

**AN EXAMINATION OF THE INSTITUTIONAL FRAMEWORK,
PROBLEMS AND EXTENT OF PROTECTION OF CHILDREN
AGAINST ECONOMIC EXPLOITATION IN URBAN AREAS: THE CASE
OF CHILDREN IN LUSAKA CITY**

BY

ROYD MALISASE

**A DISSERTATION SUBMITTED TO THE UNIVERSITY OF ZAMBIA IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS OF THE
DEGREE OF MASTER OF PUBLIC ADMINISTRATION.**

THE UNIVERSITY OF ZAMBIA

LUSAKA

2015

DECLARATION

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CERTIFICATION OF APPROVAL

This dissertation of ROYD MALISASE has been approved as partial fulfilment of the requirement for the award of the Degree of Master of Public Administration by the University of Zambia.

Name	Signature	Date
Dr. L. W. Kaela	-----	-----
Dr. W. N. Mafuleka	-----	-----
Dr. M.C. Bwalya	-----	-----

ABSTRACT

The study examined the institutional framework, problems and extent of protection of children against economic exploitation in urban areas by looking at the case of children in Lusaka City. In 2006, the Zambian government conducted a review of the 1994 National Child Policy. Following the review, it was concluded that there was need to include, in the policy, an emphasis on preventing the problem of children being sent by their parents to undertake work for pay. In line with this, a revised National Child Policy was formulated and launched in 2006 (MSYCD, 2006). In order to achieve this, the policy focused on creating a strong institutional framework and minimizing problems encountered during child protection activities and programs. However, whether this had been achieved was not clearly known. This was because of information gaps with regards to the existence and extent of the problem (UNICEF, 2009).

The overall objective of this study was to examine the institutional framework, problems and extent of protection of children against economic exploitation in Lusaka City. The specific objectives of the study were; to examine the institutional framework put in place by the Zambian government to provide protection of children against economic exploitation in Lusaka City; to investigate the extent to which children were protected against economic exploitation in Lusaka City; and to find out the problems faced by institutions created to protect children against economic exploitation in Lusaka City.

The sample size of this study was 300 children aged 5 to 14 living in Lusaka City. They consisted of 120 children from Mtendere, 100 children from Chilenje, and 80 children from Kabulonga. There were also three officials from the Ministry of Gender and Child Development. Both primary and secondary data were used for this research. Qualitative and quantitative data was also used for the study.

The study found out that the institutional framework created by the Government to protect children against economic exploitation in Lusaka City was weak. The study also found out that economic exploitation of children in Lusaka City was high (35.7%). In addition, the study found out that a lot of problems were faced

by institutions created to protect children against economic exploitation in Lusaka City. The study concluded that children in urban areas were not protected against economic exploitation.

To my grandmother

Rosa Musale

ACKNOWLEDGEMENTS

The success of this dissertation was made possible with the contribution and support from many people. I, therefore, acknowledge and appreciate each of them. Firstly, special gratitude goes to my supervisor Dr. A.M. Ng'oma for his inspiration and guidance. My gratitude also goes to Dr. M.C. Bwalya, Dr. W.N Mafuleka and other lecturers for their guidance and support towards the realisation of this piece of work. Also recognition goes to all members of the Department of Political and Administrative Studies at the University of Zambia for their intellectual guidance. I am also grateful to Ministry of Gender and Child Development officials, Ministry of Labour and Social Security, International Labour Organisation, key informants and all households which participated in this study. Finally, I acknowledge the University of Zambia for awarding me a Staff Development Fellowship and for funding this research. Above all, I thank God, Almighty, for giving me life.

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LIST OF ABBREVIATIONS AND ACRONYMS

ACRWC:	African Charter on the Rights and Welfare of the Child
CBO:	Based Organisation
CHIN:	Children in Need Network
CLU:	Child Labour Unit
CPU:	Children Protection Unit
CRS:	Convention on the Rights of the Child
CSEP:	Cost Sharing Exemption Policies
CSO:	Central Statistical Office
CTS:	Cash Transfer Schemes
DANIDA:	Danish International Development Agency
DCLC:	District Child Labour Committee
FBO:	Based Organisations
FSP:	Food Security Pack
ILO:	International Labour Organisation
IOM:	International Organisation for Migration
MAL:	Ministry of Agriculture and Livestock
MCDMCH:	Ministry of Community Development Mother and Child Health Community

MESVTEE:	Ministry of Education, Science, Vocational Training and Early Education
MGCD:	Ministry of Gender and Child Development
MoH:	Ministry of Health
MoHA:	Ministry of Home Affairs
MoJ:	Ministry of Justice
MIBL:	Ministry of Information, Broadcasting and Labour
MLSS:	Ministry of Labour and Social Security
MOE:	Ministry of Education
MSYCD:	Ministry of Sport, Youth and Child Development
NAP:	National Action Plan for the Elimination of the Worst Form of Child
NAPA:	National Plan of Action
NCLP:	National Child Labour Policy
NCP:	National Child Policy
NGO:	Non Governmental Organisation
NSC:	National Steering Committee
PWAS:	Public Welfare Assistance Scheme
SCREAM:	Supporting Children's Rights through Education, the Arts and the Media
SFP:	School Feeding Programmes
TACKLE:	Tackling Child Labour through Education and Training

TBP-SP:	The Time-Bound Programme Support Project
UNCRC:	United Nations Convention on the Rights of the Child
UNESCO:	United Nations Educational, Scientific, and Cultural Organization
UNICEF:	United Nations Children’s Fund
ZCTU:	Zambia Congress of Trade Unions
ZFE:	Zambia Federation of Employer
ZPS CPU:	The Zambia Police Service Child Protection Unit

CHAPTER ONE: INTRODUCTION AND BACKGROUND

1.1 Introduction

Although parents are responsible for ensuring that their children are safe from all societal vices that can harm their upbringing, other stakeholders also have a role to play in complementing this parental care. Among such stakeholders are: the government; Non-Governmental Organisations (NGOs), and United Nation agencies. The number one vice that poses a serious threat to children's personal development is economic exploitation. Economic exploitation is the use of people as a resource for monetary gains, with little or no consideration for their wellbeing (Ministry of Sport, Youth and Child Development, 2006).

This dissertation is an examination of the institutional framework, problems and extent of protection of children against economic exploitation in urban areas with a focus on children in Lusaka City.

1.2 Background to the Study

In 2006, the Zambian government, through the then Ministry of Sport, Youth and Child Development, conducted a review of the 1994 National Child Policy. The review was necessitated by a number of issues that emerged between 1994 and 2006. The issues in question, no doubt, had a big impact on the welfare and general wellbeing of a Zambian child. These issues involved drastic changes in the economic setup that negatively affected the welfare of a Zambian child in general. These devastating issues included increasing household and national poverty. Due to the weak economy, poverty levels in Zambia were reflected both by household income deficiencies and material deprivations from food and nutrition, health, education, literacy, safe water, sanitation, clothing and shelter (Ministry of Sport, Youth and Child Development, 2006).

Another issue was the increase in urban population. An average of 85 percent of people lived in rural and 35 percent in urban areas of Zambia in the 1990s

(Ministry of Sport, Youth and Child Development, 2006). However, by 2006, Zambia became one of the most highly urbanized countries in sub-Saharan Africa, with 44% of the population concentrated in a few urban areas along the major transport corridors such as along the rail lines, while rural areas are sparsely populated with about 56%. Unemployment in urban areas became a serious problem (Ministry of Sport, Youth and Child Development, 2006). Other issues included child trafficking, child labour, HIV/AIDS and child abuse in various forms, for many children in Zambia.

After looking at all these issues, it was realized by the Ministry of Sport, Youth and Child Development (MSYCD) that reviewing the 1994 policy was inevitable in order to incorporate the new and emerging issues that were affecting the welfare of children in the country (Ministry of Sport, Youth and Child Development, 2006).

During the review, it was discovered that about 600,000 children were economically active and that over 50% of them were found in agriculture-related occupations (Ministry of Sport, Youth and Child Development, 2006). The ILO Report (2006:6) also highlights that “the majority (97%) of the working children worked as unpaid family workers and 75.5% combined work with schooling.” This represents an increase in the numbers of children who are economically exploited (around 250 000 in 1990 and 500,000 in early 2000). It also represents an increase in the proportion of exploited urban children as compared to rural children (from around 8% in early 2000 to above 13%). This economic exploitation of children makes the latter vulnerable to abuse, mistreatment and exposes them to risky situations and generally endangers their lives.

Following the review, it was concluded that there was need to include, in the policy, an emphasis on preventing the problem of children being sent by their parents to undertake work for pay (Ministry of Sport, Youth and Child Development, 2006). In line with this, a revised National Child Policy was formulated and launched in 2006.

The revised National Child Policy demonstrated the government's commitment to creating a favorable socio-economic environment for the development and welfare of the child. It makes children the focus of development, so as to ensure that they live to their full potential where their rights and responsibilities are fulfilled. The policy provides long-term guidance and a framework for the development and implementation of the required child development and welfare interventions through a well-coordinated and multi-sectoral approach. In this regard, and with firm commitment by all stakeholders, the policy states that the government will mobilize and provide the necessary human, material and financial resources towards the implementation of the National Child Policy (Ministry of Sport, Youth and Child Development, 2006).

According to The Ministry of Sport, Youth and Child Development (2006: 24) the main objectives of the policy are to:

1. Address the problems that range from extreme child poverty and hunger, lack of basic education, maternal and child mortality, disintegration of family as a nucleus of child development, malnutrition, gender disparity, HIV/ AIDS, environmental problems among them poor sanitation resulting in water borne disease and child rights violation.
2. Prevent HIV/AIDS among children and to care for those affected by the disease.
3. Stamp out all forms of child abuse. One of the forms of child abuse is economic exploitation.

1.3 Statement of the Problem

According to the Ministry of Sport, Youth and Child Development (2006: 1) there is a belief among Zambians that sending children to do work outside the home for pay is considered to be child labour, and therefore wrong. It is considered that children are supposed to grow up in an environment where all their needs are catered for. In line with changes in societal values and beliefs concerning what is right and wrong for a child in the world and Zambia in particular, the government of the Republic of

Zambia formulated and approved the National Child Policy in 1994. This was after Zambia's adoption and ratification of the United Nations Convention on the Rights of the Child (UNCRC), in 1991 (Ministry of Sport, Youth and Child Development, 2006: 1).

In 2006, the Zambian government revised the 1994 National Child Policy. The implementation of the revised National Child Policy in Zambia was meant to protect Zambian children who are most vulnerable to various abusive acts (including those which are economic in nature) which deprive them of a chance to focus on preparing for their future. In order to achieve this, the policy included a part which specifically dealt with child labour and economic exploitation. Under this section, a National Plan of Action (NPA) and a National Steering Committee (NSC) to direct and monitor the implementation of the national program on child economic exploitation was put in place. Its main objective was to contribute to the progressive elimination of economic exploitation in the country by focusing on prevention, withdrawal, rehabilitation and provision of educational and economic alternatives for the working child (Ministry of Sport, Youth and Child Development, 2006).

In order to achieve this, the policy focused on creating a strong institutional framework. The policy also called for the minimization of problems encountered during child protection activities and programs. However, whether this had been achieved was not clearly known. This is because of information gaps with regards to the existence and extent of the problem currently deal to lack of comprehensive and disaggregated data on child economic exploitation both in the formal and informal sector (UNICEF, 2009). Consequently, this made it difficult to realistically devise intervention measures to guard against economic exploitation of children.

1.4 Research Objectives

1.4.1 General Objectives

Examination of the institutional framework, problems and extent of protection of children against economic exploitation in Lusaka City

1.4.2 Specific Objectives

1. To examine the institutional framework put in place by the Zambian government to protect children against economic exploitation in Lusaka City.
2. To investigate the extent to which children are protected against economic exploitation in Lusaka City.
3. To find out the problems faced by institutions created to protect children against economic exploitation in Lusaka City.

1.5 Research Questions

In order to gather information to help achieve the above objectives, the following questions will be used:

1. What institutional framework has been put in place by the Zambian government to provide protection of children against economic exploitation in Lusaka City?
2. To what extent are children protected against economic exploitation in Lusaka City?
3. What problems are faced by institutions created to protect children against economic exploitation in Lusaka City?

1.6 Rationale of the Research

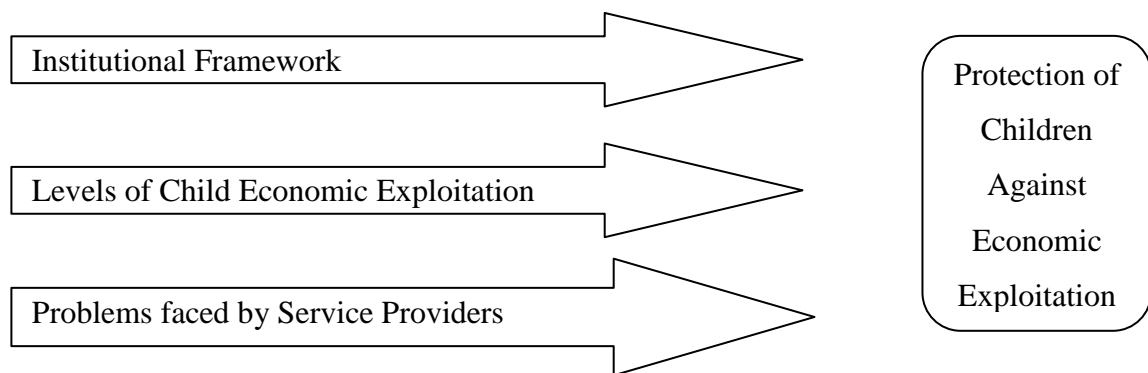
The significance of this research lied in its attempt to examine the institutional framework, problems and extent of protection of children against economic exploitation in urban areas. The research provided information on the issue of child economic exploitation. This was important because documentary evidence showed that economic exploitation of children had negative effects on their upbringing and future lives. The study will help relevant institutions devise new strategies to

provide protection against economic exploitation in cases where the strategies that they are using are ineffective.

1.7 Conceptual Framework

The study used a conceptual framework on Child Economic Exploitation which focused on four concepts: national child policy, institutional framework, protection of children against economic exploitation and Service Providers.

Figure 1.1: Conceptual Framework on Child Economic Exploitation



Policy refers to the purposive course of action taken by those in authority in order to achieve the desired goals (Dunn, 1981). A national child policy in this regard is a purposive course of action taken by the government in order to ensure the protection and development of children in the country. One of the issues the policy looks at is protection of children against economic exploitation.

To do this, an institutional framework needs to be established. An institution is an organisation, establishment, foundation, society, or the like, devoted to the promotion of a particular cause or program (Chang, 2007). The term institution in this paper refers to particular formal organisations of government and private services. Institutional framework is understood as the system of organisations of government and private services as well as formal laws, regulations and procedures that mould and restrain socio-economic activity and behavior.

The institutional framework must include various service providers. A service provider is an institution that provides services to another entity (Sample, 2003). When a government formulates a policy, there is need for the establishment of various organisations, both public and private, to oversee the implementation of the policy. In the case of a National Child Policy, these organisations provide services to the intended beneficiaries of the policy. In this case, service providers are those organisations that look after the plight of children. Their main aim is to create an environment in which children are protected from economic exploitation (The Committee on the Rights of the Child, 1993).

According to the Ministry of Labour and Social Security (2011) the National Child Labour Policy defines child labour as “any work or activity that is mentally, physically, socially or morally dangerous and harmful to the child or that which interferes with the child’s schooling.” However, economic exploitation of children is a specific form of child labour. It occurs when child labour results in the child being paid for their labour (The Committee on the Rights of the Child, 1993).

When it comes to the issue of economic exploitation of children, the problem that arises is how to determine that a child is being exploited. On one hand, the child should be taught to take on his or her responsibility as a future adult. Accordingly, to educate the child, the parents usually start the boy or girl on a number of activities in the family. This is even more so in the case of a girl, whose social status depends on this (The Committee on the Rights of the Child, 1993).

Thus, at some point the child becomes an integral part of the family workforce and a source of income for the family. On the other hand, there are calls for the child to be protected since he or she is considered to be someone who is still vulnerable and, consequently, stands in need of special assistance and attention (The Committee on the Rights of the Child, 1993).

It is therefore important to understand what is meant by economic exploitation. This expression combines two distinct elements: economic and exploitation. Economic implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services (Sample, 2003). This material interest has an impact on the economy of a certain unit, be it the State, the community or the family. For its part, exploitation means taking unjust advantage of another for one's own advantage or benefit (Sample, 2003). Exploitation can also be understood as the use of someone or something in an unjust or cruel manner. It covers situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment (The Committee on the Rights of the Child, 1993).

In Marxist terms, economic exploitation refers to the subjection of producers (the proletariat) to work for passive owners (bourgeoisie) for less compensation than is equivalent to the actual amount of work done (Sample, 2003). The proletarian is forced to sell his or her labour power, rather than a set quantity of labour, in order to receive a wage in order to survive. The capitalist on the other hand exploits the work performed by the proletarian by accumulating the surplus value of their labour (Sample, 2003).

