



Zambia Civic Education Association

P/B RW 239X Lusaka Zambia

Tel: +260-1-229641

Mobile: +260777397840

Web: <http://www.zamcivic.com.zm>

Email: info@zamcivic.com.zm

The Lucy Sichone Memorial
House
Plot No. 2/1836 Azikiwe Close
Off Manchinchi Road
Northmead, Lusaka
Zambia

**Submission to the United Nations Universal Periodic Review of
ZAMBIA**

**Fourth Cycle: 42nd Session of the UPR Human Rights Council
(January to February 2023)**

Joint Submission By

The Child Rights Monitoring Observatory Group

Lusaka 14th July 2022

On behalf of

Zambia Civic Education Association

Anivao Flochi Foundation

Caritas Mpika

Caritas Zambia Lusaka office

Chawama Divine Care

Child concern care

Chikanga Youth Awake

COREPlus consult

Educate Agro business

Educating Girls and young Women for Development

Gender Justice

Jarid International

Khulu Associates

Positive Action on Human Right Freedom and Development

SOS Children's Village Zambia

Twikatane Zambia

Ubunthu Zambia

Zambia National Association of Persons with Physical Disabilities

Supported by Save the Children International Zambia Office

Background on the Children's Rights Monitoring Observatory Group

1. This report, submitted to the Human Rights Council on the 4th Universal Periodic Review of Zambia, is a child rights focused report. It is submitted by the Zambia Civic Education Association (ZCEA), on behalf of the Children's Rights Monitoring Observatory Group (CRMOG) whose current membership is listed above. The CRMOG is a loose coalition comprised of non-governmental organisations (NGOs), community-based organisations (CBOs), faith-based organizations (FBOs) and research organisations that have come together to continually monitor children's rights in Zambia at both community and national levels using local and international child centred indicators on the various thematic areas of children's rights.
2. The CRMOG arose out of the realization of limited data, information and stories of the lived lives of children in Zambian communities. Further reason was the varying child centred data and information collected by civil society organisations (CSOs) in their geographical and child thematical areas of operations and the need for a communal repository of child rights data and information.
3. This report, though compiled by one person, was through a consultative process. The initial process was a capacity building on not only the historical background of the UPR following the transformation of the Human Rights Commission to the Human Rights Council but also a review of Zambia's first, second and third cycle UPR performance and

selection of themes to include in the report. A draft report was then validated by CRMOG members for final drafting and submission.

4. Additionally, the report contains information on other child related developments since the last review, brings out the CRMOG main issues of concerns and provides recommendations on the same. Secretariat contact email address, info@zamcivic.com.zm

Compiled by Judith Mulenga judithmulenga93@gmail.com

Contents

INTRODUCTION.....	5
A12 Acceptance of international norms.....	5
Recommendations.....	7
A21 National Mechanisms for Reporting and Follow Up.....	7
Recommendation.....	8
A27 Follow Up to Universal Periodic Review.....	8
Recommendation.....	8
A41 Constitutional and legislative framework.....	9
Recommendation.....	9
A63 Budget and resources.....	9
Recommendations.....	10
D21 Right to life.....	11
Recommendation.....	12
D27 Prohibition of slavery, trafficking.....	12
Recommendation.....	13
D51 Administration of justice & fair trial.....	13
Recommendation.....	13
E51 Right to education – General.....	13
Recommendations.....	14
F33 Children: protection against exploitation.....	14
Recommendation.....	15
Child marriage.....	15
Recommendations.....	16
Child labour:.....	16
Recommendations.....	18
Child participation.....	18
Recommendations.....	19
Children deprived of family environment: Strengthening family kinship and foster care.....	19
Recommendations.....	20
F4 Persons with disabilities.....	20
Recommendations.....	20
Contact details of the Child Rights Monitoring Observatory Group (CRMOG).....	21

INTRODUCTION

1. This report's format is according to the themes on the matrix of recommendations of Zambia's 3rd Cycle as compiled by the working group. Out of the 183 recommendations that Zambia supported during its 3rd UPR Cycle, 64 were expressly specific to children's rights and 31 related to children such as rights of migrants, minorities, vulnerable, rural, persons deprived of liberty, health and education budgets. A review of the implementation progress revealed that none of the supported recommendations have been fully implemented.

