.<sup>5526</sup> Prohibitions on sex trafficking are also made, but no more comprehensive prohibitions on trafficking could be identified.

The National Service Act of 1979 prohibits persons under age 18 from compulsory and voluntary military service.<sup>5527</sup>

	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	No
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	No
	Free Public Education	No

## Institutional Mechanisms for Coordination and Enforcement

The Government has a steering committee chaired by the Ministry of Public Service, Labor, and Social Welfare (MPSLW) to lead efforts to address the worst forms of child labor. The committee includes several government ministries, civil society groups such as workers' and employers' organizations, and international organizations.<sup>5528</sup>

The MPSLW is responsible for enforcing child labor laws.<sup>5529</sup> However, the MPSLW has only two labor inspectors for all of Zimbabwe,<sup>5530</sup> and they are responsible for labor violations other than child labor. Labor inspectors are hamstrung by lack of resources, including office facilities, transportation, fuel, and other necessities required to carry out inspection.<sup>5531</sup> During the reporting period, 2009, the MPSLW participated in an ILO-sponsored workshop to provide basic training to its labor inspectors.<sup>5532</sup>

No specific information regarding child labor inspection activity could be obtained.<sup>5533</sup>

The Ministry of Justice and Legal Affairs (MoJ) oversees all courts, including labor courts. The Zimbabwe Republic Police (ZRP) is responsible for enforcement against those worst forms of child labor that are criminal. The MOJ and ZRP share responsibility for enforcement of criminal laws relating to child labor with the MPSSLW.<sup>5534</sup>

During the reporting period, government officials participated in anti-trafficking awareness campaigns implemented by the International Office for Migration (IOM).<sup>5535</sup>

Information was not identified to indicate whether actions were taken by the MOJ and the ZRP to enforce criminal statutes on the worst forms of child labor or prosecute violators.<sup>5536</sup>

The Government of Zimbabwe has an inter-ministerial taskforce on trafficking in persons.<sup>5537</sup> In 2009, however, there were no investigators, social workers or police officers dedicated to investigating child trafficking,<sup>5538</sup> and the government did not prosecute any traffickers.<sup>5539</sup>

### **Government Policies on the Worst Forms of Child Labor**

Pursuant to a Memorandum of Understanding with a number of international organizations, the Government, via the MPSSLW, established a steering committee to address child labor issues and the protection of working children.<sup>5540</sup> A national policy articulated a guide for the subsequent implementation of action programs.<sup>5541</sup> The specific design of such programs was to have been informed by the findings and recommendations from a child labor study completed in 2008. The study findings have been shared with the ILO and other partners, but have not yet been made public.<sup>5542</sup>

Zimbabwe's UN Development Assistance Framework (ZUNDAF) 2007-2011 specifically addresses child labor in its poverty reduction, education, and other social policy objectives.<sup>5543</sup> For example, as an indicator for measuring the education system's ability to retain students at all levels, statistics were to be kept on the number of districts holding monthly meetings to discuss child labor issues.

There is no entitlement to free education, and often prohibitively expensive school fees limit educational access.<sup>5544</sup> In agricultural areas where plantations exist, some instances of abuse have been reported whereby a child who wishes to attend school must work to earn credits towards school fees.<sup>5545</sup> Such "earn-and-learn schemes," where credits earned are based on a child's ability to meet a production quota, are typically voluntary.<sup>5546</sup> In cases where the system is abused, children who fail to meet production quotas may be prohibited from attending school.<sup>5547</sup>

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

The Government has participated in international donor-funded and NGO-operated initiatives and programs to combat child labor. In 2007, the MPSSLW formalized agreements with 21 NGOs to provide programs to ensure that orphans and vulnerable children had access to education, food, health-care services and protection from abuse and exploitation.<sup>5548</sup> In 2008, the Government and Save the Children-Norway donated land to the IOM, where it built a Child Care Center for orphaned children and victims of child trafficking along the border with South Africa.<sup>5549</sup> The Government itself offers little other direct help to victims of trafficking and routinely refers them to NGOs and international organizations for assistance.<sup>5550</sup> Information on Government funding contributions to such efforts in 2009 could not be obtained.