Conventionally, economic exploitation is the use of people as a resource for monetary gains, with little or no consideration of their wellbeing (ILO, 2007). Interest is in activities such as child labour, child pornography or the use of children for criminal activities, as in the case of drug trafficking. In addition, we are confronted with a situation of exploitation essentially when the human dignity of the child or the harmonious development of the child's personality is not respected - situations such as the sale of children, child bondage or child prostitution (UNICEF, 2006).

Combining the two elements, it is important to recognize that, although there is a large area of coincidence, not all activities where an economic element prevails are necessarily exploitive. For instance, the Employment of Young Persons and

Children Act, Cap 274 of the laws of Zambia (as amended by Act No.10 of 2004) defines a child as a person under the age of 15 years. However, situations of licit work may arise if due regard is taken of the relevant provisions of international instruments. For instance, according to ILO Convention No. 138, light work may be performed at the age of 13 (ILO, 2006).

For this paper, child economic exploitation was taken as the use of children as a resource for monetary gains, with little or no consideration of their wellbeing. Any economic activity that interferes with the personal development of the child was considered to be economic exploitation whether it was accepted by the child and/or society at large.

A strong institutional framework implies that the system of organisations of government as well as formal laws devoted to the protection of children against economic exploitation are readily available and functioning properly. By facing few problems, institutions providing services to children with the aim of protecting them against economic exploitation are likely to properly protect the children against economic exploitation. Reduction in the levels of economic exploitation of children implies a progressive decline in the number and proportion of children sent to carry out work for monetary gain. As a result, children would be protected against economic exploitation.

On the other hand, a weak institutional framework implies that the system of organisations of government as well as formal laws devoted to the protection of children against economic exploitation are neither readily available nor functioning properly. By facing many problems, institutions providing services to children with the aim of protecting them against economic exploitation would not likely properly protect the children against economic exploitation. Increase in the levels of economic exploitation of children implies a progressive rise in the number and proportion of children sent to carry out work for monetary gain. As a result, children would not be protected against economic exploitation.

However, a not strong enough institutional framework implies that the system of organisations of government as well as formal laws devoted to the protection of children against economic exploitation are neither adequately available nor functioning properly. By facing some problems, institutions providing services to children with the aim of protecting them against economic exploitation would not adequately protect the children against economic exploitation. An inadequate reduction in the levels of economic exploitation of children implies an insignificant decline in the number and proportion of children sent to carry out work for monetary gain. As a result, children would not be adequately protected against economic exploitation.

1.8 Literature Review

UNICEF (2009) estimated that 158 million children, aged 5-14, were economically exploited, as of 2009. In addition, more than one third of children in sub-Saharan Africa work (UNICEF, 2009). The International Labour Organisation (ILO), in 2009, estimated that more than two-thirds of all child labourers are in the agricultural sector. Children in rural areas of Third World Countries – girls in particular – begin agricultural labour as young as 5-7 years old. However, boys are more likely to be engaged in child labour than girls because they are more likely to be engaged in economic activity. Those engaged in household chores are overwhelmingly girls (ILO, 2009).

The data came from several countries, such as Zambia, Tanzania and South Africa, for which comparable data exists in child labour. The main weakness of the above research is that it is based on data received from different countries whose accuracy was not assured by UNICEF. This may therefore lead to wrong conclusions.

In a study conducted by Nkandela (2007), focusing on child abuse in twenty districts across Zambia, child economic exploitation, which included selling food items, stone crushing and housekeeping, was observed to be on the increase.

According to the report, the principle objective of the research was to establish the level of child abuse in Zambia. Another objective of the research was to investigate the conditions that make children vulnerable to abuse. In the methodology, Nkandela (2007) conducted a survey as a rapid assessment in twenty districts. Districts were selected on the basis of having high levels of child participation in various activities particularly in economic activities that could expose children to abuse. There were two districts in each province and one additional district each in Lusaka and Central provinces.

A total of 2000 children (100 in each district) and 208 adults were involved in the assessment. The sample was almost evenly divided between male and female children. The study used both quantitative and qualitative methods of data collection and analysis. Two questionnaires were developed and pre-tested, one for use by the children and another for use by the adults. Also case studies were compiled (Nkandela, 2007).

The key findings and conclusions were that 1080 (54%) children showed they had never been mistreated while 920 (46%) alleged that they had experienced mistreatment of some kind, usually from relatives. More than one third of those who had been mistreated stated that this had taken the form of lack of care of a child, deprivation of food, shelter or schooling or sending a child out to work such as to undertake sex work. In the majority of cases, these impositions came from adult figures in the home. The principle reasons for children taking paying work to earn money were found to be, they were helping out, they were carrying out chores, they wanted to earn money for clothes, and they wanted to earn money for school. The implications were that more cases of economic exploitation occurred among children not attending school than among those who attend school (Nkandela, 2007).

Nkandela (2007) also found that some street children actually came from fairly good homes and were sent into the streets to do odd jobs such as selling, putting on street shows, begging and/or stealing. On the adults' perceptions, there were 56% females and 44% males. Four fifth of the adult respondents noted that children

were economically exploited. However, they argued that this was necessitated by cultural norms and high levels of poverty, unemployment and sickness.

This research was insightful as it clearly brought out reasons why and how children were exploited economically. It also contains information from the perspectives of both the adults and children. However, the problem with the above research is that it was a rapid assessment and thus was conducted hurriedly. This could have led to lack of diligence in the research process. The report also lacks information on key informants. The research also did not relate its finding to the failures and the successes of the child labour policy in protecting children from economic exploitation. The study was also broad such that economic exploitation was just a sub component.

According to ILO (2008), a research carried out by the US Department of State in 2008, across Zambia estimated that 564,000 children were in the workforce during the year 2008 with the figure expected to increase in the coming years. The survey results show that a total of 595,033 of children aged between 5 and 17 years were to have worked during the previous twelve months. There were 347,377 between the age of 5 and 14 reported to have worked over the same period. This represents more than half (58%) of all the working children. Approximately 86% of these children are engaged in the worst form of child labour including prostitution.

This research has the weakness of not showing the methodology used. The other problem is that the research does not specify which form of child labour is being talked about. This is to say it does not state whether this labour encompasses economic exploitation or not. In addition, research was also conducted before the current child policy was formulated and implemented for it to be of relevance to the effectiveness of the said policy.

A study conducted in Zambia by Children in Need Network (2008) also argues that many forms of child labour involve economic exploitation of children and young

people. This study revealed that the most common forms of child labour included quarrying and stone crashing, work on the streets, work in commercial farms and prostitution. Child trafficking is also a prevalent form of economic exploitation.

The weakness of the study is that while it gives the forms of exploitation, it does not give any statistics of the magnitude of this exploitation. The study does not state how many children are being economically exploited. The report does not even show the scope of the research neither does it show the methodology used.

The Central Statistical Office (CSO) of Zambia carried out a research in 2010 which reveals that at least 8 out of 10 disabled children aged 7 and 13 do not attend school but are engaged in economic activities in which they are abused such as agriculture (Central Statistical Office of Zambia, 2010). This research has the problem of focusing on a particular category of children (disabled) and thus does not give the general picture of how children are exploited and the overall proportion of children who are exploited.

Another study conducted by the Boston University (2006) estimated that there were 70,000 child sex workers in Zambia and that 1 in 3 children were involved in hazardous work for monetary purposes. The research further suggests that approximately 15% to 25% of females and 5% to 20% of male children are economically exploited. Approximately 60% of the exploiters are relatives of the children most often brothers, fathers, mothers, uncles or cousins. Most child economic exploitation is done by men. Other recent research suggests that many child economic exploitation prevention programmes in countries are not effective because they mostly emphasize the need to address child economic exploitation in the context of poverty eradication (Boston University, 2006).

The weakness in the above researches is that the methodology used was not adequately explained. The research also had the weakness of using suggestion or information from men and women thus giving a picture as seen by the elderly instead

of getting information directly from children themselves.

Another research by Bola (2007) suggests that child's economic exploitation is on the rise. In its methodology, there were 194 men and 192 women. The study was conducted in Lusaka, Zambia. It explored personal experience with child abuse within this community and the results were that 39 men (20%) and 85 women (44%) reported 142 total cases of child economic exploitation. And of the reported cases, none of the offenders were considered by law to have committed an offence and none were prosecuted. The other case reported other than lack of prosecution was lack of reporting. Also over 90% of the respondents had children aged less than 12 years living in their home. 30% of men and 60% of women believed that the children may not be adequately protected from various forms of economic exploitation.

The conclusion made was that child economic exploitation is common in Zambia and that for this to reduce, there is need to encourage the public to report cases of economic exploitation of children as well as to introduce a law that allows for the prosecution of adults who exploited children economically regardless of their relationship with the children.

The main weakness of this research is that in its methodology, it did not sample children as well as officials from organisations and institutions in charge of child protection. It limited responses to adults who were giving their perception of the problem.

There are many lessons that can be learned from the above literature. One of them is that child abuse and economic exploitation of children in particular have negative consequences or effects on the well being of children. The other lesson is that regardless of Zambia and many countries undertaking policy reforms aimed at protecting children from being exploited economically, the vice seems to be on the rise.

However, in general, the weakness of the literature reviewed above is that some of it consists of studies conducted outside Zambia and thus does not show how the Zambian National Child Policy is fairing in protecting children from economic exploitation. Secondly, some of the reviewed studies which have been done in Zambia tend to have no methodology shown. These studies were also mostly in the form of rapid assessments which did not really have enough time to critically analyze the problem.

Another important weakness of the literature above (those in Zambia) is that findings were not associated directly with the failure of the Zambia National Child Policy. Therefore, even the recommendations made from these researchers did not offer any solutions as to how the National Child Policy can be improved so as to reduce or eliminate the problem of economic exploitation of children. The literature reviewed also lacks information from key informants which could have proved vital. The literature reviewed does not also state or analyze the institutions put in place to deal with the problem of economic exploitation and also whether these institutions and service providers are able to solve or reduce the problem of economic exploitation of children.

The above gaps in the literature prompted the carrying out of a research which takes into account the failure of past researchers on the topic of economic exploitation of children. This research will ensure that it closes the gaps observed in the above literature by using a solid methodology, proper scope of research, information from key informants, getting information on the effectiveness of both institutions and service providers put in place to deal with the problem of economic exploitation of children and to structure our research in such a way that it is a direct assessment of the Zambian National Child Policy, specifically focusing on economic exploitation of children so as to come up with measures which will ensure that children are protected from all forms of economic exploitation.

1.9 Research Methodology

1.9.1 Research Design

The research was a mixed method design. It used both qualitative and quantitative data. Qualitative design consisted of data gathered through interviews with the key informants. Quantitative design is that of statistical representation and interpretation of information which was gathered from the respondents. The use of quantitative and qualitative methods was necessitated by the fact that the study required several methods to be used to collect data in order to achieve the desired results.

1.9.2 Study Site

The research was conducted in Lusaka City, located in Lusaka province. The city is the political, administrative and economic capital of Zambia. The national census conducted in 2010 shows that the city is the most urbanized in Zambia with 90 % of the population living in urban areas. The number of households in Lusaka stood at 358,871. In addition Lusaka's population stood at 1,747,152 leading to a population density of 4,853.2 people per square kilometer and a 4.9% growth rate. Of this population, 860,424 (49.2%) were male and 886,728 (50.8 %) were female (Central Statistical Office, 2012).

In terms of children, Lusaka City had a total of 885,562 people below the age of 15, representing 40.4% of the total population (Central Statistical Office, 2012). Of these, 733,625 lived in urban areas, representing 82.8% (Central Statistical Office, 2012). The majority of these children required social economic needs for their growth and development. They required food, decent shelter, protection from abuse, access to education, clean drinking water and sanitation, social amenities and protection from diseases. However, due to poor economic development of the country, children lacked these needs (Ministry of Sport Youth and Child Development, 2006).

Matters to do with children in Zambia fell under the Ministry of Sport Youth and Child Development. However, in 2012, the government reshuffled the ministries. As a result, the matters were under the Ministry of Gender and Child Development (children international, 2013).

1.9.3 Sources of Data and Instruments of Data Collection

Data collection techniques allow the systematic collection of information about the object under study. Data for this study was collected from 20th February 2014 to 20th March 2014. Data came from primary and secondary sources.

In-depth interviews and semi-structured questionnaires were used in primary data collection. The questionnaires consisted of both closed and open ended questions, which were administered to respondents from the three residential areas, Mtendere, Chilenje and Kabulonga. This ensured consistence and easy data analysis. This also ensured less bother on the respondents as answers were easily provided and confidentiality assured. In-depth interview were held with key informant.

Secondary sources included the review of literature documents and reports from the internet and the University of Zambia library. This provided data on the protection of children from economic exploitation in general.

1.9.4 Sample Size and Sampling Procedure

For the local communities, children aged 5 to 14 living in Lusaka City were the target group for the research. The population of this age group was targeted because the 5 to 14 age groups are the most affected by the research topic. While children below the age of five (5) are also likely to be economically exploited, this age group was not able to understand and adequately answer questions in the questionnaire.

The research used convenient sampling to select the sample size. This is because the total population in the residential areas was not known. In addition, the research budget was small and time was limited. In order to adequately sample, the

researcher listed high density areas, medium density areas and low density areas in Lusaka City. Using simple random sampling, the researcher picked one high density area, Mtendere, from a list of high density areas in Lusaka City. The researcher also picked one medium density area, Chilenje, from a list of medium density areas in Lusaka City. The same was done for low density areas where the researcher picked Kabulonga.

The sample size consisted of 300 children. 120 children were randomly selected from Mtendere, 100 children were selected from Chilenje, and 80 children were selected from Kabulonga. This was done to ensure Probability Proportionate to Population Size, PPPS.

This size, 300 children, was selected because it was less costly, manageable, less time consuming and effective. The degree of accuracy was high and it was reliable since it was adequately large. The sample allowed for detailed and intensive study of the population because the information that was acquired was gathered in a much shorter period of time than would have been possible if the whole population survey was to be conducted.

Secondly, the researcher selected households by identifying a starting point in each residential area. These were those points at the centre of each area. Thirdly, the researcher ensured that respondents are selected in all directions: North, South, West, and East.

Fourthly, the research used interval sampling to pick households to answer questionnaires. An interval of 10 was used for all three areas. That is, the researcher submitted questionnaires to every 10th household. If there were no respondents at a household, the researcher skipped to the next interval. Fifthly, one parent or guardian at each household was targeted. The introductory question that was asked to them was, "do you have any children between the ages of 5 and 14 living with you?", if the answer was yes, the researcher proceeded to administer a

questionnaire to one child.

If the answer was no, the researcher moved to the next interval and repeated the process until the required number of children in each residential area were met. Questionnaires were administered by the researcher so as to ensure consistency. This is because while respondents in low and medium density areas might have been able to self administer the questionnaires, those in low density areas had perceived low levels of education.

There were also three officials from the Ministry of Gender and Child Development. One official was at national level under the Department of Child Protection and Development. Two officials were from the Lusaka Province Department of Child Development. These officials were selected through the use of purposive sampling.

1.9.5 Background Characteristics of the Sample

The sample size was 300 and of these 129 (43%) were males while 171 (57%) were female. In terms of age, 74 (24.7%) were in the 5-7 age group, 94 (31.3%) were in the 8-10 age group while 132 (44%) were in the 11-14 age group. Education wise, 41 (13.7%) had never been to school, 177 (59%) had attained primary education while 82 (27.3%) had attained secondary education. In terms of social status, 237 (79%) lived with their parents while 63 (21%) lived with guardians. In addition 39 (13%) were double orphaned, 70 (23.3%) were single orphaned while 191 (63.7%) had both parents alive. 225 (75%) lived in male headed households while 75 (25%) lived in female headed households. The employment status of the heads of the households were that 256 (85%) were employed while 44 (14.6%) were unemployed. Of the head of the households who were employed, 148 (58%) were employed in the formal sector while 107 (42%) were employed in the informal sector.

1.9.6 Data Processing and Analysis Methods

A computer programme called Statistical Package for Social Sciences (SPSS) was

used to facilitate analysis of data which was collected. In the first place, the data collected using questionnaires was checked for uniformity, consistency and accuracy. The raw data collected was subjected to coding and entered into the computer programme which is SPSS software. Frequency tables and graphs were then produced and used to formulate the interpretation.

1.10 Structure of the Dissertation

This dissertation is divided into five chapters. Chapter one gives an introduction to the study, statement of the problem, objectives of the study, significance of the study, conceptual framework, literature review and methodology of the study. Chapter two presents information on the institutional framework put in place to provide protection of children against economic exploitation in Lusaka City. Chapter three discusses the extent to which children are protected against economic exploitation in Lusaka City. Chapter four discusses the problems faced by institutions created to protect children against economic exploitation in Lusaka City. Chapter five presents the conclusions.