A12 Acceptance of international norms (International Obligations and Ratification of Children's Rights)

1. Despite Zambia's support of fifteen recommendations from **Spain** (para 131.10), **Burkina Faso** (para 131.19), **Armenia** (para 131.13), **Benin** (para 131.14), **India** (para 131.15), **Botswana** (para 131.16), **Togo** (para 131.12), **Rwanda** (para 131.21), **Congo** (para 131.22), **Chile** (para 23), **Angola** (para 131. 11), **Iraq** (para 131.17), **Slovakia** (para 131.20), **Paraguay** (para 131.77) and **Uganda** (para 131. 31)¹, to ratify the UN CRC Optional Protocols, the State has not yet ratified any of the three UN CRC Optional Protocols. The State has also not ratified the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) recommended by five States (**Burkina Faso** (para 131.19), **Congo** (para 131.24), **Honduras** (para 131.21), **Ghana** (para 131.25), **Guatemala** (para 131.26) and **Indonesia** (para 131.27).²
2. The non-ratification of the accepted recommendations is partly due to the lack of a national mechanism for reporting on human rights obligations and the highly politicized atmosphere that characterized the period between 2017 and the general elections of 2021 that led to the stalling of many national processes.
3. Recently in April 2022 the Ministry of Community Development and Social Welfare under which the Child Development Directorate mandated with the coordination and

¹ A/HRC/37/14

² ibid

reporting on children's rights in the nation invited relevant stakeholders including civil society organisations to a consultative meeting on the ratification of the UN CRC Optional Protocol on Involvement of Children in Armed Conflict and the Optional Protocol on Individual Complaints Mechanisms. No mention nor explanation was made on why the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography was left out of the agenda.

4. Zambia hosts nationals from countries such as the Republic of Congo, Burundi, Tanzania, Rwanda and Somali. These arrived as refugees but have since filtered into Zambian society. Most of these nationals are involved in trading. Some have legal papers and others do not. It is therefore, essential that Zambia ratifies the CMW. Through ratification Zambia will be obligated to ensure the full protection of migrant children against neglect, abuse, exploitation and violence and the fulfilment of children's right to education, health, water, sanitation and adequate standard of living through social protection such as social cash transfers to vulnerable households. The Community Welfare Assistant Committees (CWACs) that assist the department of Social Welfare under the Ministry of Community Development and Social Welfare to identify vulnerable households for this support focus on households with the head of the household in possession of the green national registration card as opposed to the pink cards that are given to foreigners.
5. Furthermore, during a consultative meeting on eliminating harmful practices affecting children, which was the African Union's theme for the Day of the African Child in 2022, a healthcare practitioner revealed that female genital mutilation (FGM) of girls is common among foreign nationals in Zambia and being spread into Zambians through inter marriages. However, government officials have not recognized this practice as problematic for Zambia since most Zambian ethnic groups do not customarily practice FGMS.

Not Implemented

Recommendations

6. The State needs to harmonise the various coordination mechanisms that have been set up or have evolved in various government ministries after the enactment of the 2016 Ratification of International Agreements Act, No. 34 such as the National Coordinating Committee for Children (NCCC), into one consolidated national mechanism for coordination, implementation, reporting and follow-up under the Ministry of Justice, Directorate of International Law and Agreements as recommended by **Morocco** (para 129.17) **Portugal** (para129.18).³ That way there will be one government department providing oversight on all the government ministries' mechanisms that are as a result of the 2016 Act.
7. Zambia ratifies the CMW as soon as possible for full protection and fulfilment of children of foreign nationals and their descendants. This will also reduce the risk of these child descendants from becoming stateless in future.

