



Caritas
Zambia

SUBMISSION ON YOUTH, SPORT AND CHILD MATTERS:

**Consideration of the Performance Audit Report on Government
Measures to Reduce Incidences of Child Labour in Zambia 2018 to
2022**

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1.0. INTRODUCTION:

Caritas Zambia is a department of the Zambia Conference of Catholic Bishops (ZCCB) organization given the Mandate of supporting the Conference of Bishops to promote integral human development in Zambia. It is one of the seven (7) departments of the Catholic Secretariat established to be at the service of two episcopal Commissions, namely the Catholic Commission for Justice and Peace (CCJP) and the Catholic Commission for Development (CCD).

Caritas Zambia and the entire Catholic Church through its social teaching of the church doctrine proclaims that **human life is sacred** and that the **dignity** of every person is the foundation of a moral vision for society. To ensure that vulnerable people attain their integral human development, Caritas Zambia implements its interventions through four (4) main programmes and these include: The Economic and Social Accountability Programme, The Livelihoods and Climate Change Programme, The Child Protection and Peace Building Programme and the Democracy and Governance Programme respectively. During its work, Caritas Zambia has been able to implement a number of interventions aimed at strengthening and supporting the wellbeing of vulnerable people in society. In line with this memorandum or call for submission objectives on the; **Consideration of the Performance Audit Report on Government Measures to Reduce Incidences of Child Labour in Zambia 2018 to 2022**, Caritas Zambia has been working on a number of interventions aimed at complementing government efforts in reducing incidences of child labour in the country and the following are some of the interventions implemented during the period under review:

- Establishment of Community Child Protection Committees (CCPCs) in at least 13 districts namely: Kasama, Mkushi, Ngabwe, Nkeyema, Kalabo, Mongu, Sinazongwe, Siavonga, Gwembe, Mazabuka, Limulunga, Kaoma and Senanga districts. These structures were established and strengthened in place where they loosely existed and built their capacities to respond to various incidences of child abuse ranging from child marriages, child labour, child neglect, teen pregnancies among others. The structures were established between 2018 to 2023 (to date). The CCPCs structures have been also linked to the district child protection structures and the traditional leaders to further and holistically respond to many violations of children's rights and assist law enforcement agencies in case management and referral process – where these incidences are documented and reported to law enforcement agencies for further action. The CCPC structures have also been able to retrieve children involved in child labour through dialogue with the families and taken them back to school and ensure that these children are closely monitored so that they do not go back or their parents forcing them to go back. We have

also been able to work closely with the MCDSS in ensuring that they support in assessing the vulnerability status of such families that involves their children in child labour so that considerations are made for such families in an event that they are vulnerable and meets the MCDSS vulnerability criteria to ensure that they are placed under some social protection programmes.

- Conducted trainings and awareness raising campaigns – raising awareness has been one of the core mandates of Caritas Zambia in a quest to complement government efforts in creating responsive citizens that clearly understands the effects of child labour and also communities that are able to report and document incidences of child labour and other child rights violations. Caritas Zambia has been conducting door to door awareness campaigns, through church structures, media campaigns, and public gatherings. The sensitization meetings have also been mainly around raising awareness not only on the effects of child labour, but more also on the legal frameworks that prohibit child labour. So far from these awareness campaigns Caritas Zambia has been able to incorporate some of the local companies to be part of the CCPC structures to ensure that they fully understand the effects of child labour and the provisions in the Employment Code of 2019 to help reduce incidences of child labour.
- Working with the volunteers within the church structures to identify incidences of child labour and other forms of children's rights violation has also been one key strategy Caritas Zambia has been using to contribute in reducing incidences of child labour in communities especially farming block and mining areas among others.
- Caritas Zambia has also been able to participate in various platforms to jointly contribute to the reduction in the incidences of child labour, and some of these platforms include; the National Child Coordinating Committee, District Child Protection Committees (DCPCs) and the also through the CSO platform like the National Child Rights Forum (NCRF) to learn and also share experiences and strategies on how to curb child labour incidences and other child rights violations.