CHAPTER TWO: INSTITUTIONAL FRAMEWORK

2.1 Introduction

This chapter answers the question “What institutional framework has been put in place by the Zambian government to provide protection of children against economic exploitation in Lusaka City?” There is need to create a strong institutional framework if the implementation of the National Child Policy (NCP) is to be effective in protecting children against economic exploitation. The institutional framework includes legal instruments and government ministries.

The main legal instruments were the 2006 National Child Policy, the 2004 Employment of Young Persons Act, the 2011 National Child Labour Policy (NCLP), the 2002 Free Basic Education Policy, and the 1996 National Education Policy (Ministry of Labour and Social Security, 2011). Ministry of Labour and Social Security (2011) further stated that the main ministries included the Ministry of Gender and Child Development (MGCD), Ministry of Labour and Social Security (MLSS) and Ministry of Community Development Mother and Child Health (MCDMCH). Availability of the above institutions enabled proper coordination (Understanding Children’s Work, 2012).

In addition, institutions need to perform their functions effectively if children are to be protected against economic exploitation (Understanding Children’s Work, 2012). When institutions lack resources such as finances, personnel, equipment and facilities, service delivery is compromised because institutions fail to function effectively (Understanding Children’s Work, 2012).

Institutions should also be able to provide the necessary services to address the major problems facing children in their communities. The main services which need to be provided are prevention, withdrawing, rehabilitating and reintegrating children who are engaged in child labour (Ministry of Labour and Social Security, 2011). Other services include the provision of advocacy and policy guidelines,

initiating review of laws, conducting awareness programmes and monitoring and evaluating the effectiveness of programmes dealing with child economic exploitation (Ministry of Labour and Social Security, 2011). Therefore, availability of institutions is essential for enhanced protection of children against economic exploitation in Lusaka City (Understanding Children's Work, 2012).

In line with this, the chapter looked at legal instruments and structures and functions of the Ministry of Gender and Child Development. In addition, the chapter also looked at the main government ministries in the protection of children against economic exploitation in Lusaka City.

2.2 Legal Instruments

Various policies and Acts had been formulated to provide a legal framework for the protection of children. These included the NCP, the 2004 Employment of Young Persons Act, the 2011 National Child Labour Policy (NCLP), The 2002 Free Basic Education Policy and the 1996 National Education Policy: Educating Our Future (Ministry of Labour and Social Security, 2011).

2.2.1 The 2006 Zambia National Child Policy

In the 2006 NCP, the aspect of child economic exploitation fell under the child's right to be protected section (Ministry of Sport, Youth and Child Development, 2006). In this section, the policy set the specific objectives as well as the measures to be taken in order to protect children against economic exploitation. According to The Ministry of Sport, Youth and Child Development (2006: 32) specific objectives of the policy on removing economic exploitation of children were as follows:

1. Promote a strong and proactive watchdog on child economic exploitation;
2. Establish mechanisms that prevent economic exploitation and child labour;
3. Strengthen the institutional and organisational capacities for child labour prevention programmes, project formulation and implementation;
4. Reduce the high incidence of poverty in the communities;
5. Promote awareness of children's rights in the communities, and

6. Improve the information base on the situation of child economic exploitation.

In addition, the policy proposed a set of measures necessary to achieve the above objectives. According to The Ministry of Sport, Youth and Child Development (2006: 33), these measures included:

1. Improving the livelihood systems and socio-economic status of the most vulnerable households in poor rural and urban communities through:
 - a) Direct support of targeted households with viable income generating ventures so that they are able to support their children with school fees and other educational requirements;
 - b) Direct support to food production requisite and labour saving technologies in order to increase productivity per unit and minimize the dependency on child labour for increase agricultural production;
 - c) Provide support in school requirements such as books, uniforms and school fees for the most vulnerable children;
 - d) Work closely with the ministry of education to increase education facilities and other facilities that facilitate prevention and withdraw of children from exploitative economic activities like vending.
 - e) Encourage Non-Governmental Organizations (NGOs) and Community Based Organisations (CBOs) to design more programmes that support more vulnerable children in higher grades;
 - f) Provide more skills training for the youth and making information available on business and market opportunities;
 - g) Establish child recreation facilities in communities
 - h) Sensitize children on the rights of the child; and
 - i) Enforce the minimum age for employment
2. Supporting cultural and traditional traits that discourage child economic exploitation;
3. Enhance the policy and legal framework to motivate and restrain both the commercial and individual households from engaging in child economic exploitation practices by:

- a) Supporting activities that are focused on policy and legal reforms and linking community based initiatives to the national policy and legal reform agenda;
 - b) Supporting institutional and organisational reform capacity building at national, provincial, district and community levels for dealing with child economic exploitation and ensuring that such initiatives foster building partnerships of all relevant institutions and organisations at these levels;
 - c) Developing programmes that support development of information strategies to publicize child labour issues at all levels, e.g. mounting sensitization campaigns on the negative health impact of stone crushing; and
 - d) Developing the capacity of female headed households to generate both agricultural and non-agricultural income activities to support their children nutritionally and with school requirements.
4. Develop a comprehensive and disaggregated database on child labour (and economic exploitation) both in the formal and informal sectors by conducting surveys on child labour.
 5. Together with the Ministry of Labour and Social Security, develop a monitoring and evaluation system on child labour.

The study found out that the policy objectives and measure in the NCP were effective in protecting children against economic exploitation. A look at the above specific objectives and measures shows that they were robust enough and covered all the major angles necessary for the elimination of child economic exploitation. However, the policy was not based on a specific Child Labour Act. This made legal implementation challenging because most of these objectives and measures lacked legal backing.

2.2.2 The 2004 Employment of Young Persons and Children Act

The study found out that the main laws that dealt with issues of child economic

exploitation included the Constitution, the 1997 Employment Act and the Penal Code Cap 87 of 2005. Others are the 1970 Apprenticeship Act Cap 275, the 2008 Anti-Human Trafficking Act and the 2004 Employment of Young Persons and Children Act Cap 274.

Among these, the Employment of Young Persons and Children Act was the most significant. The Act defined a child as a person under the age of 15 years (as amended by Act No.10 of 2004). It prohibited employment of children below the age of 15 in any commercial, agricultural, domestic or industrial undertaking unless the employment is in an enterprise where members are of the same family (Ministry of Labour and Social Security, 2011).

The Act also stipulated that a child shall not be employed in any type of employment or work which by its nature or the circumstance under which it is carried out constitutes a worst form of child labour (Ministry of Labour and Social Security, 2011). Worst form of child labour in the Zambian context included: all forms of slavery and the use; procuring or offering of child or young persons for prostitution; production of pornography; trafficking in illegal drugs; and any work which is a health, safety and morally harmful to children (Employment of Young Persons and Children Act, Cap 274, 2004).

The provisions of the Act did not apply to work done by children in technical schools or similar institutions. This was provided that such work was approved and supervised by the Permanent Secretary, Ministry of Education, or some person appointed by him or her for that purpose (Employment of Young Persons and Children Act Cap 274, 2004).

According to the Ministry of Labour and Social Security (2011) the Employment of Young Persons and Children Act gave powers to the Labour Officers and Police Officers;

- a) To at all reasonable times enter upon any land or premises of any covered

worksite affected by its provisions.

- b) To examine either alone or in the presence of any other person as he/she thinks fit, with respect to any matter within the Act, and
- c) To exercise such other powers as may be necessary for carrying into effect the provisions of the Act.

In terms of penalties, the Act provided that any person who employed a child in a covered worksite was to be guilty of an offence. The guilty person was to be liable upon conviction thereof to a fine of not less than two hundred thousand penalty units, but not exceeding one million penalty units. Or to imprisonment for a term of not less than five years but not exceeding twenty five years or to both (The Employment of Young Persons and Children Act, Cap 274, 2004).

However, this Act was not comprehensive enough to adequately cater for the specific objectives and measures of the NCP. One weakness of the Act, identified by the study, was that it put emphasis on formal employment. Unfortunately, economic exploitation of children also occurred in informal settings. Secondly, the Act seemed to appear as if it condoned economic exploitation of children so long as it was perpetrated within a family setup. This was because it allowed the employment of children below the age of 15 in an enterprise where members were of the same family.

Thirdly the Act had seen stakeholders concentrate on the worst form of child labour rather than economic exploitation in general. Finally, since the provisions of the Act did not apply to work done by children in technical schools or similar institutions, it created a picture that some form of economic exploitation of children was acceptable, which was wrong.

2.2.3 The 2011 Zambia National Child Labour Policy (NCLP)

The NCLP was adopted in 2010 and officially launched in 2011 (Ministry of Labour and Social Security, 2011). The vision of the NCLP was to have a child

labour free society where all children were safe to enjoy their fundamental rights and freedom. The policy focused on preventing children from entering the labour market prematurely, withdrawing those who were already working, then rehabilitate and reintegrate them into the community (Ministry of Labour and Social Security, 2011). This was so as to enhance child development in the country by working towards progressive elimination of child labour through effective and appropriate interventions (Ministry of Labour and Social Security, 2011).

The NCLP called for the establishment of both District Child Labour Committees and Community Child Labour committees to facilitate implementation (Ministry of Labour and Social Security, 2011). The NCLP recognized education as key to reducing children's premature entry into the labour market. It also contained policy objectives to improving the education system and children's access to it (Understanding Children's Work, 2012).

According to the Ministry of Labour and Social Security (2011:16) some of the NCLP's specific objectives to eliminate child labour included:

- a) To reduce poverty at the household level so that children are not pushed into child labour
- b) To address HIV/AIDS and its related illnesses
- c) To create an environment where every child has access to quality education with emphasis on children who are at risk of child labour.
- d) To prevent, withdraw, rehabilitate and reintegrate children who are engaged in child labour, especially those engaged in the worst forms of child labour.
- e) To develop accurate and reliable statistical data on child labour forms to form the basis for identification of the most problematic areas and programming of meaningful child labour intervention.
- f) To strengthen and effectively enforce policies and legislations that prevents child labour.

- g) To create strategic alliances both at national and international levels that is essential to ensure an enabling environment for the elimination of child labour.

The study found out that the NCLP objectives above appeared to have a positive effect on elimination of child economic exploitation in Lusaka City. This was because these objectives aimed at eliminating the perceived causes of this exploitation, such as poverty and HIV/AIDS. It also called for establishment of appropriate institutions and legislations.

However, the NCLP was not based on a specific Child Labour Act (Understanding Children's Work, 2012). This made legal implementation challenging because most of these objectives and measures lacked legal backing. Secondly, the NCLP tended to emphasis elimination of child labour in general without a specific focus on economic exploitation. Thirdly, the NCLP had seen stakeholders concentrate on the worst form of child labour rather than child labour in general.

2.2.4 Education Policies

In February 2002, the government introduced the Free Basic Education Policy, (Grades 1-7) (Ministry of Education, 2003). The Free Basic Education Policy outlined the elimination of user fees for basic education as a way to enable the poor and vulnerable children to be able to attend school. In addition, school uniforms ceased to be compulsory (Ministry of Education, 2003). The policy stated that Ministry of Education, Science, Vocational Training and Early Education (MESVTEE) would work closely with the Ministry of Community Development, Mother and Child Health (MCDMCH). The MESVTEE also worked with traditional and local authorities, and with non-governmental organizations and religious bodies. Together, they would identify vulnerable groups, assessed their needs, and determined how best to meet such needs (Ministry of Education, 2003).

In addition, the 1996 Zambia National Policy on Education called for the protection of poor and vulnerable children. Under Chapter six the policy called for the government to establish scholarship and bursary schemes for upper basic schools, Grades 8-9 (Ministry of Education, 1996). The study found out that the two policies removed the pressure for children to be economically exploited so as to raise money for school related expenses. The two policies had the Education Act of 2011 as the legal backing. The Act stipulated education to be compulsory to all children up to the age of 14 (International Labour Organisation, 2012).

The study concluded that while these policies had components that related to elimination of economic exploitation of children, that was not their main objective. As such, on their own they could not adequately eliminate economic exploitation of children. The education policies were meant to enable children access free education, so as to eliminate economic exploitation. However, school expenses were just one of the many reasons children were economically exploited.

2.3 Structures

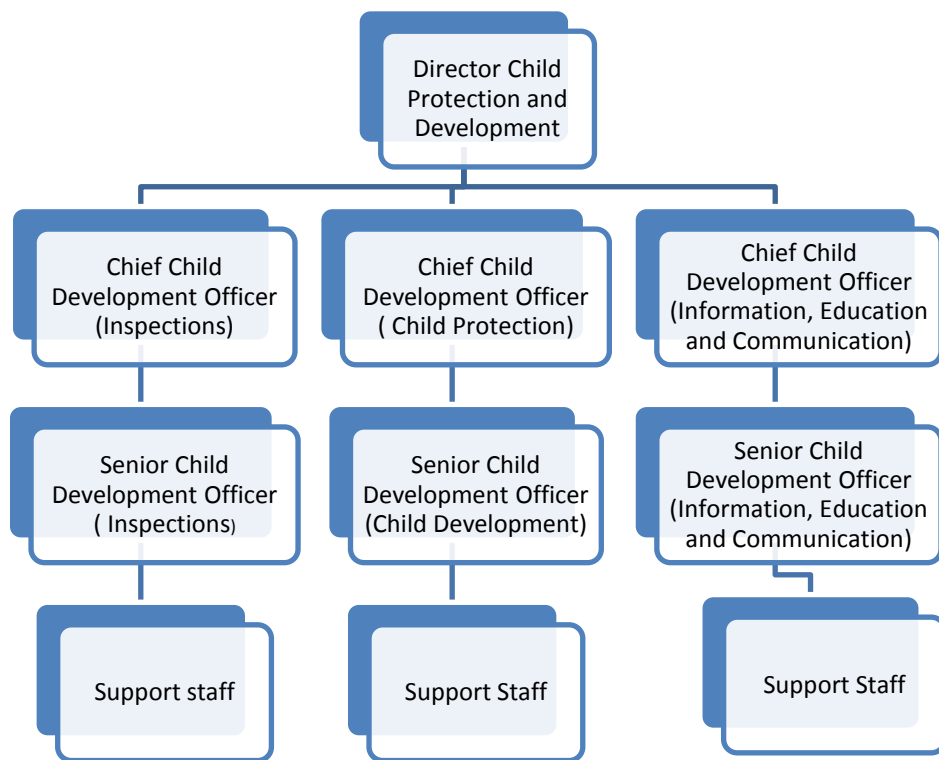
The study found out that the implementation of the NCP fell under the Ministry of Gender and Child Development (MGCD). The MGCD had a Department of Child Protection and Development which dealt with matters of general child protection and development. The department was responsible for the management and implementation of child protection programmes (Ministry of Labour and Social Security, 2011). The implementation was done in collaboration with: other line ministries such as Ministry of Labour and Social Securities; United Nations (UN) Agencies such as the International Labour Organisation; Local Authorities such as the Lusaka City Council; Non-Governmental Organisations (NGOs) such as Children in Need Network (CHIN); and Faith Based Organisations (FBOs) such as the Jesuit Centre for Theological Reflection (Ministry of Labour and Social Security, 2011).

There were various positions in the Department of Child Protection and Development. Each of these was tasked with certain functions related to child protection and development and in particular, protection of children from economic exploitation. These were at national and provincial levels.

2.3.1 National level

The study found out that the Department of Child Protection and Development was responsible for overseeing the implementation of the NCP. The main positions and roles in the Department of Child Protection and Development were:

Figure 2.1: Structure of the Department of Child Protection and Development



Source: Ministry of Gender and Child Development 2014

The Director Department of Child Protection and Development

He/she was responsible for the running of the entire department. The director was

in charge of the strategic operation of the department. He/she coordinated the various actors in the department to ensure the smooth running of the department so that the objectives of the NCP were met (Ministry of Gender and Child Development 2014)

Chief Child Development Officers

Below the director were three unit heads, namely: The Chief Child Development Officer- Child Protection who performed various functions concerned with the actual protection of children, such as protection against economic exploitation. The second one was the Chief Child Development Officer- Inspections who was in charge of coordinating the inspection of child related matters. This for example would be the inspection of child care and caregivers institutions (Ministry of Gender and Child Development, 2014). The third was the Chief Child Development Officer- Information, Education and Communication who was responsible for the collection and dissemination of information concerning child protection and development issues. This included promoting awareness on the rights of the child as well as maintenance of data base on child protection and development programmes (Ministry of Gender and Child Development, 2014).