A21 National Mechanisms for Reporting and Follow Up

8. **Portugal** and **Morocco** (para 129. 17&18) recommended that Zambia establishes a national coordination mechanism for implementation, reporting and follow up for all of Zambia's Human Rights Obligations. This has not yet been implemented. This is also partly due to the implications of the Ratification of International Agreements Act, No. 34 of 2016. Under the legislation the responsibility of initiating ratifications has been removed from the Ministry of Justice Directorate of International Law and Agreements and placed on to, 'the Minister responsible for the subject matter of the international agreement shall, subject to subsection (2), consider whether it is in the best interests of the State to ratify the international agreement.'⁴ This means that depending on the capacity of personnel in the respective Ministry and the hierarchy of influence in Cabinet, the process of ratification can stall. Further, sub sections 4(b)(1)(2), 4(f), 4(g) and 4(h) require the Minister who initiates a Ratification Cabinet Memo to take into consideration any constitutional implications

³ A/HRC/37/14 page 12

⁴ Subsection 3(1) of the Ratification of International Agreements Act No. 34 of 2016

including inconsistency of the international agreement with the Constitution and to further state policy considerations and financial implications. And yet the international norm obligation after ratifying international human rights instruments is to undertake all appropriate legislative, administration and other measures such as resource mobilization for the implementation of the provisions.

Not Implemented

Recommendation

9. Establish a consolidated national mechanism for coordination, implementation, reporting and follow-up to be coordinated by the Ministry of Justice Directorate of International Law and Agreements. This will speed up ratification of human rights instrument that Zambia agrees to ratify through its interactions with both charter and treaty based human rights bodies such as the UPR. Having led the national mechanism for reporting and follow up prior to 2016, the Ministry of Justice is better placed to provide a harmonized oversight of all the reporting mechanism that have been established by respective government ministries.

A27 Follow Up to Universal Periodic Review

10. As per the Zambia 3rd Cycle UPR recommendation by **South Africa** (para 129.13), **Morocco** (para 129.17) and **Nigeria** (para 131.40)⁵ soon after the 3rd Cycle in 2017, the Governance Secretariat in the Ministry of Justice developed a draft action plan to implement supported recommendations but the draft action plan was not adopted by the government due to restrictive provisions in the Ratification of International Agreements Act, No. 34 of 2016. Consequently, implementation of the previous supported recommendations has not been followed up and followed through.

Not implemented.

Recommendation

11. There is need to repeal the restrictive provisions of the Ratification of International Agreements Act, No. 34 of 2016 such as only respective Ministers having the mandate to initiate ratification and follow up, such as only respective Ministers having the mandate

⁵ A/HRC/37/14 pp12 & 18

to initiate ratification and follow up, to allow for the Ministry of Justice to lead in the follow up to the UPR and all other treaty based concluding observations and recommendations.

A41 Constitutional and legislative framework

12. The **Republic of Korea** (para 129.5)⁶ recommendation to Zambia to widen the scope of the 1996 Bill of Rights to include economic, social and cultural rights. However, the recommendation has not been implemented due to the former ruling party's lack of political will which was openly declared after the failure of the 2016 referendum held, among other matters, to expand the Bill of Rights which would have had a section on the rights of children. However, in the manifesto, of the new UPND government that won the general elections in August 2021, committed among other constitutional reforms to:

- Domesticating key international and regional conventions to uphold good governance;
- Revive the process of expanding the Bill of Rights to integrate Economic, Social and Cultural Rights.⁷

13. The manifesto's declarations have since been affirmed through public pronouncements by the new Republican President and the new Minister of Justice.

Not Implemented

Recommendation

14. Zambia as quickly as possible, request international cooperation support to conduct a referendum to not only domesticate international agreements provisions but to expand the Bill of Rights to include economic, social and cultural rights and the further rights of usually marginalized persons such as children, persons with disabilities and the youth.