2.0. BACKGROUND:

It is important to understand and appreciate that, not all work done by children is classified as child labour and that it should be targeted for elimination. It must further be appreciated that the participation of children or adolescents above the minimum age for admission to employment in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as being something positive. This includes activities such as assisting in a family business or earning pocket

money outside school hours and during school holidays. These kinds of activities contribute to children's development and to the welfare of their families; they provide them with skills and experience, and help to prepare them to be productive members of society during their adult life.

Therefore, the term "**child labour**" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development. It refers to work that include some of the following: Work that is mentally, physically, socially or morally dangerous and harmful to children; and/or interferes with their education and this include, depriving them of the opportunity to attend class/school, or obliging them to leave school prematurely and or requiring children to attempt to combine school attendance with excessively long and heavy work.

Hence, it does not matter whether or not particular forms of "work" can be called "child labour" it all depends on the child's **Age**, the **Type** and **Hours** of work performed, the **Conditions** under which it is performed and the objectives as prescribed in the Employment Code of 2019.

It is important to acknowledge that Zambia has made considerable progress in the fight against child labour over the recent years. For instance, according to the **Employment Cod of 2019** under article 16 on the Minimum Contractual Age states that; " a person shall not, except under prescribed conditions, employ or cause to be employed, a person under the age of **fifteen years**. It further states that, A person who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

In addition, in 2022, Zambia made moderate advancement in efforts to eliminate the worst forms of child labor. The government updated and amended its Anti-Human Trafficking of 2008 in 2022 to the **Anti-Human Trafficking (Amendment) Act, 2022**, removing the requirement that force, fraud, and other forms of coercion be demonstrated to establish a child trafficking as a crime, and also further launched the **National Human Trafficking and Smuggling of Migrants and the National Migrant Policy**, which include strategies to protect Zambian and migrant children from human trafficking and labor exploitation. Furthermore, the government enacted the **Children's Code Act of 2022**, affirming and harmonizing legal protections of children from child labour including the worst forms of child labour, whereas outlining mandates and responsibilities of government agencies to protect children, which is a huge progress towards to the attainment of zero tolerance against child abuse exploitation and violence – including child labour incidences.

Therefore, the enactment of some of these legal frameworks establishes a light work framework for employment of children ages **13 to 15** but has not identified "**permitted light**" work activities. The

Education Act requires that the government provide free education up to the ninth grade and stipulates that education is compulsory for children of "school-going age." **The Act, however, does not set a specific age for which education is compulsory or define "school-going age,"** which may allow children to leave school before they are legally able to work and thereby increasing their vulnerability to the worst forms of child labour.

To this effect, child labour has remained a significant challenge in the country with higher involvement of children in economic activities compared to other countries of similar status. While there have been many notable actions in Zambia, progress in tackling child labour is still slow. As the country advances in its aspiration to become a prosperous middle-income country, so much desired to be steered for sustainable growth and the realization of decent work.¹

3.0. CAUSES OF CHILD LABOUR IN ZAMBIA:

Poverty – in a country where poverty is high, it is highly likely that the levels of child labour can be high, as shown in the statistics above, most children are left to fend for themselves hence leading to high levels of child labour, tracking and other forms of exploitations. In addition, with regards to poverty levels, Zambia ranks among the countries with the highest levels of poverty and inequality globally. More than 61% (2015) of Zambia's 19.6 million people earn less than the international poverty line of \$2.15 per day (compared to 41% across Sub-Saharan Africa) and three-quarters of the poor live in rural areas. Although the incidence of poverty somewhat worsened with during the COVID-19 pandemic and still experiencing the effects. With unemployment rate at 2022 was at 6.13%, which indicated a slight decline by 0.09% in 2021, however, this reduction is quite insignificant, hence more need to be done to address the high levels of poverty.

