

*In 2015, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Employment Amendment Act to prohibit casual employment in the informal sector, which may have an indirect effect on child labor. The Government also approved a new youth policy that includes education and empowerment strategies for youth and continued to incrementally scale up its Social Cash Transfer Program. However, children in Zambia continue to engage in the worst forms of child labor, including in the production of tobacco and commercial sexual exploitation, sometimes as a result of human trafficking. Gaps also remain in the current legal framework related to children; for example, 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 the worst forms of child labor, including in the production of tobacco and commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Zambia.

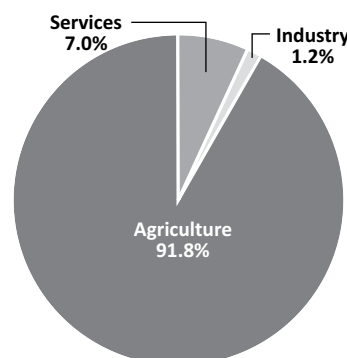
**Table 1. Statistics on Children's Work and Education**

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 (%)		81.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's Analysis of Statistics from the Labor Force Survey, 2008.(5)

**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,* tea,* and sunflowers* (1, 2)
	Production of cotton† and production of tobacco,† including transplanting, watering, weeding, ridging, grading, stringing, reaping, and applying fertilizers (1, 2, 6)
	Raising and herding† cattle (3, 7-9)
	Fishing,*† activities unknown (1)
	Producing charcoal*† (1)
Industry	Mining gems, including amethysts* and emeralds* (1)
	Mining lead,* zinc,* iron ore,* and copper* (1)
	Quarrying rock,* conducting rudimentary mine drilling,† and scavenging mine dump sites (1-3)

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

Sector/Industry	Activity
Industry	Crushing stones† (3, 9, 10)
	Construction, including transporting construction materials (1, 2, 11, 12)
Services	Domestic work (2, 3, 13, 14)
	Street work, including begging and vending (1, 3, 12, 13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (1, 12)
	Agriculture activities, mining, and domestic work, sometimes as a result of human trafficking (1, 2, 11, 12, 15)

\* 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 trafficked inside Zambia are primarily trafficked from rural to urban areas for domestic work and agriculture.(1, 12, 15) 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.(2, 12, 15) Along Zambia’s borders, the commercial sexual exploitation of children is common.(12) The Government has yet to release information on child labor from its 2008 Labor Force Survey, although the general Labor Force Survey results – which did not include data on child labor – were released in 2011 and 2014.(3, 16, 17)

Long distances to schools create a barrier to education.(6) Costs also occur for basic education, including fees for school supplies, that prevent some children from attending school.(2, 6, 14)

## 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 the country.(12)

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 (18, 19)
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 (20, 21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (21)

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

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Articles 14 and 24 of the Constitution; Articles 143 and 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (18, 22, 23)
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 (18, 22, 23)
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 (20, 23)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Employment of Young Persons and Children Act (20)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 14 of the Defence Act (24)
Compulsory Education Age	No		Article 16 of the Education Act, 2011 (25)
Free Public Education	Yes		Article 15 of the Education Act, 2011 (25)

\* No conscription.(24)

During the reporting period, the Government passed the Employment Amendment Act which aims to reduce child labor by addressing exploitation in casual labor.(3, 26) The Government also passed the Gender Equality and Equity Act, which seeks to reduce school dropout rates among girls.(27) However, gaps remain 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.(28) 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 to \$165 and possible discretionary prison time. In practice, the heavier statute of the Penal Code would be applied; however, research did not uncover any such prosecutions in recent years.(29)

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.”(1, 25, 30) The Act, however, does not set a specific age or define “school-going age,” which may allow children to leave school before they are legally able to work.(25) 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.(1, 11) Plays advisory role for different Government agencies. Is also responsible for the regulation of child labor laws.(17)
Zambia Police Service Child Protection Unit	Work with MLSS and Ministry of Youths, Sports, and Child Development 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.(3, 16) 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.(16, 31)
Zambia Police Service Victim Support Unit	Handle the enforcement of laws against human trafficking, commercial sexual exploitation, and use of children in illicit activities.(1, 11, 16)
Ministry of Justice	Investigate and prosecute child labor cases.(16, 31)