A63 Budget and resources (for human rights implementation)

⁶⁶ A/HRC/37/14 page 11

⁷ UPND Manifesto April 2021, Creating a United Prosperous and Equitable Zambia page 16

15. Since the previous cycle Zambia has not adhered to the principle of progressive realization as far as budgeting for children's rights such as education, health and social protection is concerned. Budget allocations to education, health and social security has been reducing instead of either maintaining or progressively increasing despite the demands not reducing. For example, the 2022 budget allocations to health, despite the Covid pandemic, was reduced from 8.1% of the total budget to 8%, education was reduced from 11.5% to 10.4% and social protection from 4% to 3.6%. This is against **Namibia's** (para 131.107) and **Kenya** (para 129.57) 's recommendation that Zambia makes efforts to reverse the downward budgetary allocations to the education and health sectors in order to meet the African thresholds on health and education, respectively set in the Abuja and Dakar Declarations.

16. In outlining increments of beneficiaries, Zambia often mentions the net numbers of beneficiaries without the gross numbers. This makes it very difficult to accurately measure progress. For instance, in the 2022 budget there is scaling-up to over one million from the 880,539 of recipients of social cash transfers without mentioning the gross number of Zambians needing this social protection. Given that 59.4% of children in Zambia live in poor households with 45.4% living in extreme poverty and given that children in Zambia are still dying mainly due to poor nutrition, lack of clean safe water and poor sanitation at neo natal 27 per 1,000 live births, in infancy at 42 per 1,000 live births and under five at 61 per 1,000 live births,⁸ There is no indication that the 2022 budget will overcome these challenges for children especially children in Luapula, Muchinga and Western Provinces.

Partially implemented

Recommendations

17. Zambia applies the principles of a rights-based approach to budgeting for children. In addition to the four child rights principles, Zambia should include effectiveness, efficiency (value for money), equity (fair distribution), transparency and sustainability.

⁸ Zambia Demographic and Health Survey 2018

These principles should be applied even at constituency level especially with the increase in budgetary allocation to Constituency Development Fund which ensures participation of citizens, including children in their own developmental programmes at constituency level.

18. Zambia should progressively adhere to regional and international commitments such as the Abuja Commitment to allocate 15% of the total budget to health and the Dakar Education for All Declaration of allocating at least 7% of DGP to education. Further adhere to progressive realisation principle of no regression such as the reduction of the progressive 15% allocation of the total national budget to health in 20 to the current 8%. Consistently apply budget transparency by regular publishing of the performance of budget disbursements, execution, monitoring and evaluation. Tighten controls in public finance management to completely eliminate pilfering, fraud and corrupt practices and punish offenders.

D21 Right to life

19. Children living with albinism face threats on their lives as their body parts are sought after for ritual purposes. Even though **Portugal** (para 129.38) and the **Central African Republic** (para 129.39) recommendation to Zambia to vigorously take measures to protect people living with albinism from violence and the threat of being killed, the government continues to be reactive instead of being proactive. The government waits for violence or even murder to be committed before they move in to arrest the perpetrators.
20. The last census in Zambia done in 2010 counted 25,324⁹ persons living with albinism, a number manageable enough to work out protection measures that would still not violate their right to privacy. Whereas adults suffer maiming, children are often killed and many of their body parts are found missing. Their remains are often disposed in sacks as if symbolic of the perpetrators' disregard for the sanctity of the lives of persons living with albinism. Even as this report was being compiled the media on 27th June 2022

⁹ Zambia Population Census Report

reported that a 10 years old boy in Mkushi a rural small town had the forefinger of his left hand chopped by a man known to him who was in the company of two unknown men.

Partially Implemented

Recommendation

21. Government should compel district child protection committees to not only identify children living with albinism in their respective districts but also to provide protection by local police to the children.