Furthermore, despite the high poverty levels, the Agriculture sector is projected to grow, rates are just above population growth and the sector is subject to high instability due to other external factors like the climate change among others. Hence due to these challenges the incidences of child labour might be a challenge to contain or reduce significantly.

Parentals and Caregivers' Illiteracy– illiteracy levels among parents or caregivers have been one of the leading causes of child labour as most caregivers have limited understanding on what constitutes child labour, and the effects of child labour, hence most caregivers unknowingly involve children in child labour activities – including the worst forms of child labour.

¹ www.ilo.org/ipec/facts/lang--en/index.htm

Weak laws and policies to protect children - Zambia has made strides in reducing incidences of child labour through the enactment of laws that aims at reducing these incidences of child labour. However, the enforcement of these laws and policies has been a challenge. There has not been enough political will to develop holistic mechanisms to support the implementation of strategies and enforcement of laws to further reduce child labour incidences in Zambia.

Lack/ limited number of Education Skills centres – Skills development centres are important in supporting and enhancing the talents of children and for their career's development. Further, there, has been also been limited understanding and appreciation of the skills development institutions among young people hence most of children find themselves involved in the worst forms of child labour which is hazardous to their psychological/mental and physical wellbeing. In addition, there are few skills development centres in the country and mostly also the Production Units in Most schools are no longer function, and most children are growing up and completely schools without having to understand or appreciate the need and importance of skills development.

Absence of parental care / child negligence – The absence of parental care and guidance to the children due to busy schedules of some parents and caregivers leaving the children to be more vulnerable to child labour. Lack of support and provision of the basic needs to children by parents due to financial constraints and other challenges has also been another major contributing factor causing child labour incidences, as often times especially in rural areas and peri urban areas, children are left to fend for themselves. In addition to this, most parents are not in employment nor doing some business and as such they send their children out to go look for jobs – and often times some parents or caregivers have limited to no choice on the type of employment their children find or get themselves into, and hence most children have found themselves involved **illicit** activity like: position, drug abuse, theft among others.

4.0. STATISTICS ON THE INCIDENCE OF CHILD LABOUR IN ZAMBIA:

Child Labour in Zambia has remained a major sources of child rights violation and a hideous in the fight against all forms of child abuse, exploitation and violence as most children involved in child labour not only suffer the physical part of hard labour, but also suffer from emotional abuse and endangering their health and mental wellbeing as indicated above. The fight against child labour requires a lot of concerted efforts among all key actors if this scourge is to be fully addressed as statics still remains very high especially in rural areas and more the majority of the victims are girls.

According to the 2018 Child Labour Report, it is estimated that **2,249,565** children are involved in Child labour in Zambia – which represents **one-fifth (21.3 percent)**. This includes; the involvement of children

in caring for the sick, old and young, followed by those involved in watering and washing at 18.4 percent and 17.0 percent, respectively. The report further indicates that Lusaka Province recorded the highest proportion of those in unpaid work at **20.3 percent**, followed by Southern and Eastern provinces with **14.5 percent and 10.4 percent**, respectively. The estimated number of children in child labour was **521,902**. Where females accounted for **355,757** while males accounted for **166,145**. Rural areas had **52.7 percent** and urban areas had **47.3 percent**. Lusaka Province had the largest percentage share of children in child labour at **31.6 percent** while Northern Province had the lowest percentage share of 4.5 percent.

Again, when we look at the prevalence rates of child labour, the child labour prevalence rate was estimated at **8.6 percent**, with male prevalence rate (**5.5 percent**) being lower than that of females (**11.8 percent**). In rural areas, the prevalence rate was **7.5 percent** compared to urban areas (**10.5 percent**).