Senior Child Development Officers

Below each Chief Child Development Officer was a Senior Child Development Officer who assisted in the functions of the unit heads. For instance, the Senior Child Development Officer- Inspections assisted the Chief Child Development Officer- Inspections to coordinate the inspection of child related matters in the country (Ministry of Gender and Child Development, 2014)

National Steering Committee on Child Labour

The study found out that in addition to the structure above, a National Steering Committee on Child Labour was established in September 2000. It had committee members from the MGCD, the MLSS, the MOE, the Zambia Congress of Trade

Unions (ZCTU), Zambia Federation of Employers (ZFE), the University of Zambia, and Lusaka City Council. Other member stakeholders were from CHIN, Christian Council of Zambia, Community Youth Concern, UNICEF, Human Rights Commission, ILO, UNESCO and representatives from employers and workers groups, NGOs, academics and the media. The National Steering Committee on Child Labour's function was to coordinate the national efforts towards elimination of child labour in Zambia (Ministry of Labour and Social Security, 2011).

2.3.2 Provincial level

According to the Ministry of Gender and Child Development (2014) Lusaka Province had a Provincial Child Development Coordinator, a Child Development Officer and Support Staff. They performed functions concerned with child protection and development covering Lusaka Province. They operated in line with and under the supervision of the Chief Child Development Officers from the three units.

Figure 2.2: Structure of the Lusaka Province Department of Child Development



Source: Ministry of Gender and Child Development 2014

2.3.3 District level

There was no official structure for the MGCD at the district level. Issues to do with child economic exploitation at district level were handled by two committees: the District Child Labour Committee under the coordination of the MLSS; and the District Child Protection Committee under the coordination of the MGCD (Understanding Children's Work, 2012). The two committees together coordinated the implementation of the NCP and NCLP at district level. The committees were made up of representatives from all concerned line ministries such as Ministry of Labour and Social Securities; United Nations (UN) Agencies such as the International Labour Organisation; Local Authorities such as the Lusaka City Council; Non-Governmental Organisations (NGOs) such as Children in Need Network (CHIN); and Faith Based Organisations (FBOs) such as the Jesuit Centre for Theological Reflection (Ministry of Labour and Social Security, 2011).

The study found out that these committees performed various functions. These functions included mobilizing communities against child labour, assisting in policy review and development and providing local ownership of programmes against child labour. Other functions were identifying and designing projects for the elimination of child labour, mobilizing resources and going in the field to gather data and produce reports on child economic exploitation.

2.3.3 Community Level

The study found out that no ministerial structure existed at the community level. The MGCD relied on other ministries with structures at the community level. The MGCD usually relied on community welfare officers under the MCDMCH.

From the information above, the study found out that the structure of the MGCD was not adequate to eliminate economic exploitation of children. This was because the MGCD lacked proper child protection structures at district and community levels. This made it difficult to coordinate child protection from the grassroots. The two officers at provincial level, the Lusaka Province Child

Development Coordinator and the Lusaka Province Child Development Officer, were inadequate to deal with cases of economic exploitation of children at district and community level. Understanding Children's Work (2012) also agreed that depending on the district child development committees and child development officers from the MCDMCH was not adequate. This was because the MCDMCH was not the principle ministry for implementing the NCP.

2.4 Child Protection Functions of the Ministry of Gender and Child Development

The MGCD was the primary implementer of the NCP. As such, the study found out that the MGCD provided advocacy on child related issues. The MGCD also provided policy guidelines on issues related to the protection of children against economic exploitation. For instance, in 2006 the Department of Child Protection and Development, then under the Ministry of Sport, Youth and Child Development, conducted a review of the National Child Policy. The review was necessitated among other things, by the desire to include an emphasis on preventing the problem of children being sent to undertake work for pay. In line with that review, a revised National Child Policy was formulated and launched in 2006 (Ministry of Youth Sport and Child Development, 2006). During data collection for this study, the MGCD was undertaking a review of the 2006 NCP.

The Department of Child Protection and Development also initiated review of laws relating to child economic exploitation. The study found out that the Department participated in the review of the 1994 Employment of Young Persons and Children's Act. With the Department's participation, the 1994 Employment of Young Persons and Children's Act was revised in 2004. The revised 2004 Employment of Young Persons and Children's Act reduced the age of employment from 16 to 15. In addition, the revised 2004 Employment of Young Persons and Children's Act also gave a wide range of powers to the labour officers and police officers to prevent economic exploitation of children. Penalties were also increased to include imprisonment of offenders for a term of not less than five

years but not exceeding twenty five years (The Employment of Young Persons and Children Act, Cap 274, 2004).

The study found out that the MGCD also conducted awareness programmes on child economic exploitation programs targeting the community, schools, workers and employers. In Lusaka, the MGCD did this through the Lusaka Province Child Development Department as well as the Lusaka District Child Protection Committee. The awareness involved holding sensitization sessions with parents, children, teachers and community leaders, and drama groups' performances. For instance, the study found out that radio programmes such as the Chongololo club were being aired.

Together with the MLSS, the MGCD monitored and evaluated the effectiveness of programmes dealing with child economic exploitation. The programmes monitored and evaluated in Lusaka City at the time of the study included: Tackling Child Labour through Education and Training (TACKLE); The Time-Bound Programme Support Project (TBP-SP); Cash Transfer Schemes (CTS); School Feeding Programmes (SFP); and the Public Welfare Assistance Scheme (PWAS) (Understanding Children's Work, 2012).

Together with the MLSS, the MGCD also assisted in the mobilization of resources for child labour programmes and child care institutions. The main resources were human, financial and infrastructure (Ministry of Labour and Social Security, 2011). On finances for instance, the MGCD got government funding as well as money sourced from cooperating partners such as UN agencies, ILO. This money was then used to fund programmes and construction of child care infrastructures (Ministry of Labour and Social Security, 2011). Between 2006 and 2011 the Ministry helped lobby international agencies for funding of the School Feeding Program as well as various Social Cash Transfer Schemes (Understanding Children's Work, 2012).

In addition, the MGCD facilitated capacity building programmes for child care institutions and caregivers. The programmes usually involved the organisation of seminars where child care institutions and caregivers were given information on how to look after children as well as how to go about protecting children from being exploited economically. The programmes also included the interpretation of Acts and policies relating to child economic exploitation (Ministry of Labour and Social Security, 2011).

Working with the Central Statistical Office (CSO) and MLSS, the MGCD participated in the maintenance of a database on child protection. Statistics on child economic exploitation were usually developed by the CSO. The MGCD then used that information to come up with reports (Ministry of Gender and Child Development, 2006). These reports helped in the development and implementation of a comprehensive Monitoring and Evaluation System for child protection programmes. The MGCD had used the statistics in the 2005 and 2008 Zambia Labour Force Survey to determine the seriousness of child economic exploitation (Understanding Children's Work, 2012).

The MGCD also facilitated the domestication of conventions and other treaties on the rights of children. In addition, the MGCD also prepared periodic reports on regional and international bodies on Conventions and Treaties on Children's Rights (Understanding Children's Work, 2012). Among these were the Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child (ACRWC), the United Nations Convention on the Rights of the Child (UNCRC), and ILO Convention No. 138 on the minimum age (Understanding Children's Work, 2012). The MGCD used these conventions when coming up with the 1994 NCP. The 1999 ILO Convention on the Worst Forms of Child Labour (no. 182) was also used when coming up with the revised 2006 NCP (Ministry of Sport, Youth and Child Development, 2006).

The study found out that the Lusaka Province Department of Child Development

was in charge of carrying out inspections of incidences of child economic exploitation in Lusaka City. The inspections were done in conjunction with the Lusaka Children Protection Unit (CPU) of the Zambia Police Service.

From the information above, the MGCDs functions were wide ranging and if properly undertaken were effective in eliminating economic exploitation of children in Lusaka City. However, as previously stated, the MGCD lacked adequate personnel. In addition, the MGCD lacked structures at district and community level. This made it difficult to carry out these functions effectively at those levels.

2.5 Stakeholders

The study found out that various line ministries supplemented the efforts of the MGCD in protecting children against economic exploitation. These ministries included the MLSS, the MCDMCH, the Ministry of Education, Science, Vocational Training and Early Education, Ministry of Justice, Ministry of Home Affairs, and Ministry of Agriculture and Livestock. Each of these ministries played vital roles to ensure the successful implementation of the NCP where protection of children against economic exploitation is concerned. The roles played by the ministries included:

2.5.1 Ministry of Labour and Social Security (MLSS)

The MLSS, under the Child Labour Unit (CLU), was in charge of implementing the NCLP. The CLU coordinates with District Child Labour Committees (DCLCs) in 19 of Zambia's 102 districts, including Lusaka (United States Department of Labour's Bureau of International Labour Affairs, 2013). The functions of the MLSS were similar to those of MGCD. The study found that the major difference was that the MLSS tended to look at general child labour rather than a specific focus on child economic exploitation. Some of the MLSS' functions included:

Working with CSO, the MLSS participated in the maintenance of a database on child labour. For instance, using statistics from the Central Statistical Office, the MLSS participated in coming up with the Labour Force Survey Reports. The 2005 and 2008 Labour Force survey Reports had since been published (Central Statistical Office, 2012). These reports showed statistics on the incidence of child labour especially in the formal sector (Understanding Children's Work, 2012). These reports helped in monitoring and evaluating of the effectiveness of various child protection policies and programmes. In addition, using the information such as Labour Force Survey Reports, the MLSS advised the nation on issues of child labour (Ministry of Labour and Social Security, 2011).

The study found out that the MLSS also initiated review of laws, policies and programmes relating to child labour. The CLU was the primary government agency responsible for the implementation and enforcement of child labour laws. In 2011, through initiative of the MLSS, the NCLP was formulated and launched. In addition, according to Ministry of Labour and Social Security (2011) the MLSS participated in the review of the 1994 Employment of Young Persons and Children's Act leading to its revision in 2004. At the time of the study, the MLSS was pushing for the enactment of the Child Labour Act which would have had a comprehensive legal framework for stopping child labour. This was because the MLSS felt that the Employment of Young Persons and Children's Act did not comprehensively cover all forms of child labour.

The study found out that the MLSS, in collaboration with MGCD, shared information with partners on child economic exploitation programs targeting the community, schools, workers and employers. The MLSS conducted awareness programmes on child labour matters as well as monitored and evaluated child labour related programmes. In addition, the MLSS assisted in the mobilization of resources for child labour programmes.

The MLSS also coordinated child labour inspections. This was done in

collaboration with MGCD and the Child Protection Unit (CPU) of the Zambia Police Service. The Zambian Government allocated US\$900,000 in the 2012 budget to carry out labour inspections, rising from US\$136,000 in 2011 (United States Department of Labour's Bureau of International Labour Affairs, 2013). The study found out that in the beginning, child labour inspections were conducted only in formal business establishments. That time however, labour inspectors also conducted inspections in informal settings. For example, in addition to formal business establishments, labour inspectors conducted regular inspection at Soweto Market, along Alick Nkhata Road and around the Lusaka Central Business Area. The study also found out that in June 2013, labour inspectors discovered that a 12 year girl in Avondale was being economically exploited by her aunt who told her to carry out house work. This was after members of the public reported the matter to the Lusaka Labour Office.

The MLSS also enhanced the capacity of labour inspectors to conduct labour inspections. Beginning in 2012, the ILO, UNICEF, and IOM collaborated with the Government of Zambia to provide training to inspectors. The labour inspectors were trained in how to carry out labour inspections, laws related to child labour as well as the powers vested in them under the 2004 Employment of Young Persons and Children's Act (Understanding Children's Work, 2012). In 2012 over 1,300 labour inspections were carried out country wide, over 300 of these were done in Lusaka (United States Department of Labour's Bureau of International Labour Affairs, 2013). The study found out that when the labour inspectors conducted an inspection, the aunt to the girl said that the girl was just carrying out normal house chores. However, armed with their training, investigations reviewed that the aunt was paying the girl's parents for her work. This discovery would not have been possible had it not been for the enhanced capacity of labour inspectors to conduct labour inspections.

The study found out that officers from the MLSS coordinated relevant stakeholders for effective withdrawal, rehabilitation and reintegration of children

engaged in child labour. Once the MLSS identified children who are engaged in child labour, the children were withdrawn from that work. Once withdrawn, the children were rehabilitated through counseling before they were reintegrated back into the community. This reintegration involved taking the child either back to the relatives, an orphanage or referring them to the Ministry of Community Development Mother and Child Health (MCDMCH). In addition the MLSS had developed a tracking mechanism for children withdrawn from child labour (Ministry of Labour and Social Security, 2011). Regular follow ups were conducted to ensure that these children were not back in child labour. The study found out that after labour Inspectors discovered that the girl was being economically exploited, she was withdrawn from the aunt's house. She was then referred to the MCDMCH for rehabilitation and reintegration.

In recognizing the need for filling the gap between Zambia's international obligations and national action, the MLSS developed the National Action Plan for the Elimination of the Worst Form of Child Labour (NAP) in 2009 (Ministry of Labour and Social Security, 2011). All activities in the NAP were integrated into the national development process. In 2011 the Ministry allocated \$10,400 towards raising awareness on and dissemination of the National Action Plan in Lusaka City (United States Department of Labour's Bureau of International Labour Affairs, 2013).

2.5.2 Ministry of Community Development Mother and Child Health (MCDMCH)

The MCDMCH was in charge of the social welfare part of child protection. Among the social welfare functions, the MCDMCH provided social welfare services to economically exploited children. Among these services was the provision of shelter to children who are economically exploited (Ministry of Labour and Social Security, 2011). The study found out that the MCDMCH provided shelter to the exploited girl after she was withdrawn from her aunt's house.

The MCDMCH also provided counseling to children who were economically exploited (Ministry of Labour and Social Security, 2011). In addition to giving her shelter, the study found out that the girl was also counseled. Among the aspects of this counseling was informing the girl that what her aunt had done was wrong and why it was wrong.

The MCDMCH also initiated review of laws relating to children and their welfare. Among the laws the MCDMCH had participated in reviewing included the Affiliation and the Maintenance of Children Act, the Penal Code of 2005, the Adoption Act, Juveniles Act, the 2004 Employment of Young Persons and Children Act, Apprenticeship Act, Zambia Police Act, Births and Deaths Registration Act and Anti Human Trafficking Act of 2008 (Ministry of Labour and Social Security, 2011). The acts had since been made to be child centered. For example, the revision of the Employment of Young Persons and Children Act in 2004 reduced the age of employment from 16 to 15 so as to also protect those children below 16 years old. And the revised Zambia Police Act provided for the creation of the Child Protection Unit (CPU) tasked with responding to cases of child labour (Understanding Children's Work, 2012).

The MCDMCH also formulated programmes on social welfare services. One such programme was the Public Welfare Assistance Scheme (PWAS). It was an in-kind transfer involving the MCDMCH under the Department of Social Welfare. It was evaluated and designed in 1997 and launched in 2000 to offer social assistance to the most vulnerable to meet basic needs. These needs included food, shelter, education, health, and warm clothing (Understanding Children's Work, 2012). The objectives of the programme were to assist beneficiaries to fulfill their basic needs and overcome the problems of extreme poverty and vulnerability. Once this was done, it was hoped that economic exploitation of children and abuses will be lessened since families would have an alternative source of income (Understanding Children's Work, 2012).

Beneficiaries of PWAS were families who were not capable of meeting their own basic needs. Beneficiaries usually included orphans and vulnerable children, and households affected by HIV/AIDS. PWAS worked in every province in Zambia. Over 107,415 individuals had been beneficiaries since its launch in 2000. 10,000s of individuals in Lusaka had benefited (Understanding Children's Work, 2012).

The MCDMCH also assisted in the mobilization of resources for social welfare programmes. The cost of PWAS was to the value of over US\$5 million per year. Part of the funding for the programme came from the Zambian Government. In addition the Government lobbied the shortfalls from the United Nations Children's Fund (UNICEF) and the Danish International Development Agency (DANIDA) among others (United States Department of Labour's Bureau of International Labour Affairs, 2013).

Related to the above, the MCDMCH also provided administrative support to and assisted over 10,000 families in Lusaka through a pilot Social Cash Transfer Program. The programme provided funds on the specific condition that parents sent their children to school rather than to work (Understanding Children's Work, 2012).

The MCDMCH also advised the nation and stakeholders on child labour victims' rehabilitation and integration matters. That was, once children were rehabilitated and integrated, the MCDMCH carried out an assessment and provided a report to relevant stakeholders (Ministry of Labour and Social Security, 2011). These assessments pointed out the successes and problems encountered during the rehabilitated and integration exercise. The study found out that this helped the MCDMCH and stakeholders to make improvements.

One of the problems that the MCDMCH encountered was that of where to take non orphans who had been withdrawn from an exploitation environment. The study found out that to counter this problem, the ministry ran transit homes. In

addition, the MCDMCH placed these children with families, in foster care or in children's homes. For instance, the girl who had been exploited by her aunt was taken to a children's home after her rehabilitation.

2.5.3 Ministry of Education, Science, Vocational Training and Early Education (MESVTEE)

Child labour and children's education were closely interlinked. According to Understanding Children's Work (2012), school-related factors were particularly important in explaining the parents' decisions to stop children from going to school. The study found out that high school fees, lack of interest in schooling and high poverty levels were cited by many parents in explaining why their children were sent to work rather than school. To rectify this, the MESVTEE was in charge of implementing the Free Basic Education Policy as well as the Education Act.