D27 Prohibition of slavery, trafficking

22. **Republic of Korea** (para 131.83) recommended full implementation of the Anti-Human Trafficking Act No. 11 of 2008 and ensure effective investigations into the cases of sale, trafficking and abduction of children to protect them from commercial exploitation. The **Philippines** (para 129.52) urged Zambia to continue to work with development partners in order to improve its capabilities in implementing its anti-trafficking law. **Tunisia** (para 129.51 and 131.85) and **Ethiopia** (para 129.50) recommended combating human trafficking and to consolidate the protection of children from sexual exploitation, trafficking and child marriage. **Djibouti** (para 131.86) and **Timor-Leste** (para 131.87) proposed strengthening implementation to fight against child labour and trafficking of children.
23. Though there is a multi-sectoral Committee on Human Trafficking under the Ministry of Home Affairs there is very little publicly known about its work. It has a national action plan and through it initiated a review of legislation on human trafficking and the development of a policy. However, it seems to focus on intercountry trafficking of persons at the expense of in country trafficking or even sale of children that may be happening under its radar. Recently there was a case that drew nation attention when two maternity auxiliary staff at Zambia's largest hospital sold a new born baby for ZMW3,500.00 (USD213.54) to a childless woman but lied to the mother that her child had passed away. Luckily, there was a relative of the mother to the child who witnessed the exchange of the baby on account of what it was wrapped in and raised alarm. The hospital staff are facing charges but how many of such transactions go undetected? Though there is a target number of 320 victims of trafficking to be supported under the Ministry of Community Development and Social Welfare in the 2022 national budget there is no corresponding allocation. The Committee largely gets its resource support from UNODC and IOM.

Partially Implemented

Recommendation

24. More awareness raising especially at caregivers of children at risk of human trafficking and a more transformational approach to the Committee's work would be helpful. Data collection should also be improved. Simply stating that Covid 19 restrictions minimized human trafficking is not enough information on the situation. Zambia should quickly establish the Anti Human Trafficking Fund as provided for in the law.

D51 Administration of justice & fair trial

25 Slovenia's (para 131.64) recommendation for Zambia to raise the minimum age of criminal responsibility and provide adequate protection of child victims and witnesses of crime during trial has been included in the Child Code Bill of 2022 with the MACR proposed to be raised to 14 years. However, the Child Code Bill has only recently been approved by Cabinet for presentation for enactment in Parliament.

In the process of implementation

Recommendation

25. Enact the Child Code Bill before Zambia's review in 2023.

E51 Right to education – General (Limited school infrastructure to support free education policy)

26. In the previous UPR cycle Pakistan, Brazil, Indonesia, Kenya, Mongolia, State of Palestine and Central African Republic requested Zambia to broaden its access to education, improve the quality of education, increase allocations to the sector to allow for all the necessary reforms to improve the entire education system. Slovakia asked Zambia to set the minimum age for leaving school, which would provide incentives for addressing early marriage and child labour.

27. In December 2021 the new government announced free education for both primary and secondary schools in Zambia without corresponding allocation for school infrastructure development.
28. Although, according to a source at Water Aid Zambia, there has been increased access to water and sanitation at 70% most of this in rural areas is through borehole drilling as opposed to running water which may in future lead to exposure to waterborne diseases. Schools are not faring well with only 49% water and 28% proper sanitation.

Partially implemented

Recommendations

29. Embark on holistic improvement of the quality of education as well as set in place an ambitious school infrastructure development. For the next 4 years Zambia should set realistic goals for this purpose in the yet to be launched 8th National Development Plan for the next 4 years.
30. Consistently and progressively allocate not less than 20% of the total national budget as per the Accra Agreement.
31. With the free education policy there is no major hindrance for Zambia to set a minimum age for leaving school to keep all school age going children to stay in school.
32. Revisit the initial plans of the State providing seed capital to the previous local councils but now turned commercial water and sanitation utilities for them to provide piped water especially to schools. The 2022 increased allocation to the Constituency Development Funding should have some funds ring fenced for provision of piped water and sanitation to schools.

F33 Children: protection against exploitation (Lack of adequately provided safe homes for sexually, emotionally and physically abused children by government)

33. Child defilement is still bailable and victims are exposed to continue living in the same community with perpetrators. This puts child victims at risk of being intimidated or even harmed. There are no government safe houses for child victims of abuse thereby threatening such children's right to survival.