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### Labor Law Enforcement

In 2015, labor law enforcement agencies in Zambia took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	58 (11)	81 (32)
Inspectorate Authorized to Assess Penalties	Unknown	No (3)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to Child Labor	Unknown	Unknown
■ Refresher Courses Provided	Unknown	Yes (3)
Number of Labor Inspections	Unknown	Unknown
■ Number Conducted at Worksite	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
■ Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	No (11)	No (3)
■ Routine Inspections Targeted	No (11)	No (3)
Unannounced Inspections Permitted	Yes (11)	Yes (3)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (11)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (11)

In 2015, the Ministry of Labor and Social Security (MLSS) employed 81 labor inspectors, which is an increase from the 58 employed in 2014.(32) According to the ILO recommendation of one inspector for every 40,000 workers in less developed economies, Zambia should employ roughly 172 inspectors in order to adequately enforce labor laws throughout the country.(3, 11, 33-35) The MLSS reported that it conducted training in the Western province, but research was unable to determine what type of training was conducted, who was trained, and whether it included child labor issues. The Child Labor Unit was allocated approximately \$35,800 for 2015.(3) The funding amount represents an increase in funding in the local currency but a decrease in funding based on the value of the currency, compared with the \$46,000 allocated for 2014.(3, 11) The MLSS stated that the budget, training, and transportation were inadequate to conduct inspections.(3) The MLSS is authorized to conduct labor inspections in registered private institutions only; it does not conduct investigations in unregistered institutions, as allowed by law, in which child labor is more likely to be found.(1, 36) While no labor officers were employed in 2015, a referral mechanism does exist through District Child Labor Committees that allows labor officers to refer cases to NGOs; however, not all districts have a committee.(11)

### Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Zambia took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2014†	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
■ Refresher Courses Provided	Unknown	Yes (37)
Number of Investigations	Unknown	Unknown
Number of Violations Found	142 (11)	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (11)

† Data are from January to December 2014.

The Department of Immigration provided training to 106 law enforcement officers during the reporting period.(37) In addition, it was previously reported that the Zambia Police Service Child Protection Unit employed seven investigators, but that their training was inadequate.(11) Inspections are carried out based on complaints only and include site visits.(11)

#### 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 8).

**Table 8. 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.(1)
MLSS-CLU	Coordinate with District Child Labor Committees in 26 of Zambia's 102 districts to increase local awareness and mobilize communities against child labor, including its worst forms.(1, 11)
Ministry of Youths, Sports, and Child Development Child Development Department	Coordinate legislation on child labor.(3)
Zambia Police Service Child Protection Unit	Coordinate with the Ministry of Community Development, Mother, and Child Health to protect children from general abuse, including the worst forms of child labor.(1, 3)
District Child Labor Committees	Respond to child labor complaints at the local level and file complaints to the MLSS. Serve as the main referral mechanism for social welfare services, a mechanism that is reported to be improving. Comprises the Zambia Police Service, the MLSS, the Ministry of Community Development, Mother, and Child Health, and civil society stakeholders.(1) The Government intends to establish Committees in all districts, but lacks the resources to do so. DCLCs serve as the main referral mechanism for social welfare services, and it was reported that these mechanisms have been improving.(1, 11)

Due to overlapping responsibilities and communication lapses, individual agency mandates may not be carried out effectively in some cases.(16)

#### 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 9).

**Table 9. Policies Related to Child Labor**

Policy	Description
National Child Labor Policy	Establishes an action plan and designates responsible agencies to address child labor issues.(1, 30)
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.(1, 30)
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.(1, 11, 38)
National Employment and Labor Market Policy	Contains the elimination of child labor as a goal.(16, 39)
UNDAF (2011–2015)	Seeks to prevent the worst forms of child labor, protect children, and rehabilitate offenders who engaged in the worst forms of child labor, in accordance with the Revised Sixth National Development Plan.(40)
Education Policy and Education Act, 2011*	Establishes the rights of children, including the right to free education, and provides for the reentry of teen mothers into school.(1, 25)
National Youth Policy*† (2015–2019)	Includes education and empowerment strategies for youth.(3)

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

† Policy was approved during the reporting period.