The Free Basic Education Policy outlined the elimination of user fees and school uniforms for basic education (Ministry of Education, 2003). This reduced the pressure for children to be economically exploited so as to raise money for school related expenses. Since the introduction of the Free Basic Education Policy in 2002, enrolment levels in basic education had steadily increased (Understanding Children's Work, 2012). This meant that more children were attending school rather than working

The MESVTEE also provided educational materials and supplementary school feeding for children. The largest School Feeding Programme (SFP) that was operating during the study began in mid-2003. The programme was funded by the World Food Programme in collaboration with Children International (International Labour Organisation, 2013). The SFP sought to address the nutritional needs of children from poor households while improving enrolment and attendance rates as well as children's performance at school (Understanding Children's Work, 2012).

Children in all targeted schools received porridge upon arrival at school every day. By 2013, SFP had fed more than 800,000 out of 3.1 million children who needed feeding (Children International, 2014). In a similar vein, in 2013, the MESVTEE in collaboration with Children International fed more than 5,000 students in various schools in Lusaka. This had led to a 35% increase in attendance of boys and girls in World Food Programme assisted schools. And on average, enrolment rate had increased by 70 % since inception (Children International, 2014).

Under the TACKLE programme, teachers across the country were trained on child labour, children's rights and psychosocial counseling starting in 2008 (International Labour Organisation, 2013). The MESVTEE officials were trained in Supporting Children's Rights through Education, the Arts and the Media (SCREAM) in September, 2008. Teachers were trained on child labour, children's rights, psychosocial counseling and other aspects affecting the child (United States Department of Labour's Bureau of International Labour Affairs, 2013). In Lusaka, the Project facilitated the training of two MESVTEE officials as resource persons in child labour and education in May, 2011. In April, 2013 the project supported provincial trainings for four provincial teams, including Lusaka province, on education and child labour (International Labour Organisation, 2013).

The training has had a positive effect on the integration of child labour concerns at school level and has facilitated the institutional support for children prevented and withdrawn from child labour (International Labour Organisation, 2013). In an effort to eliminate child economic exploitation, 1133 children were withdrawn from conditions of child labour. And 1450 children were prevented from being economically exploited in Zambia under the TACKLE programme (International Labour Organisation, 2013).

2.5.4 Ministry of Justice (MoJ)

The Ministry of Justice handled the legal aspect of protecting children against economic exploitation. The MoJ was the main reviewer of the Constitution, the Employment Act, the Penal Code, the Apprenticeship Act, the Anti-Human Trafficking Act and The Employment of Young Persons and Children Act (Ministry of Labour and Social Security, 2011). The MoJ was the principle reviewer of the 1994 Employment of Young Persons and Children Act. Subsequently the revised 2004 Employment of Young Persons and Children Act was adopted (Employment of Young Persons and Children Act Cap 274, 2004).

In addition, the study found out that the MoJ represented the country on international protocols promoting and protecting children's welfare. The MoJ represented the country on: ILO C138 on Minimum Age; United Nations Convention on the Rights of the Child (CRC); the African Charter on the Rights and Welfare of the Child (ACRWC); and the 1999 ILO Convention on the Worst Forms of Child Labour (No. 182).

Through the Judiciary, the MoJ was in charge of handling judgments on issues of child economic exploitation. The Judiciary determined judgment on cases involving children. The study found out that in 2012, the Judiciary made one conviction on child trafficking. Other cases involving child labour were being prosecuted.

2.5.5 Ministry of Home Affairs (MoHA)

According to the Ministry of Labour and Social Security (2011) the MoHA enforced the law protecting children, register childcare facilities and other social welfare service providers, and register all births of children in the country. The MoHA also provided counseling and protection to victims of child economic exploitation. In 2013, birth registration in Zambia increased from 10% to 50% amongst the under five age group and from 10% to 30 % amongst the 6-14 years age group (UNICEF, 2014). In Lusaka, more than 90% of children had birth

registrations as of 2013 (Lusaka District Health Management Team, 2014). Apart from being the first legal acknowledgement of a child's existence, the registration of births enabled stakeholders to have a picture of the number of children in the country (UNICEF, 2014).

At the time of the study, the MoHA was in the process of establishing an Inter-Ministerial Committee on Human Trafficking. The Committee would coordinate and share information on trafficking issues among government agencies. Nominated members of the committee would be from the Zambia Police Service, the Zambia Department of Immigration, MoJ, MLSS, MoH and MCDMCH (United States Department of Labour's Bureau of International Labour Affairs, 2013).

The Zambia Police Service Children Support Unit (CPU) enforced labour-related laws. The CPU officers conducted inspections and investigations into child labour matters. Specifically, the CPU was seconded to the MGCD and the MLSS to identify and remove economically exploited children from the streets and homes. In addition, the CPU is given powers under the Employment of Young Persons and Children Act to arrest offenders (Ministry of Labour and Social Security, 2011). The 2011 CPU budget was \$653,053 and was expected to increase yearly. A significant percentage of this budget went towards enforcement. In 2012, The CPU employed 12 Child Protection Officers in Lusaka and 70 in the entire country (United States Department of Labour's Bureau of International Labour Affairs, 2013).

2.5.6 Ministry of Health (MoH)

The MoH advocated and enforced the exemption policy in health care services (Ministry of Labour and Social Security, 2011). The study found out that the Zambian Government had put in place Cost Sharing Exemption Policies (CSEP) in public health institutions. The CSEP was to assist members of the public who could not afford to pay for treatment. Furthermore, the study found out that

Children with injuries and illnesses as a result of economic exploitation were exempted from paying medical fees.

2.5.7 Ministry of Local Government and Housing (MLGH)

The MLGH established children's play parks. The MLGH also passed and enforced by-laws to protect the welfare of children and other vulnerable persons. The MLGH also provided land for construction of facilities for children and other vulnerable Persons. In addition, the MLGH provided shelter for use as transit homes or places of safety (Ministry of Labour and Social Security, 2011).

2.5.8 Ministry of Finance (MoF)

The MoF handled all financial matters relating to child labour. These included functions such as: facilitating planning and budgeting for child labour programmes; providing advice on financial matters related to child labour programmes and mobilizing and allocating adequate resources for child labour programmes (Ministry of Labour and Social Security, 2011). Other functions included monitoring the utilization of public resources allocated to child labour programmes as well as ensuring timely and adequate disbursement of funds (Ministry of Labour and Social Security, 2011). Government funds for the SFP, CTS and PWAS programmes, for example, were handled by MoF (Understanding Children's Work, 2012).

The MoF also generated adequate and up to date data on social and economic statistics for planning purposes. To this effect, the Ministry, through the Central Statistical Office, produced the 2005 and 2008 Labour Force Survey. The Survey showed statistics on child labour in Zambia (Central Statistical Office, 2013).

2.5.9 Ministry of Agriculture and Livestock (MAL)

The MAL provided technical support and agricultural extension services and ensured food security. MAL implemented the Food Security Pack (FSP) which provided basic agricultural inputs, technology transfers and training to vulnerable

small scale farmers in form of low-interest loans (Understanding Children's Work, 2012). Every year about 300,000 individuals were targeted at community level throughout the country. This was following realization that poverty was at the root of child economic exploitation (Understanding Children's Work, 2012).

As could be seen from the information above, the functions of the other ministries which supplement the efforts of MGCD had an impact on eliminating child economic exploitation. And if properly undertaken these functions seemed effective. However, most of the functions of the various ministries seemed to overlap. For instance, both the MGCD and the MLSS performed the functions of labour inspections and initiating labour laws related to child development.

There were also too many institutions that implemented the NCP which made coordination difficult. For example, the MGCD prevented children from entering the labour market prematurely. Withdrawing children who were already working was primarily done by the MLSS. Rehabilitating and reintegrating the children into the community was done by the MCDMCH. Finally, prosecuting offenders was done by the MoJ through the Judiciary. This would create difficulties in coordination. In addition, the process from prevention, withdraw, rehabilitation, reintegration and prosecution would take longer than it would have if only one ministry was involved.

2.6 Conclusion

The Zambian Government had put in place various legal instruments aimed at eliminating child economic exploitation. These included the 2004 Employment of Young Persons and Children's Act, the 1996 Education Act, the 2006 NCP, the 2011 NCLP, and the 2002 Free Basic Education Policy. However, there was no specific Child Labour Act. This led to lack of comprehensive laws aimed at protecting the children against economic exploitation of children. The Employment of Young Persons and Children's Act was inadequate. In addition, other than the 2006 NCP, the legal instruments did not have a specific focus on

child economic exploitation.

The Government had also created the Department of Child Protection and Development in the MGCD. The Department had structures at national and provincial levels. The functions of the department included: provision of advocacy and policy guidelines; initiating review of laws; conducting awareness programmes; and monitoring and evaluating the effectiveness of programmes dealing with child economic exploitation. However, the MGCD lacked proper child protection structures at district and community levels. This made it difficult to coordinate child protection from the grassroots. The two officers at provincial level, the Lusaka Province Child Development Coordinator and the Lusaka Province Child Development Officer, were inadequate in dealing with cases of economic exploitation of children at district and community level.

Other than the MGCD, stakeholders in the protection of children against economic exploitation in Lusaka City included line ministries such as: the MLSS in charge of implementing the NCLP; the MCDMCH in charge of the social welfare part of child protection; the MoHA enforced the laws protecting the children; and the MESVTEE which implemented the Free Basic Education Policy, the Education Policy as well as the Education Act. Unfortunately, some of the functions of these ministries seemed to overlap. There were also too many ministries that implemented the NCP which made coordination difficult and time consuming.

CHAPTER THREE: EXTENT TO WHICH CHILDREN ARE PROTECTED AGAINST ECONOMIC EXPLOITATION

3.1 Introduction

This chapter answers the question “to what extent are children protected against economic exploitation in Lusaka City?” As such, the chapter looks at the MGCD’s perception as well as field data on the levels of economic exploitation of children in Lusaka City. Categories of children most economically exploited in Lusaka City are also looked at. The main types of economic activities children are sent to carry out are given. In addition, the chapter also explores how children feel about being sent to carry out work in order to earn money. Finally reasons why children thought it was right or wrong to be sent to carry out work for monetary gain are given before a conclusion is drawn.

3.2 Levels of Economic Exploitation

A key component to reducing economic exploitation of children in Lusaka City, involved knowing the levels of this economic exploitation. This could be done by knowing how many children had at one point or another, been sent to carry out work for monetary gain.

Table 3.1: Have you ever been sent to carry out work for monetary gain?

	Frequency	Percent
Yes	107	35.7
No	193	64.3
Total	300	100.0

Source: Primary Data

In table 3.1 above the study found that out of 300 children, 107 (35.7%) said they had been sent to carry out work for monetary gain. In addition, 195 (64.3%) said they had not been sent to carry out work for monetary gain. This meant that the level of child economic exploitation, 35.7%, was high. In addition, all three

officials interviewed from the MGCD were aware that children were economically exploited in Lusaka city. In addition, they viewed the level of economic exploitation of children in Lusaka City to be high.

About 48% of children in Zambia were economically exploited in 2005, before the NCP was revised (Understanding Children's Work (2012)). In Lusaka, 35.7% represented a 12.3% reduction in child economic exploitation since the revised NCP was launched in 2006. However, the reduction was not adequate because a 35.7% rate of child economic exploitation was still too high. In addition, a research by Bola (2007) suggested that 32% of parents/guardians in Lusaka reported to have economically exploited their children. This implies that between 2007 and 2014, there was an increase in child economic exploitation of 3.7%.

3.3 The Categories of Children Most Economically Exploited

It was important to know the impact of residential area, gender, age, and parents' employment status on the levels of economic exploitation of children.

Table 3.2: Gender/Have you ever been sent to carry out work for monetary gain? Cross tabulation

		Gender		Total
		Male	Female	
Have you ever been sent to carry out work for monetary gain?	Yes	42 32.6%	65 38.0%	107 35.7%
	No	87 67.4%	106 62.0%	193 64.3%
Total		129 100.0%	171 100.0%	300 100.0%

Source: Primary Data

As shown in table 3.2 above, out of the 129 male children, 42 (32.6%) had been

sent to carry out work for monetary gain while 87 (67.4%) had not been sent to carry out work for monetary gain. Out of the 171 females 65 (38%) had been sent to carry out work for monetary gain while 106 (62%) had not been sent to carry out work for monetary gain.

From these findings, slightly more female children (38%) were economically exploited than males (32.6%). The results showed that there was no significant gender difference when it came to economic exploitation of children in Lusaka City, though female children were slightly more exploited. In line with this, a study by Bola (2007) suggested that slightly more female children reported economic exploitation than males. This was because male children tended to view this exploitation as part of growing up rather than work.

Table 3.3: Age/Have you ever been sent to carry out work for monetary gain? Cross tabulation

		Age			Total
		5 to 7	8 to 10	11 to 14	
Have you ever been sent to carry out work for monetary gain?	Yes	14 18.9%	36 38.3%	57 43.2%	107 35.7%
	No	60 81.1%	58 61.7%	75 56.8%	193 64.3%
Total		74 100.0%	94 100.0%	132 100.0%	300 100.0%

Source: Primary Data

Table 3.3 above shows that, out of the 74 children between the 5-7 years age group, 14 (18.9%) had been sent to carry out work for monetary gain while 60 (81.1%) had not been sent to carry out work for monetary gain. Out of the 94 children between the 8-10 years age group, 36 (38.3%) had been sent to carry out

work for monetary gain while 58 (61.7%) had not been sent to carry out work for monetary gain. In addition, out of the 132 children between the 11-14 years age group, 57 (43.2%) had been sent to carry out work for monetary gain while 75 (56.8%) had not been sent to carry out work for monetary gain.

From these findings, children in the 11-14 age groups (43.2%) and the 8-10 age groups (38.3%) were prone to economic exploitation. Children in the 5-7 years age group (18.9%) were the least economically exploited. The reasons for the above differences might have been that the 11-14 and 8-10 age groups were considered to be physically able to carry out the work. This was in line with the findings of Understanding Children's Work (2012) which showed that most of the work the children were sent to carry out, such as stone crushing, tended to be physical. As a result, parents and guardians tended to send older children.

Table 3.4: Where do you reside? /Have you ever been sent to carry out work for monetary gain? Cross tabulation

		Where do you reside?			Total
		Low density area	Medium density area	High density area	
Have you ever been sent to carry out work for monetary gain?	Yes	12 15.0%	27 27.0%	68 56.7%	107 35.7%
	No	68 85.0%	73 73.0%	52 43.3%	193 64.3%
Total		80 100.0%	100 100.0%	120 100.0%	300 100.0%

Source: Primary Data

As table 3.4 above shows, out of the 80 children who lived in low density areas,

12 (15%) had been sent to carry out work for monetary gain while 68 (85%) had not been sent to carry out work for monetary gain. Out of the 100 children who lived in medium density areas, 27 (27%) had been sent to carry out work for monetary gain while 73 (73%) had not been sent to carry out work for monetary gain. In addition, of the 120 children who lived in high density areas 68 (56.7%) had been sent to carry out work for monetary gain while 52 (43.3%) had not been sent to carry out work for monetary gain.

These findings showed that children who lived in high density areas were prone to economic exploitation with more than one in every two (56.7%) children being economically exploited. In addition, children living in low density areas (15%) were less prone to economic exploitation. According to the Central Statistical Office (2013) statistics showed that high density areas had high levels of poverty. Most of the population was either not employed or employed in the informal sector. Children in high density areas might therefore have been the most economically exploited due to the need to supplement family income.

Table 3.5: Who do you stay with? /Have you ever been sent to carry out work for monetary gain? Cross tabulation

		Who do you stay with?		Total
		Parents	Guardians	
Have you ever been sent to carry out work for monetary gain?	Yes	72 30.4%	35 55.6%	107 35.7%
	No	165 69.6%	28 44.4%	193 64.3%
Total		237 100.0%	63 100.0%	300 100.0%

Source: Primary Data

Table 3.5 above shows that out of the 237 children who lived with their parents, 72 (30.4%) had been sent to carry out work for monetary gain while 165 (69.6%) had not been sent to carry out work for monetary gain. In addition, out of the 63 children who lived with guardians, 35 (55.6%) had been sent to carry out work for monetary gain while 28 (44.4%) had not been sent to carry out work for monetary gain.

The findings showed that children who lived with guardians (55.6%) were more likely to be economically exploited than those who lived with their parents (30.4%). This was in line with the views of Thomas (1995) who said that the majority of the reported cases of child economic exploitation were perpetrated by guardians rather than parents. This was because since parents had high levels of emotional attachment to their children, they were usually more protective of their children as compared to guardians. This could mean that parents were reluctant to send their children to carry out work for monetary gain while the guardians might not have the reluctance.