Recommendation

34. Strengthen the protection of child victims of abuse.
35. Government should adequately provide safe homes for sexually, emotionally and physically abused children by government.

Child marriage (Early/Child/ Forced Marriage)

36. According to the Policy Monitoring and Research Centre (PMR) two out of 5 girls in Zambia are married before they attain 18 years of age. Additionally, girls in the poorest 20% of households are five times more likely to be married before 18 years than in richest 20% households. Of those married, 65% have no education and only 28% use contraceptives.¹⁰ The effects of these marriages such as early child bearing leading to maternal and infant mortality rates are well documented, lack of school completion, perpetuation of the cycle of poverty, gender-based violence, malnourished offspring and a higher risk of contracting HIV infection. Divorce is also quite prevalent in such marriages.
37. Early, child and forced marriages hinder the States attainment of SDG No. 4 - Ensure Inclusive and Equitable Quality Education and Promote Lifelong Learning Opportunities for all and No.5 - Achieve Gender Equality and Empower all women.
38. Consequently, in the previous cycle, **United Kingdom of Great Britain** (para 129.81), **Slovakia** (para 131.88), **Spain** (para 129.30), **Slovenia** (para 131.92) and **Northern Ireland** (para 129.79), **Argentina** (para 131.99) and **Sierra Leone** (para 131.90) recommended that Zambia takes all necessary measures to accelerate the adoption and implementation of the Marriage Bill (2015); ensure country-wide implementation of the Marriage Act establishing the legal age for marriage as 21 years of age; set a minimum age for marriage under customary law, to be in line with the legal age of marriage determined by statutory law; prevent and investigate cases of forced marriage, prosecuting the perpetrators and ensuring assistance to victims and to include

¹⁰ Research Brief of the Policy Monitoring and Research Centre, Plot No. 32 Sable Road, corner Bishop and Sable Roads, Kabulonga, Lusaka, Zambia

awareness-raising campaigns and trying to bring in local authorities and traditional leaders into the process.

39. Part IV Section 12 of the Marriage Bill 2021, which among other objectives is intended to provide for the registration of civil, religious and customary marriages; sets the minimum age for marriage at 18 years. The Section states, 'a person shall not marry unless that person has attained the age of 18 years.'¹¹ Further, Section 19(1)(a) asserts that a marriage is void if either party is below the minimum age prescribed for marriage under section 12.'¹²
40. The minimum age for marriage at 18 years is reaffirmed in Part V on Solemnization of Marriages, Division Five on Customary Marriage Section 62(c) on Notice of Marriage emphasizes 18 years as the minimum age of marriage reading that before a customary marriage can be registered the registrar has to, 'confirm that the parties to the marriage are above eighteen years of age.'¹³

Partially Implement

Recommendations

41. Present the 2021 Marriage Bill that harmonizes the minimum age for marriage at 18 years to the National Assembly for enactment.
42. Institute a national wide but community level driven awareness raising for transformative change against child/early/forced marriages.
43. Establish inclusive social support and monitoring of families at risk of their children entering early marriages.
44. Set aside social cash transfers for girls at risk of child early marriages.
45. Create support networks for girls in marriages to support them complete school.

Child labour: (Use of children in small scale mining in areas like Chibombo, Kitwe, Mumbwa, Mkushi) (Children begging selling to earn family income)

