

Zambia

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

The Government of Zambia has been a member of ILO-IPEC since 2000.³⁸⁶⁷ With funding from USDOL, a number of ILO-IPEC activities have been launched in Zambia, including a country program aimed at building national capacity to address child labor and targeting an initial group of children for removal and prevention from exploitative child labor.³⁸⁶⁸ As part of this program, a National Plan of Action on the Elimination of Child Labor was adopted in March 2001 by the National Steering Committee (NSC).³⁸⁶⁹ With technical assistance from ILO-IPEC's SIMPOC, Zambia's Central Statistical Office (CSO) conducted a national child labor survey in 1999.³⁸⁷⁰ Zambia is one of five countries participating in a USDOL-funded ILO-IPEC regional program to combat child labor in the commercial agricultural sector.³⁸⁷¹ In 2002, USDOL funded an education project targeting child laborers and children at risk of entering work.³⁸⁷² The Government of Zambia receives policy and program guidance on child labor issues through an Inter-Ministerial Committee, established in May 2000 and comprised of key ministries.³⁸⁷³

Zambia's national policy on education, "Educating Our Future," was published in 1996 and focuses primarily on making curricula for basic education more relevant, promoting partnerships and cost sharing, and improving school management.³⁸⁷⁴ With support from various donor groups, the government began implementing a national plan of reform through the Basic Education Sub-Sector Investment Program (BESSIP). Through BESSIP, the government aims to achieve universal

³⁸⁶⁷ ILO-IPEC, *National Program on the Elimination of Child Labour in Zambia: Progress Report*, June 2000.

³⁸⁶⁸ ILO-IPEC, *National Program on the Elimination of Child Labour in Zambia: project document*, ZAM/99/05/060, Geneva, 1999.

³⁸⁶⁹ ILO-IPEC, *National Program on the Elimination of Child Labour in Zambia: Progress Report*, 2001.

³⁸⁷⁰ ILO-IPEC, *Statistical Information and Monitoring Programme on Child Labour (SIMPOC) in Zambia: project document*, ZAM/99/05/050, Geneva, 1999.

³⁸⁷¹ ILO-IPEC, *Prevention, Withdrawal and Rehabilitation of Children in Hazardous Work in the Commercial Agricultural Sector in Africa: project document - Country Annex for Zambia*, RAF/00/P51/USA, Geneva, 2000, 64.

³⁸⁷² USDOL, *Child Labor Education Initiative Cooperative Agreement for Zambia project*, 2002.

³⁸⁷³ The ministries on the committee include: Labor; Sport, Youth and Child Development; Information and Broadcasting; and Legal Affairs. See U.S. Embassy- Lusaka, *unclassified telegram no. 1761*, October 2002. See also U.S. Embassy- Lusaka, *unclassified telegram no. 3288*, September 2001.

³⁸⁷⁴ The 1996 "Educating Our Future" policy calls for, among other educational system improvements, increasing the provision of basic schooling from 7 to 9 years for all children. See Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey: Country Report*, ILO-IPEC, Lusaka, 2001, 3. See also United Nations, *Common Country Assessment - Zambia 2000*, 49.

primary education enrollment by the year 2005.³⁸⁷⁵ To increase school access, the government waived compulsory uniforms in rural areas and in 2002 issued a proclamation abolishing school fees for grades 1 to 7.³⁸⁷⁶

Incidence and Nature of Child Labor

In 1999, the Zambian CSO estimated that 11.5 percent (347,357) of children ages 5 to 14 years in Zambia were working.³⁸⁷⁷ Over 90 percent of these children in the same age group were engaged in agricultural activities.³⁸⁷⁸ Approximately 24 percent of working children combined work with school.³⁸⁷⁹ Children are found working in a variety of industries and occupations, including fisheries, manufacturing, construction, trading, business services and personal services, domestic service, carpentry, food production and vending.³⁸⁸⁰ An increasing number of younger children are forced into prostitution.³⁸⁸¹ In addition, the spread of HIV/AIDS and the growing number of orphans has contributed to an increase in the number of street children, many of who engage in various forms of work, such as carrying parcels or guarding cars.³⁸⁸²

Education is neither free nor compulsory in Zambia.³⁸⁸³ In 1998, the gross primary enrollment rate was 86.4 percent, and the net primary enrollment rate was 72.9 percent.³⁸⁸⁴ In 1996, the gross primary school attendance was 91.7 percent, and the net attendance was 67.4 percent.³⁸⁸⁵

³⁸⁷⁵ BESSIP began in 1999 and will continue through 2005 with a total of USD 340 million in funding (USD 167 million coming from the government of Zambia). Government of the Republic of Zambia Ministry of Finance and Economic Development, *Interim Poverty Reduction Strategy Paper*, Lusaka, July 7, 2000, Section 24. See also World Bank, *Zambia Improves Basic Education: World Bank supports efforts with US\$40 million credit*, press release, News Release No. 99/2140/AFR, Washington, DC, April 8, 1999; available from <http://www.worldbank.org/html/extdr/extme/2140.htm>. See also United Nations, *Common Country Assessment - Zambia 2000*, 24.