Table 3.6: What is your social status? /Have you ever been sent to carry out work for monetary gain? Cross tabulation

		What is your social status?			Total
		Double orphaned	Single orphaned	Both parents are alive	
Have you ever been sent to carry out work for monetary gain	Yes	23 59.0%	38 54.3%	46 24.1%	107 35.7%
	No	16 41.0%	32 45.7%	145 75.9%	193 64.3%
Total		39 100.0%	70 100.0%	191 100.0%	300 100.0%

Source: Primary Data

As table 3.6 above shows, out of the 39 children who were double orphaned, 23 (59%) had been sent to carry out work for monetary gain while 16 (41%) had not been sent to carry out work for monetary gain. In addition, out of the 70 children who were single orphaned, 38 (54.3%) had been sent to carry out work for monetary gain while 32(45.7%) had not been sent to carry out work for monetary gain. Also, of the 191 children who had both parents alive, 46 (24.1%) had been sent to carry out work for monetary gain while 145 (75.9%) had not been sent to carry out work for monetary gain.

The findings showed that children who were orphaned were the most economically exploited. This was in line with Understanding Children's Work (2012) findings that vulnerable children such as orphans stood a higher risk of being economically exploited than non-vulnerable children. This again was because parents were reluctant to send their children to carry out work for monetary gain while the guardians might not have this reluctance. In addition, this was also because the guardians might have seen the children as a burden and therefore expected them to make a financial contribution to their upkeep.

Table 3.7: What is the sex of the head of the household? /Have you ever been sent to carry out work for monetary gain? Cross tabulation

		What is the sex of the head of the household?		Total
		Male	Female	
Have you ever been sent to carry out work for monetary gain?	Yes	68 30.2%	39 52.0%	107 35.7%
	No	157 69.8%	36 48.0%	193 64.3%
Total		225 100.0%	75 100.0%	300 100.0%

Table 3.7 above shows that out of the 225 children in male headed households, 68 (30.2%) had been sent to carry out work for monetary gain while 157 (69.8%) had not been sent to carry out work for monetary gain. In addition, out of the 75 children who lived in female headed households, 39 (52%) had been sent to carry out work for monetary gain while 36 (48%) had not been sent to carry out work for monetary gain.

The findings showed that children who lived in female headed households (52%) were nearly twice more likely to be economically exploited than those who lived in male headed households (30.2%). This was in line Bola (2007) study conducted in Lusaka which showed that 20% of men and 44% of women reported to have economically exploited their children. Bola (2007) argued that this could have been the result of the Zambian culture where men tended to consider sending children to help with family income as a sign of weakness. This was not so for women who tended to welcome all the help they could get.

Table 3.8: Is the head of the household employed? /Have you ever been sent to carry out work for monetary gain? Cross tabulation

		Is the head of the household employed?		Total
		Yes	No	
Have you ever been sent to carry out work for monetary gain?	Yes	79 30.9%	28 63.6%	107 35.7%
	No	177 69.1%	16 36.4%	193 64.3%
Total		256 100.0%	44 100.0%	300 100.0%

Source: Primary Data

Table 3.8 above shows that out of the 226 children in households headed by someone employed, 79 (30.9%) had been sent to carry out work for monetary gain while 177 (69.1%) had not been sent to carry out work for monetary gain. In addition, out of the 44 children who lived in households headed by someone not employed, 28 (63.6%) had been sent to carry out work for monetary gain while 16 (36.4%) had not been sent to carry out work for monetary gain.

The findings showed that children who lived in households headed by someone who was not employed (63.6%) were more than twice likely to be economically exploited than those who lived in households headed by someone who was employed (30.9%). According to Central Statistical Office (2013) employment determined the levels of income in a household. That is households whose head was unemployed had low levels of income. As a result, children who lived in households headed by someone who was unemployed were prone to economic exploitation due to the need to supplement family income.

Table 3.9: In what sector is the head of household employed? /Have you ever been sent to carry out work for monetary gain?

		In what sector is the head of household employed?		Total
		Formal	Informal	
Have you ever been sent to carry out work for monetary gain?	Yes	25 16.9%	54 50.0%	79 30.9%
	No	123 83.1%	54 50.0%	177 69.1%
Total		148 100.0%	108 100.0%	256 100.0%

Source: Primary Data

Table 3.9 above shows that out of the 148 children in households headed by someone employed in the formal sector, 25 (16.9%) had been sent to carry out work for monetary gain while 123 (83.1%) had not been sent to carry out work for monetary gain. In addition, out of the 108 children who lived in households headed by someone employed in the informal sector, 54 (50%) had been sent to carry out work for monetary gain while 54 (50%) had not been sent to carry out work for monetary gain.

Therefore, the results suggested that children who lived in households headed by someone who was employed in the informal sector (50%) were more prone to economic exploitation than those who lived in households headed by someone employed in the formal sector (16.9%). The Central Statistical Office (2013) stated that the income of individuals employed in the formal sector was generally more than three times higher than that of those employed in the informal sector. Therefore, children who lived in households headed by someone who was employed in the informal sector were prone to economic exploitation due to the need to supplement family income.

3.4 Main Types of Economic Activities Children are sent to carry out

There were a variety of economic activities that children were involved in.

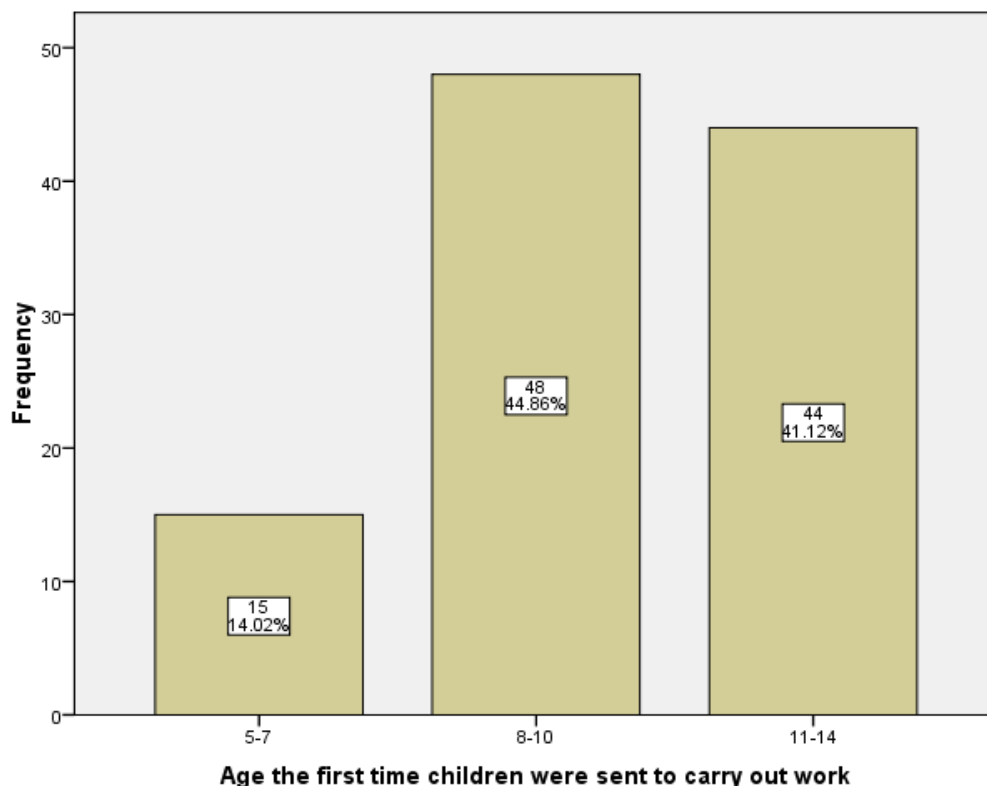
Table 3.10: What kind of work are you sent to carry out for monetary gain?

	Frequency	Percent
Selling food items	86	80.4
Stone crushing	11	10.3
House keeping	8	7.5
Begging in the streets	2	1.9
Total	107	100.0

Source: Primary Data

The findings showed that the majority (80.4%) of child economic exploitation in Lusaka City involved sending children to go and sale food items. These results were in line with the views of key informants. They argued that child protection officers and Labour Inspectors mostly targeted activities considered hazardous and harmful to the health and safety of the children. As such the majority of children were sent to sale food items since it was considered less hazardous and harmful and was thus overlooked by the authorities.

Figure 3.1: The first time children were sent to carry out work When was the first time you were sent out to carry out this work?



Source: Primary Data

Figure 3.1 above shows that out of the 107 children who were sent to carry out work for monetary gain, 15 (14%) were first sent when they were 5-7 years old. In addition, 48 (44.9%) were first sent when they were 8-10 years old and 44 (41.1%) were first sent when they were 11-14 years old.

The findings showed that most children (44.9%) began to be economically exploited between the ages of 8-10. The results also suggested that children as young as 5-7 years of age were also economically exploited. These results were in line with Understanding Children's Work (2012) which stated that prevention programmes were targeted at the 8-14 age group as they were the most economically exploited.

The study further found out that the assumption was that few children were economically exploited when they were between the ages of 5 and 7 because they were not physically and mentally able to carry out the work. Work such as selling food items and crushing stones required physical and mental efforts which children younger than seven did not adequately possess. However this did not mean that it was right to economically exploit children just because they were physically and mentally able to carry out the work.

Table 3.11: When was the last time you were sent out to carry out this work?

	Frequency	Percent
Very recently (Days ago)	82	76.6
Recently (Weeks ago)	9	8.4
Some time ago (Months ago)	13	12.1
A long time ago (Years ago)	3	2.8
Total	107	100.0

Source: Primary Data

Figure 3.11 above shows that at the time of the research, out of the 107 children who were sent to carry out work for monetary gain, 82 (76.6%) were last sent days ago. In addition, 9 (8.4%) were last sent weeks ago, 13 (12.1%) were last months ago and 3 (2.8%) were last sent a years ago.

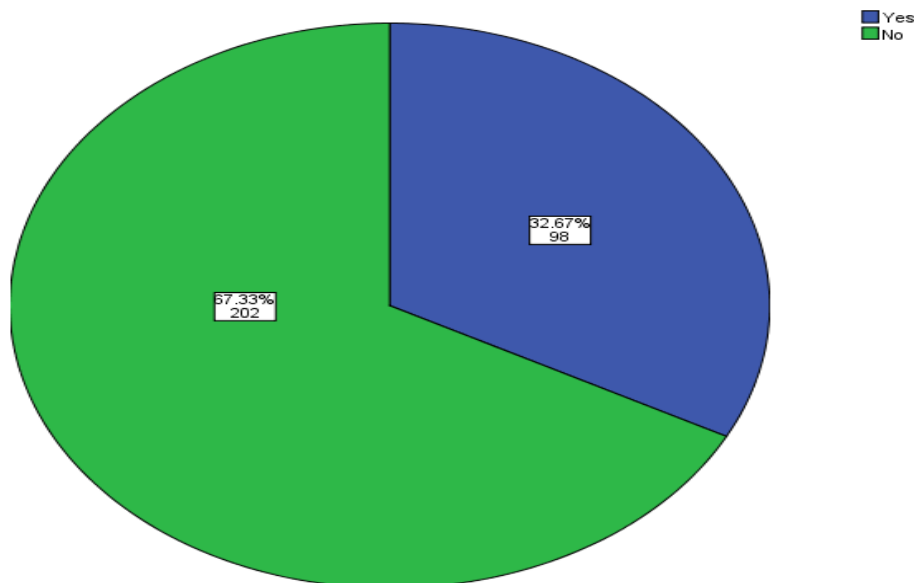
The findings showed at the time of the study, the majority (76.6%) of

economically exploited children in Lusaka City werestill being exploited.Very few (2.8%)had ceased being exploited. This meant that economic exploitation of children in Lusaka City was an ongoing activity.

3.5 How Children feel about being Economically Exploited

One way in which economic exploitation of children could have been reduced wasif children were aware that the exploitation constituted child abuse,was illegal and therefore wrong. If this happened, the children might actively participate in its elimination by resisting being economically exploited (Ministry of Sport, Youth and Child Development, 2006).

Figure 3.2: Do you think it is right to send children to carry out work so that they earn money for the family?



Source: Primary Data

Figure 3.2 above shows that of the 300 children, 98 (32.7%) thought that it was right to be sent to carry out work for monetary gain. On the other hand, 202 (67.3%) thought that it was wrong to be sent to carry out work for monetary gain.

This meant that the majority (67.3%) of the children thought that it was wrong to

be economically exploited. However, a significant proportion (32.7%) also felt that it was right to be economically exploited. Although a high proportion of children considered economic exploitation as being wrong, there was still need for more awareness efforts. This was to ensure that more and preferably all children were aware that it was wrong for them to be economically exploited. According to the Ministry of Sport, Youth and Child Development (2006) once children were aware that child economic exploitation was wrong, they might be able to resist.

Table 3.12: Whether children had ever been sent to carry out work for monetary gain and whether they thought it was right

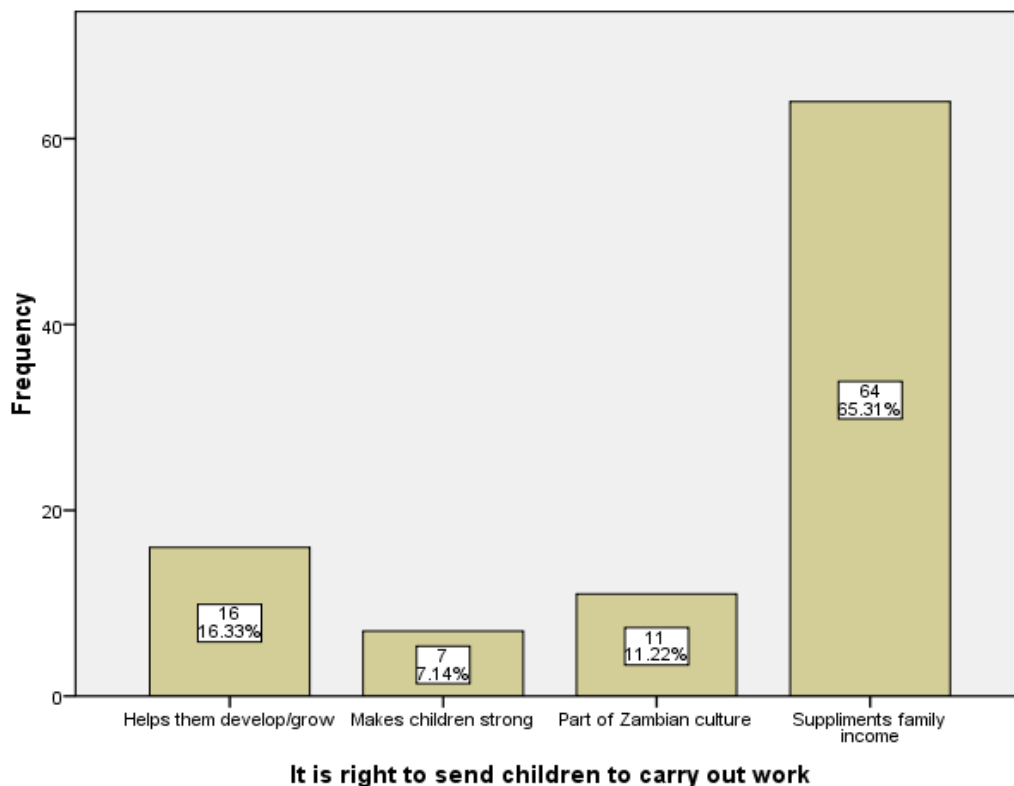
		Have you ever been sent to carry out work for monetary gain?		Total
		Yes	No	
Do you think it is right to send children to carry out work so that they earn money for the family?	Yes	64 59.8%	34 17.6%	98 32.7%
	No	43 40.2%	159 82.4%	202 67.3%
Total		107 100.0%	193 100.0%	300 100.0%

Source: Primary Data

Table 3.12 above shows that out of the 107 children who had been sent to carry out work for monetary gain, 64 (59.8%) thought that it was right to be sent to carry out work for monetary gain. However, 43 (40.2%) thought that it was not right to be sent to carry out work for monetary gain. Further, out of the 193 who had not been sent to carry out work for monetary gain, 34 (17.6%) thought that it was right to be sent to carry out work for monetary gain. In addition, 159 (82.4%) thought that it was not right to be sent to carry out work for monetary.

This meant that most of the children (59.8%) who were economically exploited were not aware that economic exploitation of children was wrong. They felt that it was right to be economically exploited. As a result, they were not likely to report or resist being economically exploited in future. The key informants stated that investigations into child economic exploitation were launched only when someone reported the practice to the MGCD or other stakeholders. As such, the majority of economically exploited children were likely to continue being exploited. In addition, most of the children (82.4%) who were not economically exploited were aware that economic exploitation of children was wrong. As such, in line with Ministry of Sport, Youth and Child Development (2006), they might be able to resist being economically exploited in future.

Figure 3.3: Reasons why children thought it was right to be sent to carry out work so that they earn money for the family.