¹¹ The Marriage Bill 2021

¹² Ibid

¹³ Ibid

46. Despite many non state actors efforts in combating child labour the prevalence has continued to rise to include other types of child labour than the previous agricultural sector to include small scale mining, begging, scavenging on dumpsites in urban areas, domestic and bonded labour. Use of children in small scale mining in Chibombo, Kitwe, Mumbwa, Mkushi and Rufunsa is increasing as families and non-related small scale miners are exploiting children as cheap labour to maximize on their profits. In Chibombo and Chombela areas there is high prevalence of quarrying. In Mumbwa there is small scale gold mining.
47. Recycling though environmentally friendly has had an adverse effect on children who are either being used by their families or on their own volition to scavenge for plastic bottles or containers and scrap metal for sale to recycling companies. The dumpsites are not very well managed by local authorities and therefore are breeding grounds for greenhouse gases, air and soil contamination posing a health hazard for children who spend many hours foraging in the waste.
48. In rural areas young boys are being bonded out to herd cattle so that after an agreed period their family are given a calf as payment for their son's labour. This deprives children of family environment, education and the right to leisure and play.
49. Poverty in households headed by elderly persons, single parents, persons with disabilities, persons with full blown HIV/Aids and child headed homes.
50. Traditionally, children of persons with disabilities such as the sight impaired have used young children as their sight guide, emotional appeal and security for earnings in begging. Part V of the Employment Code Number 3 of 2019 Section 80(f)(a) on definition of the worst forms of child labour describes the use or procuring of young children for begging, debt bondage, serfdom, forced and compulsory labour as among the worst forms of child labour.
51. The above provision notwithstanding, there seems to be little awareness among both the public and law enforcement officers as the vices go on unabated.
52. Despite the Code having been enacted in 2019, two years after Zambia's review during which Slovakia recommended to Zambia to review the Employment of Young Persons

and Children's Act with a view to including in its domestic labour and family-based enterprises and improve its data collection mechanisms on violations of the Act. Instead, Zambia ignored its supported obligation and missed an opportunity to strengthen the Employment of Young Persons and Children's Act when it consolidated its employment laws in one Code. The repealed Employment of Young Persons and Children's Act was just transposed from its stand-alone status and added to the Code.

Partially Implemented

Recommendations

53. Develop guidelines for small scale mining to prohibit children from being found anywhere near a mining area.
54. Review the Employment Code of 2019 to expressly prohibit worst forms of child labour including domestic labour.
55. Local authorities should secure dumpsites, prohibit children from entering the area and patrol dumpsites.
56. Any form of bonded labour such as cattle herding and domestic labour should be strictly enforced.
57. Poor and at-risk households such as those headed by elderly persons, single parents, persons with disabilities, persons with full blown HIV/Aids and child headed households should be prioritized as recipients of social cash transfers.
58. Procuring of young children for begging, debt bondage, serfdom, forced and compulsory labour should be widely disseminated as worst forms of child labour.
59. As new harmful child labour practices emerge there should be more reviews of the laws that protect children and other measures of combating such vices, District Child Protection Committees which are multi sectoral in nature should have more powers to develop measures that are responsive to local factors.

Child participation

60. **Slovakia** (para 129.79) recommended to Zambia to include child participation in formal consultative processes that require citizens' contributions. In 2022 Zambia started a

process of developing a framework of child participation in all settings including at household level.

61. The inadequate participation of children especially children with disabilities in local and national processes including at family level not only violates one of the four principles of children's rights but also deprives children of opportunities to develop negotiation, communication and real problem-solving skills. Being passive bystanders of their lives delays their learning to develop a sense of social responsibility and long-term civic values.
62. Not allowing children to meaningfully participate in decision making that affect their lives deprive adults in arriving at decisions that are based on the unique body of knowledge that children have about themselves and therefore more relevant, more effective and more sustainable.

Partially Implemented

Recommendations

63. The child participation framework being developed be not heavily weighed on the 'what' but also on the 'why' with clear mechanisms that build the capacity of adults in children's lives to provide them with the opportunities to express their views that may be given due weight to influence change in their lives and not be for showcasing mere eloquence as current child participation is.
64. Enact the Child Code Bill that enshrines the views of the child in all matters affecting the child.