With regards to the child labour incidence rate was estimated at **22.6 percent**, with male incidence rate (**16.7 percent**) being lower than that of females (**27.2 percent**). In rural areas, the incidence rate was **19.0 percent** compared to urban areas (**28.8 percent**). Almost three-quarters (**73.8 percent**) of children engaged in paid child labour were male while **26.3 percent** were female. Majority of children in paid child labour were involved in work characterized by the preparation of soil, sowing and planting, represented by 31.8 percent. Others included those involved in feeding, watering and cleaning animals, 15.4 percent. Digging of holes for tree planting was performed by the fewest children among boys (0.3 percent), making of handmade confectionery from mixers of sugar, chocolate and other ingredients, using hand tools and some machines was performed by the fewest children among girls (1.3 percent).²

Furthermore, Child labor in Zambia is most prevalent in the agricultural sector and sometimes involves forced labor. It has also been established that traffickers exploit children from rural areas in Zambia and Malawi to cities for domestic work and to rural areas for agriculture. Sources reported the exploitation of children for cattle herding, which sometimes involves parents repaying debts by sending children, particularly young boys, to work as cattle herders for the people to whom they are indebted. It is also evident that orphans, street children, children with disabilities, and children from poor households are particularly vulnerable to child trafficking. In addition, traffickers exploit children from neighboring countries for forced labor and commercial sexual exploitation.³

² 2018 Zambia - Child Labour Report

³ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor>

5.0. RECOMMENDATIONS:

5.1. Policy and Legislation

- i. There is need for the MLSS to develop and revise laws and policies to effectively address child labour incidences. In addition to this, there is also need to further strengthen existing legislation and align them with international standards, such as the International Labour Organization conventions concerning child labour and also ensure that there is harmonization of laws regarding to child labour and general laws aimed at protecting the rights and wellbeing of children for easier enforcement.
- ii. There is need for the DCLCs to strengthen collaborate with relevant stakeholders such as other government departments, law enforcement agencies, educational institutions, NGOs, and trade unions to strengthen the enforcement of child labour laws. This collaboration should therefore involve sharing information, resources, and expertise to address child labour effectively in line with the provisions of the law.
- iii. The DCLCs will need always ensure that they advocate for policy reforms and amendments to strengthen child labour laws based on the gaps identified in the policies during implementation and enforcement.
- iv. Therefore, the DCLCs should also create platforms where they deliberately engage with policymakers and raise awareness about emerging issues especially in the informal sector relating to the new laws on child labour.
- v. There is also need for government through Parliament to strengthen existing legislation and align these with the existing international standards, such as the International Labour Organization conventions concerning child labour and ensure that these are fully domesticated.

5.2. Institutional Strengthening

- i. There is need to strengthen strategies through concerted efforts in addressing child labour incidences. Therefore, strengthened collaboration in dealing with child labour issues–is critical and as such, there is also need for Ministry of Labour and Social Security to closely work with Ministry of Community Development and Social Services, Ministry of Mines Mineral Development, Ministry of Agriculture, Ministry of Justice, the CSO among others to holistically reduce the high incidences if child labour in Zambia and also for strengthened collaboration for uniformity in the messaging around child labour.
- ii. In addition to the above, there is also need for the District Child Labour Committees to work closely with law enforcement agencies to ensure that child labour law violators/ perpetrators are held accountable. This includes filling legal complaints, gathering evidence, and supporting the prosecution process to ensure that perpetrators are punished.

- iii. There is need to develop mechanisms and strategies to support the full and effective implementation of the labour laws and policies to address child labour issues.
- iv. There is need for government to put up strong mechanisms to strengthen the DCLCs to be able to rescue operations and liberate children from exploitative work environments – and ensure that the children that are withdrawn from child labour are provided with the appropriate rehabilitation measures, including access to education, healthcare, and skill development programs
- v. There is also need to strengthen and establish reporting mechanisms – where reporting mechanisms for individuals, organizations, and agencies to report incidents of child labor – this might require strengthening the already existing hotline/toll-free line to fully respond to child labour or establish a new mechanism which takes a holistic approach beyond a hotlines. This may include other online reporting portals, or designated reporting centers. Promote awareness about these mechanisms to encourage reporting and ensure that string systems for data protection are put in place to also support and promote the protection of whistle blowers/reporters.