Source: Field Data

Figure 3.3 above shows that out of the 98 children who said that it was right to be sent to carry out work for monetary gain, 16 (16.3%) felt that it helped them develop or grow. In addition, 7 (7.2%) felt that it made them strong, 11 (11.2%) felt that it was part of the Zambian culture while 64 (65.3%) felt that it supplemented family income.

Most (65.3%) of the children felt that it was right to be economically exploited as it helped to supplement family income. These results were similar to Understanding Children's Work (2012) whose evaluation was that poverty was at the root of child economic exploitation.

Table 3.13: Reasons why children thought it was wrong to be sent to carry out work so that they earn money for the family.

	Frequency	Percent
Hinders the children's personal development	38	18.8
Puts children in danger	34	16.8
Interferes with the children's education	96	47.5
It's illegal/child abuse	34	16.8
Total	202	100.0

Source: Field Data

Table 3.13 above shows that out of the 202 children who said it was wrong to be sent to carry out work for monetary gain, 38 (18.8%) felt that it hindered the children's personal development. In addition, 34 (16.8%) felt that it put children in danger, 96 (47.5%) felt that it interfered with the children's education while 34 (16.8%) felt that it was illegal/child abuse.

The majority (47.5%) of children felt that economic exploitation of children interfered with their education. However, very few (16.8%) were aware that

economic exploitation of children constituted child abuse and was therefore illegal. This meant that the awareness efforts carried out by the MGCD and the MLSS were not overly effective in communicating the illegal nature of child economic exploitation. This also meant that very few children might report cases of economic exploitation to enable the MGCD and other stakeholders to take action.

3.6 Conclusions

All three officials interviewed from the MGCD were aware of serious levels of child economically exploitation in Lusaka City. There was a reduction in economic exploitation of children in Lusaka City since the NCP was launched in 2006 from 48% in 2005 to 35.7% in 2014. However, this reduction was not significant as the proportion (35.7%) of exploitation was still too high. The following categories of children were more likely to be economically exploited: 43.2% of children in the 11-14 age group; 56.7% of children who lived in high density areas; 55.6% of children who lived with guardians; 59% children who were double orphaned; 52% of children who lived in female headed households; 63.6% of children who lived in households headed by someone who was not employed; and 50% of children who lived in households headed by someone who was employed in the informal sector.

Economic exploitation of children usually took the forms of: selling food items (80.4%); crushing stone (10.3%); housekeeping (7.5%); and begging in the streets (1.9%). Children as young as 5-7 years of age or less (14%) were also economically exploited. In addition, economic exploitation of children in Lusaka City was an ongoing activity as 76.6% of children were last economically exploited just days before the research was conducted.

Although a majority (67.3%) of the children thought that it was wrong to be economically exploited, a significant proportion (32.7%) also felt that it was right to be economically exploited. In addition, more (59.8%) children who had been

economically exploited thought that it was right as compared to only 17.6% of those who had not been economically exploited. Most (65.3%) of the children who felt that it was right to be economically exploited argued that it supplemented family income. Most (47.5%) of the children who felt that it was wrong to be economically exploited argued that it interfered with the children's education. However, few (16.8%) felt that economic exploitation of children was illegal/child abuse.

CHAPTER FOUR: PROBLEMS FACED BY INSTITUTIONS CREATED TO PROTECT CHILDREN AGAINST ECONOMIC EXPLOITATION

4.1 Introduction

This chapter answers the question “what problems are faced by institutions created to protect children against economic exploitation in Lusaka City?” In order to effectively protect children against economic exploitation, service providers should be adequate in number, functions and staffed with trained personnel who are able to effectively discharge their duties. There is also need for service providers to be adequately funded so as to meet all the costs as well as all other necessities.

Therefore, the chapter contains the following sections: Child Labour Act; Institutional functional congruence; district and community structures; income levels in the community; ministerial stability; NCP specific focus on prevention of child economic exploitation; relationship between service providers; members of the public; and mechanisms for monitoring the implementation process. Finally the chapter presents a conclusion.

4.2 Poor Legal Framework

The study found out that Zambia did not have a specific Child Labour Act. Issues of child labour are mentioned, usually in passing, in various Acts. This had led to Zambian law pertaining to the subject of child economic exploitation being somewhat ambiguous. The constitution defined a “young person” as any person under the age of 15. The Penal Code Cap 87 (as amended by Act Number 17 of 2007) defined a child as anyone below the age of 16. The Intestate Succession Act Cap 59 (as amended by Act Number 13 of 1994) defined a child as one aged from birth with no maximum age. While part one of the Juvenile Act Cap 53 defined a child as anyone below the age of 19. The Employment of Young Persons and Children Act Cap 274 of 2004 on the other hand defined a child as anyone 14 years old or younger.

In addition, the Employment of Young Persons and Children Act Cap 274 of 2004 established 14 as the minimum age for employment. However, children working in subsistence agriculture, domestic service or the informal sector were not covered by this Act. The Zambian Constitution provided for the protection of young persons from exploitation and prohibited forced labour. The constitution allowed, however, for an Act of Parliament to allow for the employment of a young person for a wage under certain conditions. This lack of harmonization on the definition of who a child was caused confusions when implementing child economic exploitation programmes.

The Employment of Young Persons and Children Act Cap 274 of 2004 provided for penalties in the case of illegal employment of a child or young person. However, at the time of the study, there had been only one known completed prosecution for violations of the law. According to the United States Department of Labour's Bureau of International Labor Affairs (2014) in Zambia, child labour cases were rarely prosecuted. Violators of child labour laws received mediation or counseling. Unfortunately, this was not effective as the chances of repeat offences were high.

The study found out that usually, when a child was economically exploited, there were three parties involved. These are: the perpetrator or person who sent the child to carry out work for monetary gain; the employer or the person who employed the child; and the consumer (customer) of the activities of economically exploited children. All these three parties should be discouraged from economically exploiting children if children were to be effectively protected. However, the law at the time ignored the consumers of the activities of economically exploited children.

In addition, the gaps in the laws led to situations where institutions failed to protect all the children who required protection against economic exploitation. The study found out that it became difficult to stop children who were found

selling in the streets because they were usually sent by their parents. This meant that in line with the Employment of Young Persons and Children Act Cap 274 of 2004, these children were considered to work for a family undertaking. That is, the Act allowed for children to work in an undertaking where all employees were members of the same family.

4.3 Funding

To adequately protect children against economic exploitation, there was need to carry out child labour inspections, prevention, withdraw and rehabilitation programmes. To be successful, these programmes needed to be well funded, especially by the government (Ministry of Sport, Youth and Child Development, 2006).

However, according to Save the Children (2014) the budget allocation to child protection in Zambia was the smallest of all allocations related to children. The largest was education, and then in descending order, health, housing and community amenities, social protection, recreation, and culture. In addition, departments that dealt with child protection often did not receive all the funds that were allocated to them.

Table 4.1 below shows a general increase in allocations, except for Places of safety, between 2012 and 2013. The total national budget for running child labour inspections, prevention, withdraw and rehabilitation programmes stood at K65,795,440 in 2012 and K83,155,367 in 2013.

According to Children International (2014) with Lusaka's 2013 population of 885,562 children, running child labour inspections, prevention, withdraw and rehabilitation programmes would cost around US\$ 17.6 million (K112.64 million) per year. This meant that the 2013 national budget for child protection programmes was not even enough to cover Lusaka City alone.

In addition, the government allocated K782, 000 in 2012 and K1, 332,812 in 2013 to carry out labour inspections (GRZ, 2013). Even though there was an increase from the 2012 budget, the funds allocated were not even enough to cover Lusaka City alone (United States Department of Labor’s Bureau of International Labor Affairs, 2013).

Table 4.1: Government budget for child protection programmes

Programme	2012	2013
Child Protection Division	No allocation	K200,023
Social Cash Transfer (GRZ)	K11,500,000	K17,500,000
Social Cash Transfer (Donor Funds)	K44,000,000	K54,626,522
Places of Safety	K175,000	K70,000
Public Welfare Assistance Scheme (PWAS)	K9,495,940	K9,495,940
Labour Inspections	K782,000	K1,332,812
Total	K65,795,440	K83,155,367

Source: 2013 Budget Yellow Book

Inadequate funding meant that just over 300 labour inspections were carried out in Lusaka City in 2012. As of 2012, Lusaka had 358,871 households and a vast number of formal and informal business entities (Central Statistical Office, 2012). To be effective, child labour inspections needed to be carried out repeatedly throughout the year (United States Department of Labor’s Bureau of International Labor Affairs, 2013). The 300 labour inspections carried out in Lusaka in 2012 were therefore not adequate.

As stated earlier in chapter two, the SFP run by the government and its cooperating partners was aimed at feeding children in schools across the country so as to reduce financial burden on the parents. However, because of financial constraints, by 2013 SFP had fed only about 800,000 out of 3.1 million children who needed feeding (Children International, 2014). In a similar vein, PWAS covered 6,500 communities in Zambia, with 166,559 individuals receiving benefits in 2013. However, because of financial constraints, the programme was also operating below the target of 200,000 beneficiaries per year (Understanding Children's Work, 2013).

Lusaka had ninety eight (98) registered government run primary schools and twenty five (25) basic and secondary schools. The city also had two hundred and forty (240) community schools (Ministry of Education, 2013). In 2013, the Zambian government through MESVTEE in collaboration with Children International fed some 5,000 students in various schools in Lusaka. This number was very inadequate. In addition, in Lusaka, only nine schools were reached (Children International, 2014). Children International (2014) also stated that the plan was to reach all public primary and community schools in Lusaka and Zambia as a whole. Unfortunately, lack of funds prevented this.

4.4 Institutional Functional Overlap

As indicated in chapter two, there were three main ministries charged with protecting and providing for the welfare of children. These were the MLSS, MGCD and MCDMCH. However, the study found out that none of these ministries was clearly responsible for inter-ministerial coordination. In addition, some of the functions of these ministries tended to overlap. For example, the MGCD, MLSS and MCDMCH all performed the function of raising awareness and initiating policies and legislation related to child labour. This led to duplication of functions and confusion in terms of which ministry should take the lead.

For instance, the study found out that the MGCD lacked statistics on the levels of economic exploitation in Lusaka City. This was because the MGCD claimed that these statistics were handled by the Central Statistical Office and the MLSS. However, the MLSS also tended to be reluctant in gathering these statistics as they expected MGCD to do it. Because of this overlapping, the end result was that statistics were not collected.

In a similar vein, the CLU was the primary government agency responsible for implementing and enforcing child labour laws. The Zambia Police Service Child Protection Unit (ZPS CPU) worked with MLSS officials to identify and remove vulnerable children from the streets (Ministry of Labour and Social Security, 2011). The ZPS CPU also worked with District Street Children Committees to place street children in the worst forms of child labour with families, in foster care, or in children's homes. The ZPS CPU also collaborated with the Ministry of Justice to investigate and prosecute child labour cases. However, enforcement actions were not carried out effectively in some cases as a result of overlapping responsibilities and communication lapses (United States Department of Labor's Bureau of International Labor Affairs, 2013).

Implementation of the NCP was done with cooperating partners. These included line Ministries, UN agencies, local authorities, NGOs, CBOs and FBOs (MLSS, 2011). Overlapping of functions and responsibilities therefore led to cases where the main partners blamed each other for failures in child protection programmes rather than attempting to seek a solution. The three institutions, MGCD, Central Statistical Office and MLSS, all blamed each other for the lack of statistics on the level of economic exploitation of children in Lusaka City.

For instance, the Central Statistical Office argued that it was the responsibility of the MGCD and the MLSS to interpret its Labour Force Surveys. In the same vein, the MGCD argued that the blame for lack of statistics on child economic exploitation fell squarely on Central Statistical Office. That is, the Central

Statistical Office was the statistics institution. Regardless, the study found out that focusing on blaming other institutions did not end or reduce child economic exploitation.

4.5 Lack of District and Community Structures

The study found out that the MGCD was the lead ministry for the coordination of the National Child Policy. However, since the MGCD was not represented at district and community level, the MCDMCH, which was present in all the districts and communities, coordinates on its behalf at these levels. The MGCD usually relied on district social welfare officers and community welfare officers under MCDMCH on matters relating to child protection.

The study also found out that the structure of the MGCD was not adequate to eliminate economic exploitation of children. This was because the MGCD lacked proper child protection structures at district and community levels. This made it difficult to coordinate child protection from the grassroots. The two officers at provincial level, the Lusaka Province Child Development Coordinator and the Lusaka Province Child Development Officer, were inadequate to deal with cases of economic exploitation of children at district and community level. The study felt that depending on the District Child Development Committees and Child Development Officers from MCDMCH was not adequate. This was because Child Protection was not their main responsibility and entrusting them with this extra responsibility tended to overwhelm them.

One of the measures in the NCP under elimination of economic exploitation of children involved establishing child recreation facilities in communities. However, since there were no community structures under the MGCD, child recreation facilities in communities were inadequate. According to Sports in Action (2014) many sports and recreation facilities in Lusaka had been neglected and/or had been replaced with homes and drinking bars. Most of the recreation facilities tended to be football related. This left many children with inadequate

opportunities for positive recreation activities, leaving them exposed to risky behavior.

Sports in Action (2014) also observed that most of the children had not been using and accessing the facilities because the best ones were privately owned and required some payments. Entry into facilities such as Ster-Kinekor Cinema and Dream Valley cost as high as K50 per person. With the high poverty levels, very few children could afford this.

4.6 Human Resources

The study found out that the MGCD was understaffed, inhibiting its ability to respond adequately, let alone to focus on prevention. At the provincial level MGCD only had two (2) permanent officers: the Lusaka Province Child Development Coordinator and the Lusaka Province Child Development Officer. Since there was no structure at district and community level, these two were expected to coordinate child protection activities from the entire province to the district and community level. This was extremely inadequate.

As a result, there were a limited number of child friendly courts; insufficient specialized skills in the Police Child Protection Unit; inadequate provision of counseling, rehabilitation and reintegration services by the Government and other role players; and services tended to be concentrated in the urban areas (United States Department of Labor's Bureau of International Labor Affairs, 2013). Traditional leaders were not formally linked into any child protection mechanisms, except where they are members of the Child Protection Committees. These committees were established in a few districts only. Poor birth registration also prevented people from accessing welfare services (United States Department of Labor's Bureau of International Labor Affairs, 2013).

In 2012, the entire country only had 48 labour inspectors. The government had made plans to employing more in the coming years. However, financial constraints

prevented this (United States Department of Labor's Bureau of International Labor Affairs, 2013). As a result, there were insufficient labour inspectors to adequately conduct child labour inspections in both formal and informal work settings. Labour inspections carried out in formal settings tended to be in public institutions only. However, it was in the private sector where child labour was more likely to be found (United States Department of Labor's Bureau of International Labor Affairs, 2013). In addition, inspectors reportedly lacked sufficient office facilities, transportation, fuel, and other necessary resources and therefore could not adequately conduct inspections or investigations.

Beginning in 2012, the ILO and UNICEF collaborated with the Government of Zambia to provide training to inspectors. Although inspectors were aware of the hazardous forms of child labour, there was no official and specific training for labour inspectors regarding the enforcement of child labour laws (United States Department of Labor's Bureau of International Labor Affairs, 2013). The study also found out that in 2013, the CPU employed 12 child protection officers in Lusaka, up from 10 in 2012. This number was significantly too small for the population of Lusaka. In addition, these officers reportedly lacked sufficient training and therefore could not conduct investigations adequately.

4.7 Poverty

Poverty continued to affect a number of households in Lusaka. An estimated 24.4% of the population was classified as poor and 11.5% classified as extremely poor (Central Statistical Office, 2012). Surveys showed that the cost of living for a family of five in Lusaka increased from K2, 713 in February 2010 to K3, 616.28 in February 2014 (Jesuit Center for Theological Reflection, 2014). The majority of people were engaged in income generating activities such as "Tuntemba" and street vending as coping strategies. This meant that many households could not afford that cost of living (Jesuit Center for Theological Reflection, 2014).

In Lusaka, only a small proportion of the employed workforce was in formal

employment. As table 3.8 showed, children who lived in households headed by someone who was not employed were more than twice likely to be economically exploited than those who lived in households headed by someone who was employed. In addition, as earlier mentioned in chapter three, most parents who economically exploit their children argued that it was a way of supplementing family income. This was in line with Understanding Children's Work (2012) whose evaluation was that poverty was at the root of child economic exploitation.

4.8 Ministerial Reshuffles

The study found out that the NCP was reviewed, adopted and launched in 2006 under the MYSCD. This review was coordinated by the Department of Child Development. In September 2011, the Patriotic Front won the presidential elections and formed government. President Michael Sata in April 2012 announced major reshuffles to most ministries. On 8th March he upgraded the Gender Division under Cabinet Office into a full cabinet ministry. Secondly, the Department of Child Development was moved from the MYSCD to the Ministry of Gender to create MGCD.