Children deprived of family environment: Strengthening family kinship and foster care

65. The State has put in place mechanisms for preventing unnecessary family separation and for strengthening families. However, these measures have not been effective due to constraints of human and financial resources. Children deprived of family environment end up on the streets, others on the move and yet others in situations of child labour. Currently the State is piloting the Alternative Care and Reintegration Guidelines in

selected districts. However, there is resistance to family strengthening efforts from private owners of institutions of care for fear of loss of financial benefits due from grants and/ or donations. Budget allocations towards foster care is also inadequate.

66. In terms of adoption, the enactment of the Children's Code Bill will domesticate the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and the domestication of the Convention on the Civil Aspects of International Child Abduction.

Recommendations

67. Government should as a matter of priority provide adequate resources if the mechanisms developed to prevent and respond to children deprived of family environment and alternative care is to be actualized for such children.
68. Government provide information on how the piloting of Alternative Care and Reintegration Guidelines in selected districts is working and timelines for scaling up to the whole country.
69. Popularise foster care mechanism in order to attract families or parents who could provide free foster care.

F4 Persons with disabilities (Inadequate provision of assistive devices and services for children with disabilities: Allocation of resources for procurement including adequately trained teachers

70. **Yemen** (para 129.88), **Madagascar** (para 131.51), **Maldives** (para 131.101) and **Egypt** (para 129.85)¹⁴ recommended that Zambia updates the national legal framework in order to harmonize it and ensure it is consistent with the provisions of the Convention on the Rights of Persons with Disabilities. In addition, the State was requested to consider adopting additional measures to promote and protect the rights of persons with disabilities.
71. In particular there is inadequate provision of assistive devices and services for children with disabilities:

Partially Implemented

Recommendations

72. Allocate adequate resources for procurement of assistive devices.
73. Adequately train teachers in helping children with various assistive devices.

¹⁴ A/HRC/37/14

Contact details of the Child Rights Monitoring Observatory Group (CRMOG)

No.	Name of CRMOG member organization	Name of contact person	email address	Mobile No,
1.	Caritas Mpika	Mwenya Makasa-Programs Officer	Mwenya187@gmail.com	0971146799
2.	Ubunthu Zambia	Joe Mapiki-Manager	info@ubunthu.org,zm	0979 771 559
3.	Gender Justice	Collins Mumba-Executive Director	Gender.zm@gmail.com	0979 794555
4.	Educate Agro food Business Projects Zambia	Micheal Hachikona-Programs Manager	hachikonamicheal@gmail.com	0979 845 198
5.	Caritas Zambia	Peter Lupenga –Programs Officer	caritzambiazec@gmail.com	0979725534
6.	Khulu Associates	Genevieve Musokwa-Programme Manager	Makhulu.musokwa@gmail.com	0966 853866
7.	Zambia National Association Persons with Physical Disabilities	Douglas Makusa-Executive Director	Znapd44@gmail.com	0977 794442
8.	Positive Action on Human Right Freedom and Development (PAHRED)	Malindi Hachoon-Programme Officer	pstuaaction@yahoo.com	0977 794442
9.	JARID International	Chileshe Musonda-Program Officer	namukolumubita@ymail.com	0979 248304
10.	Chibombo Child Development Agency	Victor Silumbwe-Manager	silumbwevic@gmail.com	0977 339 999
11.	Chawama Divine Care	Grace. M. Musonda-Manager	Isaacmwale656@gmail.com	0777 849195

12.	Coreplus consult limited	Mweene Victor- Ptoject Coordinator	Bruno@coreplusconsult.com	0971 737236
13.	Anivao Flochi Foundation	Annie Phiri- Programmes Manager	anivaoflochi@gmail.com	0978 283115
14.	Twikatane	Mfwankila Edwin – Manager	Edwin.mfwankila@gmail.com	0776914871
15.	Educating Girls and young women for Development (EGYD)	Kelvin Chifuluma- Project Co- ordinator	egydcommunity@gmail.com	0968270259
16.	Chilanga Youth Awake	Ordain Zikita Nyondo- M & E Officer	cywake@yahoo.co.uk	0976202595
17.	Child concern care	Paul S Sakala- Program Officer	Csakala7@gmail.com	0976417000