5.3. Financial and Human Resource

- i. There is need to enhance resource mobilization and allocation to help effectively respond to issues of child labour timely – therefore, adequate financial and human resources is imperative to the establishment and functioning of the structures that have been established to fight child labour – for instance, the District Child Labour Committees. This will ensure that DCLCs have necessary funding to carry out their activities effectively, including conducting inspections, salvaging children from hazardous work, and providing rehabilitation and support services.
- ii. There is also need for more human and financial resources to the Ministry of Labour and Social Security (MLSS) to effectively implement programs that address the root causes of child labour, such as poverty, lack of education, vocational training among young people, and enhance implementation of social protection programs for children and their families – for instance supporting vulnerable households with Income Generating Activities to reduce their poverty and dependence on child labour.

5.4. Public Awareness and Capacity Strengthening

- vi. There is need for the District Child Labour Committee (DCLC) to enhance awareness campaigns to educate the community about the negative impact of child labour and the importance of enforcing child labour laws. This can be done through public meetings, workshops, seminars,

and media campaigns to sensitize parents, employers, and the general public on child labour laws.

- vii.** There is need for the Government to plan and provide structured and ongoing training and capacity-building programs for DCLC members, relevant government officials, law enforcement agencies, and other stakeholders – further specialized training on child labor laws, investigative techniques data collection, and monitoring and evaluation are critical topics that requires ongoing support and trainings.
- viii.** There is also need for DCLCs to invest in capacity building programs for their members and stakeholders, and this may include training workshops on child rights, child labour laws, investigation techniques, and effective enforcement strategies. Building the capacity of DCLCs and relevant agencies will enhance their ability to enforce child labour laws more efficiently
- ix.** There is also need to intensify and strengthen conducting public awareness campaigns to educate the population about the importance of combating child labour and develop and share guideline of containing the roles and responsibilities of DCLCs – and this will need to be updated regularly based on the context and issues on the ground.
- x.** There is need for the DCLCs to also work or incorporate civil society organizations, media houses, and traditional leaders to support in advocating for the elimination of child labour. This will also ensure that efforts to combat child labour are not duplicated.

5.5. Information Management and Data Protection:

- xi.** There is need for the MLSS to establish a dedicated database center – this will include setting up a specialized database center specifically focused on capturing and managing data related to child labour timely. This center should have the necessary infrastructure, hardware, software, and skilled personnel to handle data collection, storage, and analysis and produce timely information on child labour issues for quick detection and action.
- xii.** There is also need for the MLSS to develop a comprehensive data collection framework – and this will include, designing a standardized data collection framework that covers all relevant aspects of child labor, including demographics, types of work, working conditions, locations, and other relevant details to ensure that the framework or mechanisms captures both quantitative and qualitative timely.
- xiii.** There is need to deploy more data collectors across the provinces, districts and communities to prevalent child labour – in addition to this, there is also need to establish protocols and guidelines for data collection to ensure consistency and comparability, and Data collectors should regularly

visit workplaces, communities, and households to gather information, further, Data Collectors also need to conduct interviews, surveys, observations, and document reviews as appropriate.

- xiv.** There is need to develop a comprehensive system for data management, storage, and analysis. Utilize appropriate database management software to organize and store the collected data securely. Implement data analysis techniques to identify trends, patterns, and correlations that can inform policy and resource allocation decisions.
- xv.** There is need to regularly report findings and insights derived from the database to relevant stakeholders, including government agencies, policymakers, and organizations working towards eradicating child labor. Disseminate the information through reports, dashboards, and public awareness campaigns to raise awareness and mobilize resources effectively.
- xvi.** There is need for the DCLCs establish a robust monitoring and evaluation system to assess the effectiveness of their enforcement efforts, and further hold regular reviews and evaluations to help identify gaps, challenges, and areas for improvement, allowing for the refinement of strategies and interventions aimed at addressing child labour incidences.⁴

⁴ <https://www.ilo.org/africa/countries-covered/lang--en/index.htm>