³⁸⁷⁶ U.S. Embassy- Lusaka, *unclassified telegram no. 1761*.

³⁸⁷⁷ This survey was carried out with technical support from the ILO/IPEC's SIMPOC. See Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey*, xvi.

³⁸⁷⁸ *Ibid.*, Table 4.7, 27. The survey also found that 1.7 million children were involved in housekeeping activities, such as cooking, preparing food, washing dishes, house cleaning, washing and ironing clothes and taking care of younger siblings. See Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey*, Table 4.26, 39.

³⁸⁷⁹ Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey*, Table 4.30, 41.

³⁸⁸⁰ *Ibid.*, Tables 4.7 and 4.15. See also A.J. Cheraw, Permanent Secretary, Ministry of Labour and Social Security, letter to USDOL official, June 6, 2001.

³⁸⁸¹ ILO-IPEC, *National Program on the Elimination of Child Labour: project document*, 2. See also USAID, UNICEF, and Swedish International Development Agency (SIDA), *Orphans and Vulnerable Children: A Situation Analysis*, Study Fund Project, Lusaka, Section 2.

³⁸⁸² USAID, UNICEF, and (SIDA), *Orphans and Vulnerable Children: A Situation Analysis*, 8. See also U.S. Department of State, *Country Reports on Human Rights Practices - 2001: Zambia*, Washington, DC, March 4, 2002, 745-46, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/>.

³⁸⁸³ United Nations, *Common Country Assessment - Zambia 2000*, 49.

³⁸⁸⁴ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, DC, 2002.

³⁸⁸⁵ USAID, *Global Education Database* [CD-ROM], Washington, DC, 2002.

According to USAID, there are 560,000 children not attending school in Zambia, and of those children who enter grade one, one-third fail to complete their education through grade seven.³⁸⁸⁶ Girls' attendance tends to be lower than that of boys, especially in rural areas.³⁸⁸⁷

Child Labor Laws and Enforcement

The Constitution of 1991 prohibits forced labor and establishes legal protection from exploitative work for young persons, defined as under the age of 15.³⁸⁸⁸ The Employment of Young Persons and Children Act of 1933, establishes 15 as the minimum age for employment, and prohibits children up to the age of 18 from engaging in work that is hazardous; however the law does not apply to commercial farms.³⁸⁸⁹ The Constitution prohibits trafficking of children under 15 years old.³⁸⁹⁰ The Ministry of Labor and Social Security (MLSS), which is responsible for enforcing labor laws, established a Child Labor Unit to specifically address issues relating to child labor.³⁸⁹¹ MLSS conducts monthly inspections to workplaces, however the Ministry has noted that its staff is not properly trained to effectively address child labor issues. No fines or penalties have been issued for child labor violations, but MLSS has placed an emphasis on sensitizing and educating the public on the worst forms of child labor.³⁸⁹²

The Government of Zambia ratified ILO Convention 138 on February 9, 1976, and ratified ILO Convention 182 on December 10, 2001.³⁸⁹³

³⁸⁸⁶ Enrollment rates have only marginally increased since 1990. There are a number of causes for this, including inadequate number of schools, distance between homes and schools, poor infrastructure and poor or no learning materials. USAID, *Overview of USAID Basic Education Programs in Sub-Saharan Africa III*, Technical Paper, No. 106, SD Publication Series, Office of Sustainable Development, Bureau for Africa, Washington, DC, February 2001, 95.

³⁸⁸⁷ Ibid. Enrollment of girls is also lower than that of boys (approximately 10 percent lower in 1999), and this gender disparity appears to be growing. See also UNICEF, *Children in Jeopardy: The Challenge of Freeing Poor Nations from the Shackles of Debt*, New York, 1999, 5.

³⁸⁸⁸ *Constitution of the Republic of Zambia, 1991*, (August 1991), Article 14 [cited November 6, 2001]; available from http://www.uni-wuerzburg.de/law/za00000_.html. The Constitution, Article 24 states that "no young person shall be employed and shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education or interfere with his physical, mental or moral development." A young person is identified as anyone below the age of 15 years.

³⁸⁸⁹ The Employment of Young Persons and Children Act (1933), Chapter 274, as cited in ILO-IPEC, *Prevention, Withdrawal and Rehabilitation of Children: project document - Country Annex*, 65. The Employment of Young Persons and Children Act states that "a young person shall not be employed on any type of employment or work, which by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of that young person."

³⁸⁹⁰ *Constitution of the Republic of Zambia, 1991*, Article 24.

³⁸⁹¹ U.S. Embassy- Lusaka, *unclassified telegram no. 3288*. See also Cheraw, letter, June 6, 2001.

³⁸⁹² The government has initiated a capacity building program to provide MLSS with more human and material resources, so as to be able to conduct inspections more effectively and cover larger areas, including the informal sector. See U.S. Embassy- Lusaka, *unclassified telegram no. 1761*.

³⁸⁹³ ILO, *Ratifications by Country* in ILOLEX, [database online] [cited September 10, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.