Efforts to implement the National Child Labor Policy have been restricted by inadequate funding.(30)

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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Zambia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Social Programs to Address Child Labor**

Program	Description
Achieving Reduction of Child Labor in Support of Education I (2012–2016)	A \$1.6 million 5-year project that provides strategies to reduce the worst forms of child labor in tobacco-growing communities.(41, 42) A project evaluation highlighted progress in raising awareness on child labor.(37)
Achieving Reduction of Child Labor in Support of Education II (2015–2018)*	JTI-funded, 3-year global training program that provides strategies to reduce the worst forms of child labor in tobacco-growing communities in Brazil, Malawi, Tanzania, and Zambia.(43)
Program to Reduce the Worst Forms of Child Labor in Tobacco-Growing Communities in Zambia (2011–2015)	JTI-funded, \$4.5 million 4-year project that aims to reduce child labor in tobacco-growing communities in Brazil, Malawi, and Zambia. Promotes educational access, economic empowerment, and improved regulatory frameworks around child labor in the tobacco sector.(44)
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. Aims to improve the evidence base on child labor and forced labor through data collection and research in Zambia.(45)
Social Cash Transfer Program†	Government program, provides funds to families and has been shown to increase school enrollment. Scaled up by the Government over time.(3, 11, 46, 47)
Government child labor sensitization efforts†	National and district government programs to sensitize the public to child labor through implementing partners and awareness campaigns.(1, 3)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labour	Irish Aid-funded, five-country project, promotes social dialog with the aim of reducing child labor.(48)
Testing Methodologies to Support Informal Economy Workers and Small Producers to Combat Hazardous Child Labor	Irish Aid-funded, 1-year project, builds capacity of informal economy workers and small producers to address hazardous child labor in Benin, Ghana, India, Malawi, and Zambia.(49)
Decent Work Country Programme (2013–2016)	Government program, emphasizes human development, including social protection, child labor, forced labor, and human trafficking.(50)
Protecting Migrant Children from Trafficking and Exploitation (2013–2015)	EU-funded \$2.7 million, 3-year program implemented by UNICEF, the IOM, the UNHCR, and the Government to combat child trafficking, largely in migrant communities.(3, 11, 51)
Zambia National Service Skills Training Camps†	Government program, provides life-skills training camps for at-risk youth, including for victims of the worst forms of child labor.(16, 30)
Youth Empowerment Fund†	Government program, provides start-up capital for youth to start businesses, based on their skills.(1)
School Feeding Program†	Ministry of Education program, initiated by the WFP, provides meals for children who attend school.(1, 52)

\* Program was launched 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 11).



**Table 11. 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 – 2015
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009 – 2015
	Determine through statutory instrument the “school-going age” for compulsory education consistent with international law.	2012 – 2015
Enforcement	Make information publicly available on the Labor Inspectorate funding, training, inspections, and the number of child labor violations found, penalties imposed, and whether unannounced inspections are conducted.	2015
	Strengthen the Labor Inspectorate by initiating routine inspections, rather than performing inspections based solely on complaints received.	2015
	Ensure that a sufficient number of labor inspectors, based on the ILO standard, are available.	2015
	Ensure adequate funding, human resources, and training for law enforcement agencies.	2010 – 2015
	Ensure inspections cover all areas in which children work, including registered and unregistered businesses.	2013 – 2015
	Establish District Child Labor Committees in remaining districts.	2011 – 2015
	Make information publicly available on criminal law enforcement trainings, investigations, violations, prosecutions, and convictions.	2014 – 2015
Coordination	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2015
Government Policies	Integrate child labor elimination and prevention strategies into the Education Policy.	2013 – 2015
	Provide adequate funding to implement the National Child Labor Policy.	2012 – 2015
Social Programs	Publish the data on child labor from the 2008 Labor Force Survey.	2011 – 2015
	Provide free education, as required by the Education Act, 2011, and address other barriers to education.	2012 – 2015
	Create and implement programs to address the worst forms of child labor, particularly for street children and those working in the agriculture and mining sectors.	2011 – 2015

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34. ILO. *Strategies and Practice for Labour Inspection*. Geneva, Committee on Employment and Social Policy; November 2006. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.
35. UN. *World Economic Situation and Prospects 2012 Statistical Annex*, 2012. [http://www.un.org/en/development/desa/policy/wesp/wesp\\_current/2012country\\_class.pdf](http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf). For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies; "economies in transition" to "transition economies," "developing countries" to "industrializing economies, and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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