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

### IN THE AREA OF LAWS AND REGULATIONS:

- Create and adopt a more specific list of hazardous occupations and activities for children.
- Establish a minimum age or specified length of study for compulsory education.
- Prohibit all forms of trafficking in persons.

### IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Conduct, analyze, and disseminate information on the level and type of inspection activities to combat child labor, in order to target and possibly increase resources for more and better such activity.
- Dedicate additional personnel and resources to combat child trafficking and implement enforcement efforts.

### IN THE AREA OF POLICIES:

- Create an entitlement to free education.
- Redouble the efforts of the steering committee on child labor by analyzing and disseminating results of the 2008 child labor study, and providing appropriate resources to complete and implement a national action plan based on the study findings.

### IN THE AREA OF PROGRAMS:

- Contribute resources to sustain effective donor-funded efforts to combat the worst forms of child labor and address gaps in service delivery to vulnerable children through government initiated and managed programs.

<sup>5506</sup> Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. 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. For more information on sources used for these statistics, 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.

<sup>5507</sup> U.S. Department of State, “Zimbabwe,” in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009; available from <http://www.state.gov/g/drl/rls/hrrpt/2008>.

<sup>5508</sup> Caiphas Chimhete, “Deperate Farmers Resort to Child Labour,” *Zim Standard* (Harare), February 6, 2006; available from [http://www.zimbabwesituation.com/feb6\\_2006.html#Z16](http://www.zimbabwesituation.com/feb6_2006.html#Z16).

<sup>5509</sup> U.S. Embassy- Harare, *reporting*, February 23, 2010. See also Human Rights Watch, *Blood Diamonds - Ask Before You Buy*, February 4, 2010; available from <http://hrw.org/en/africa/zimbabwe>.

<sup>5510</sup> Human Rights Watch, *Diamonds in The Rough - Human Rights Abuses in the Marange Diamond Fields of Zimbabwe*, June 26, 2009; available from [http://www.hrw.org/reports/2009/06/26/diamonds in the rough](http://www.hrw.org/reports/2009/06/26/diamonds%20in%20the%20rough).

<sup>5511</sup> UNICEF, *Humanitarian Action Report 2010 - Eastern and Southern Africa Feature Story for Zimbabwe*, New York, 2010; available from [http://www.unicef.org/har2010/index\\_zimbabwe\\_feature.html](http://www.unicef.org/har2010/index_zimbabwe_feature.html).

<sup>5512</sup> Ibid.

<sup>5513</sup> U.S. Department of State, “Country Reports- 2008: Zimbabwe.”

<sup>5514</sup> U.S. Department of State, “Country Reports on Human Rights Practices - 2009,” Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/13584.htm>.

<sup>5515</sup> Save the Children UK, *Visitors from Zimbabwe: A Preliminary Study Outlining the Risks and Vulnerabilities Facing Zimbabwean Children who have Crossed Illegally into Mozambique*, May 24, 2006, 7-8; available from <http://www.reliefweb.int/library/documents/2006/sc-zim-24may.pdf> See also Integrated Regional Information Networks, “Mozambique: Exploitation and Abuse Awaits Zimbabwe’s