The study found out that the creation of an entirely new ministry resulted in a lot of challenges. Where a wholly new ministry was just created, huge amounts of money was spent to cover the extra staff and infrastructure. Provincial structures also needed to be created which was costly and time consuming. Unfortunately, the ministerial reshuffles undertaken in 2012 were not budgeted for. This meant that money meant for various programmes aimed at elimination of economic exploitation of children was used for the ministerial structuring process.

In addition, in 2012, the proposed budget for the Child Protection Division was K200, 023 (GRZ, 2013). However, this money was not allocated as can be seen from table 4.1 above. Instead, the study found out that this money went towards establishing the MGCD.

Other than diverting of funds, ministerial reshuffles also led to confusions among ministerial staff which led to inefficiencies. During data collection, the researcher could not find a single copy of the NCP at the MGCD headquarters. The reason given was that the department was still in transition. However, this was more than two years after the Department of Child Development was moved from MYSCD to MGCD. When the researcher made the same enquiry at the provincial level, the response was that they were waiting for copies from headquarters. Without copies of the NCP, it became difficult for the ministry and especially its partners to implement the policy according to its objectives. In addition, these copies were needed tools during sensitization campaigns.

According to the United States Department of Labour's Bureau of International Labor Affairs (2014) in 2011, the MLSS was merged with the Ministry of Information and Broadcasting Services to create the Ministry of Information, Broadcasting and Labour (MIBL). In 2012 it was moved back to the MLSS. During the MIBL period, efforts to eliminate child labour were hampered. This was because during that period, the ministry dealt with three equally important issues: Information, Broadcasting and Labour.

4.9 The Zambia National Child Policy

Good policies have a specific focus. For instance, the NCLP only dealt with child labour prevention. The policy contained situational analysis, vision, objectives and measures and implementation framework only on child labour (MLSS, 2011). However, while the NCP contained situational analysis, vision, objectives and measures and implementation framework on child matters, it was too broad (Ministry of Sport, Youth and Child Development, 2006). The NCP had three sections each having specific areas of interest. Each of these areas had their own objectives and measures. These sections and areas respectively were: The Child's Right to Survive: child and poverty; child health and nutrition; and child and HIV/AIDS. The Child's Right to Development: early childhood care, development and education; child education; and child leisure, recreation, sport

and culture. The Child's Right to be Protected: child labour and economic exploitation; child welfare and juvenile justice; child abuse; orphans and vulnerable children; children with disabilities; girl children; and birth registration (Ministry of Sport, Youth and Child Development, 2006).

The study found out that all these sections and areas were to be coordinated by the Department of Child Development at both national and provincial level. As stated earlier in the chapter, the structure and number of personnel in the Department of Child Development at both national and provincial level were not even adequate enough to deal with elimination of child economic exploitation alone. As a result of the policy being too broad, the Ministry ended up prioritizing one aspect of the policy over the other. Since protection of children against economic exploitation was an ongoing activity which should never be interrupted, the scenario above presented serious problems to service providers in Lusaka City.

For instance, the study found out that between January and March 2014, the concentration of the Lusaka Province Department of Child Development was on child and HIV/AIDS as well as child abuse relating to orphans and vulnerable children. Meetings were held with regards to these two aspects. Since Lusaka Province Child Development Department is the coordinator, this had a negative impact. That is, for these three months, elimination of economic exploitation of children in Lusaka City was not prioritized.

4.10 Beliefs of Members of the Public

When it came to the issue of economic exploitation of children, the problem that arose is how to convince parents, guardians and the community at large that what they considered to be culturally acceptable was actually economic exploitation. The Zambian public knew that the child should be taught to take on his or her responsibility as a future adult. Accordingly, to educate the child, the parents usually sent their children to carry out a number of activities some of which were economic in nature (The Committee on the Rights of the Child, 1993).

The research found out that parents, guardians and general members of the community were individuals who grew up in an environment where they were economically exploited. To make matters worse, most of them felt that it was this same economic exploitation which helped them to grow responsively and strong. They believed that it helped them withstand life challenges and learn valuable life lessons and skills. In short, they felt that it was this economic exploitation that made them into who they were. They did not see economic exploitation of children as being wrong. Rather, they saw it as an essential part of children growing up.

This belief was then taught to the children who also ended up believing that being economically exploited is acceptable and right. Figure 3.2 in chapter three showed that 33% of children felt that it was right to be economically exploited. This meant that a significant proportion of children felt that it was right to be economically exploited. In addition, table 3.12 showed that 59.8% of the children who had been economically exploited thought that it was right. This meant that most of the children who were economically exploited were likely to be told by their parents and guardians that the practice was of benefit to them. The children are told for example, as figure 3.3 shows, that being economically exploited helped them develop or grow, makes them strong, is part of the Zambian culture and that it supplements family income.

This led to a situation where service providers such as Child Labour Inspectors and CPU officers faced resistance from the community members. The study found out that a team, which had CPU officers among the entourage, were heckled by bystanders and almost arrested by the police. This was when they tried to stop a group of children from selling at Soweto market. This was very worrying as even the police officers did not know that what was happening was wrong.

4.11 Relationships between Professionals and Family Members

Constructive relationships between professionals and family members were the

heart and soul of effective child protection practice (Turnell, 2014). A significant body of thinking and research shows that best outcomes for vulnerable children arise when constructive relationships exist in both these arenas (Trotter, 2002). Despite this evidence, relationships were a contentious issue in child protection practice. The research found out that some partnership did not work.

The research found out that when parents said that a child was carrying out house chores, it was difficult to determine whether this is true or the child is being economically exploited. As a result, professionals such as Labour Inspection Officers ended up giving the parents a benefit of a doubt. The result was that children were put at risk. Even though these Labour Inspection Officers were trained, they were still human beings who let their emotions and cultural upbringing clouds their judgment.

The research further found out that members of the public reported that a 14 year old girl in Avondale was being economically exploited by her aunt. When Child Welfare Officers from MCDMCH responded to the reports, the aunt told them that the child was just carrying out house chores. In addition, the aunt said that the girl did not sell, but rather take the items to the market where someone else did the selling. In an attempt to build a good relationship with the aunt for future reference, the officers decided to believe the aunt.

Unfortunately, some months later, it was discovered that the girl had run away from home. When she was found, she had stop school and had been impregnated by unknown people. When Child Welfare Officers interviewed the girl, she reviewed that she ran away because of the abuse she received from the aunt. Specifically, the house cleaning and selling of food items at the market where she used to knock off at night. This was just one of the many examples of practitioners, in their attempts to build a good relationship with the parents, had left children in highly dangerous situations.

4.12 Lack of Proper Mechanisms for Monitoring the Implementation Process

An effective monitoring process provides ongoing, systematic information that strengthens programme or project implementation (Dunn, 1981). The monitoring process provides an opportunity to: a) compare implementation efforts with original goals and targets, b) determine whether sufficient progress was being made toward achieving expected results, and c) determine whether the time schedule was observed. Monitoring was not an “event” that occurs at the end of a management cycle, but rather was an ongoing process that helped decision-makers to better understand the effectiveness of the action or system. An effective monitoring and evaluation programme required collecting and analyzing important data on a periodic basis throughout the management cycle of a project (Dunn, 1981).

Monitoring should be executed by all individuals and institutions which have an interest (stake) in the project. To efficiently implement a project, the people planning and implementing it should plan for all the interrelated stages from the beginning. Lack of proper mechanisms for monitoring the implementation process meant that most programmes were poorly implemented (Dunn, 1981).

The study found out that most programmes in the NCP were poorly monitored. The NCP itself was not monitored during the implementation stage. What usually happened was that reviews were only carried out after years of implementation. United States Department of Labor’s Bureau of International Labor Affairs (2012) also agreed that these reviews were usually carried out only to determine whether to make changes to the policy or not. For instance, since its adoption in 1994 the NCP was not monitored but was only reviewed in 2006. The result of this review was that the policy was not effective (Ministry of Youth, Sport and Child Development, 2006). The problem with this scenario was that since there was no consistent monitoring, an ineffective policy had been implemented for over twelve (12) years.

Similarly, during the research period, the MGCD had been undertaking a review of the 2006 policy. If the 2006 policy was to be found to be ineffective, it would mean that from 2006, an ineffective policy would have been implemented. Had monitoring been done throughout, the relevant authorities would have been making corrections to the policy immediately a problem was detected.

4.13 Conclusion

A number of problems were faced by service providers in their attempt to provide protection of children from economic exploitation in Lusaka City. These included lack of a specific Child Labour Act which resulted in difficulties in legal implementation of the NCP. Another problem was lack of legal harmonization on the definition of who a child was. This caused confusions when implementing child economic exploitation programmes. Inadequate funding also led to inadequacies in carrying out child labour inspections, prevention, withdraw and rehabilitation programmes. Institutional functional overlap in turn led to duplication of functions and confusion in terms of which ministry should take the lead.

In addition, lack of district and community structures in the MGCD made it difficult to coordinate child protection against economic exploitation from the grassroots. There was also inadequate human resources as the MGCD was understaffed, inhibiting its ability to respond adequately, let alone focus on prevention. This was because the two officers at provincial level were inadequate to deal with all cases of economic exploitation of children at provincial, district and community levels. High level of poverty was also at the root of child economic exploitation. Ministerial reshuffles resulted in the money meant for various programmes aimed at elimination of economic exploitation of children being used for the ministerial structuring process. The NCP was too wide and led to diverting efforts towards other policy objectives.

In addition, resistance from members of the public and unconstructive

relationships between professionals and family members left children in highly dangerous situations. Finally, lack of proper mechanisms for monitoring the implementation process meant that most programmes were poorly implemented.

CHAPTER FIVE: CONCLUSIONS

5.1 Conclusions

The study has concluded that the institutional framework created by the Government to protect children against economic exploitation in Lusaka City was weak. This was because gaps were identified with Legal instruments, the structure and functions of the Department of Child Protection and Development in the MGCD, and functions of other line ministries.

For instance, the study found out that various legal instruments had been put in place, by the government, to eliminate child economic exploitation. The key one was the 2004 Employment of Young Persons and Children's Act. Others were the Education Act, the 2006 NCP, the 2011 NCLP, and the 2002 Free Basic Education Policy. However the study found out that other than the 2006 NCP, the legal instruments did not have specific focus on child economic exploitation. In addition, there was no specific Child Labour Act. This led to lack of strong legal backing for various programmes aimed at eliminating exploitation.

In addition, the government had created the Department of Child Protection and Development in the MGCD with structures at national and provincial level. The functions of the department included: provision of advocacy and policy guidelines; initiating review of laws relating to child economic exploitation; conducting awareness programmes; and monitoring and evaluating the effectiveness of programmes dealing with child economic exploitation. However, the study concluded that the MGCD lacked child protection structures at district and community levels. This made it difficult for the MGCD to perform these functions effectively. The MGCD could not coordinate child protection from the grassroots.

Also, other ministries participated in the protection of children against economic exploitation in Lusaka City. They included: the MLSS in charge of implementing the NCLP; the MCDMCH in charge of the social welfare part of child protection;

the MoHA which enforced the laws protecting the children; and the MESVTEE which implemented the Education Policies. However, most of the functions of these ministries seemed to overlap thus causing confusion. Not only that, too many ministries participated in implementing the NCP. The result was that coordination became difficult and time consuming.

The study also concluded that economic exploitation of children in Lusaka City was high. This meant that children in Lusaka City were not adequately protected against economic exploitation. This was because the aim of the NCP was to eliminate this exploitation. However, the study found out that all the three officials interviewed from MGCD were aware of serious levels of child economic exploitation in Lusaka City. Responses from children indicated that there was a reduction in economic exploitation of children in Lusaka City since the NCP was launched in 2006. The proportion of children who had been exploited at one point or another reduced from 48% in 2005 to 35.7% in 2014. However, the reduction was not significant. Not only was economic exploitation of children not eliminated, the proportion (35.7%) of exploitation was also still too high. In addition, economic exploitation of children in Lusaka City was an ongoing activity as 76.6% of children were last economically exploited just days before the research had been conducted

The study also found out that certain categories of children were prone to exploitation. These included: 56.7% of children who lived in high density areas; 55.6% of children who lived with guardians; 59% children who were double orphaned; 52% of children who lived in female headed households; 63.6% of children who lived in households headed by someone who was not employed; and 50% of children who lived in households headed by someone who was employed in the informal sector.

The study also found out that economic exploitation of children usually took the form of selling food items, 80.4%. About 14% of Children as young as 5-7 years

of age or less had also been economically exploited. A significant proportion, 32.7%, of children felt that it was right to be economically exploited. In addition, 59.8% of children who had been economically exploited thought that the exploitation was right. A majority, 82.4%, of children who had not been economically exploited thought the exploitation was wrong. About 65.3% of Children who felt the exploitation was right argued that it supplemented family income. In addition, about 47.5% of children who felt that it was wrong to be economically exploited argued that it interfered with the children's education. However, only 16.8% knew that the exploitation was illegal and constituted child abuse.

The study also concluded that a number of serious problems were faced by service providers in their attempt to provide protection of children from economic exploitation in Lusaka City. The main problems included lack of a specific Child Labour Act which resulted in ignorance of the consumers of the activities of economically exploited children. Another problem was lack of legal harmonization on the definition of who a child was which caused confusions when implementing child economic exploitation programmes. Inadequate funding also led to inadequacies in carrying out child labour inspections, prevention, withdraw and rehabilitation programmes. Institutional functional overlap in turn led to duplication of functions and confusion in terms of which ministry should take the lead.

In addition, lack of district and community structures made it difficult to coordinate child protection against economic exploitation from the grassroots. There was also inadequate human resources as the government was understaffed, inhibiting its ability to respond adequately, let alone focus on prevention. There was also lack of staff as the two officers at provincial level are inadequate to deal with all cases of economic exploitation of children at provincial, district and community levels. High levels of poverty were also at the root of child economic exploitation. Ministerial reshuffles diverted money away from various

programmes aimed at elimination of economic exploitation of children. The NCP is too wide and led to diverting efforts towards other unrelated policy objectives.

In addition, resistance from members of the public and unconstructive relationships between professionals and family members left children in highly dangerous situations. And lack of proper mechanisms for monitoring the implementation process meant that most programmes were not implemented accordingly.

The study therefore concluded that: the institutional framework was weak; levels of economic exploitation of children were high; and institutions created to protect children against economic exploitation faced many problems. This led to the conclusion that children in urban areas were not protected against economic exploitation.

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APPENDICES

APPENDIX A: Interview Guide for Ministry Of Gender and Child Development Officials

1. Are you aware of any economic exploitation of children in Lusaka City?
2. What kinds of children are usually economically exploited in Lusaka City?
3. How serious would you say is the problem of economic exploitation of children in Lusaka City?
4. What kind of economic activities are children often involved in?
5. What structures or mechanisms, if any, have been put in place by the government to provide protection of children against economic exploitation?
6. Who are the key stakeholders in the process of protecting children against economic exploitation?
7. What role does each stakeholder play?
8. How adequate do you think your efforts have been in protecting children against economic exploitation in Lusaka City?
9. What problems do you face in trying to protect children against economic exploitation in Lusaka City?
10. What do you think should be done to help improve the protection of children against economic exploitation in Lusaka City?
11. Do you have any other important information on child exploitation in Lusaka?

Thank you for your cooperation!

APPENDIX B: Questionnaire for Children in Lusaka City

Instructions

Tick in the brackets against the appropriate response or fill in the blank space.

Part A: Personal Information

1. Gender

- 1. Male ()
- 2. Female ()

2. Age

- 1. 5 to 7 ()
- 2. 8 to 10 ()
- 3. 11 to 14 ()

3. What is your highest level of education?

- 1. Never been to school ()
- 2. Primary education ()
- 3. Secondary education ()

4. Where do you reside?

- 1. Low density area (e.g. Kabulonga) ()
- 2. Medium density area (e.g. Chilenje) ()
- 3. High density area (e.g. Mtendere) ()

5. Who do you stay with?

- 1. Parents ()
- 2. Guardians ()

6. What is your social status?

- 1. Double orphaned ()
- 2. Single orphaned ()
- 3. Both parents are alive ()

7. What is the sex of the head of the household?

- 1. Male headed ()
- 2. Female headed ()

8. Is he/she employed?

- 1. Yes ()
- 2. No ()

9. If so, in what sector?

- 1. Formal ()
- 2. Informal ()
- 3. Not applicable ()

Part B: Extent to Which Children are Economically Exploitation

10. Have you ever been sent to carry out work for monetary gain?

- 1. Yes ()
- 2. No ()

11. If no skip to question 14. If yes, what kind of work?

Please specify.....

.....

12. When was the first time you were sent out to carry out this work?.....

.....

13. When was the last time you were sent out to carry out this work?.....

.....

14. Do you think it is right to send children to carry out work so that they earn money for the family?

- 1. Yes ()
- 2. No ()

15. If your answer to question 14 is yes, why do you think so?

Please specify.....

.....

16. If your answer to question 14 is no, why do you think so?

Please specify.....

.....

17. What do you think should be done to protect children against being sent to carry out work for monetary gain?.....

.....

Thank you for your cooperation!