- Migrant Children”, IRINnews.org, [online], May 25, 2006 [cited December 9, 2009]; available from <http://www.irinnews.org/report.aspx?reportid=59123>.
- <sup>5516</sup> Integrated Regional Information Networks, “South Africa-Zimbabwe: Undocumented Kids Alone in a New Country”, IRINnews.org, [online], March 8, 2007 [cited February 9, 2009]; available from <http://www.irinnews.org/Report.aspx?ReportId=70584>.
- <sup>5517</sup> Integrated Regional Information Networks, “Southern Africa: Children That Slip Across Borders”, IRINnews.org, [online], February 26, 2010 [cited March 25, 2010]; available from <http://www.irinnews.org/Report.aspx?ReportId=88249>.
- <sup>5518</sup> Save the Children UK, *Children Crossing Borders: Report on Unaccompanied Minors who have Travelled to South Africa*, July 2007, 5-6; available from [http://www.savethechildren.org/uk/en/54\\_3163.htm](http://www.savethechildren.org/uk/en/54_3163.htm) [hard copy on file]. See also Integrated Regional Information Networks, “Zimbabwe: Child Migrants Seek a Better Life in South Africa”, IRINnews.org, [online], September 3, 2007 [cited February 9, 2009]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=74083>.
- <sup>5519</sup> Government of Zimbabwe, *Statute Law of Zimbabwe: Labour Act 2002, Chapter 28:01 17/2002*, (2002); available from [http://www.parlzim.gov.zw/cms/Acts/Title28\\_MANPO...](http://www.parlzim.gov.zw/cms/Acts/Title28_MANPO...)
- <sup>5520</sup> U.S. Department of State, “Country Reports- 2008: Zimbabwe.”
- <sup>5521</sup> Government of Zimbabwe, *Labour Relations (Employment of Children and Young Persons) Regulations*, 72/1997, (1997).
- <sup>5522</sup> Government of Zimbabwe, *Children’s Protection and Adoption Amendment Act, 2001 (No. 23)*, February 10, 2009; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).
- <sup>5523</sup> Government of Zimbabwe, *Constitution of Zimbabwe*, (April 20, 2000); available from [http://www.nca.org.zw/Downloads/zim\\_constitution.pdf](http://www.nca.org.zw/Downloads/zim_constitution.pdf) [hard copy on file].
- <sup>5524</sup> Government of Zimbabwe, “Zimbabwe,” in *Legislation of Interpol Member States on Sexual Offences against Children*, 2010; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/Default.asp>.
- <sup>5525</sup> Government of Zimbabwe, *Sexual Offences Act*, 8/2001, (2001). See also U.S. Department of State, “Country Reports- 2008: Zimbabwe.”
- <sup>5526</sup> U.S. Department of State, “Country Reports- 2008: Zimbabwe.” See also U.S. Embassy- Harare, *reporting*, December 5, 2007.
- <sup>5527</sup> Coalition to Stop the Use of Child Soldiers, “Zimbabwe,” in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/library/global-reports>
- <sup>5528</sup> USDOS official, E-mail communication to USDOL official, November 19, 2010.
- <sup>5529</sup> U.S. Embassy- Harare, *reporting*, February 23, 2010.
- <sup>5530</sup> USDOS official, E-mail communication, November 19, 2010.
- <sup>5531</sup> U.S. Embassy- Harare official, USDOL official, November 19, 2010.
- <sup>5532</sup> U.S. Embassy- Harare, *reporting, February 23, 2010*.
- <sup>5533</sup> Ibid.
- <sup>5534</sup> Ibid.
- <sup>5535</sup> U.S. Department of State, “Country Reports- 2008: Zimbabwe.”
- <sup>5536</sup> U.S. Department of State, “Country Reports- 2009: Zimbabwe.”
- <sup>5537</sup> U.S. Embassy- Harare, *reporting*, March 3, 2009.
- <sup>5538</sup> U.S. Embassy- Harare, *reporting, February 23, 2010*.
- <sup>5539</sup> U.S. Department of State, “Zimbabwe (Tier 3),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>.
- <sup>5540</sup> U.S. Embassy- Harare, *reporting, December 5, 2007*.
- <sup>5541</sup> U.S. Embassy- Harare, *reporting, February 23, 2010*.
- <sup>5542</sup> Ibid. See also U.S. Embassy- Harare official, E-mail communication, November 19, 2010.
- <sup>5543</sup> U.S. Embassy- Harare, *reporting, February 23, 2010*.
- <sup>5544</sup> USDOS official, E-mail communication, November 19, 2010.
- <sup>5545</sup> Nadia Strakova and Pavel Vondra, *Stop Child Labour: Africa Tour 2008, Final Integrated Report*, Hivos/Stop Child Labour, The Hague, 2008; available from <http://www.stopchildlabour.eu/africatour2008/img/africatour2008-finalreport.pdf>.
- <sup>5546</sup> USDOS official, E-mail communication, November 19, 2010.
- <sup>5547</sup> Nadia Strakova and Pavel Vondra, *Stop Child Labour: Africa Tour 2008, Final Intergrated Report*.
- <sup>5548</sup> U.S. Department of State, “Country Reports- 2008: Zimbabwe.”
- <sup>5549</sup> Ibid. See also U.S. Embassy- Harare, *reporting, March 3, 2009*.
- <sup>5550</sup> U.S. Embassy- Harare, *reporting, March 3, 2009*.