

**CONCLUDING OBSERVATIONS AND RECOMMENDATIONS OF THE AFRICAN
COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD ON
THE FIRST PERIODIC REPORT OF THE REPUBLIC OF ZAMBIA ON THE STATUS
OF IMPLEMENTATION OF THE AFRICAN CHARTER ON THE RIGHTS AND
WELFARE OF THE CHILD**

November 2024

I. INTRODUCTION

1. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC/the Committee) extends its compliments to the Government of the Republic of Zambia and wishes to acknowledge receipt of the first periodic report on the status of the implementation of the African Charter on the Rights and Welfare of the Child (ACRWC/the Charter) and the submission of the written replies to the List of Issues. The Committee considered the first periodic report of the Republic of Zambia at its 44th Ordinary Session, held from 02-12 October 2024, in Maseru, Kingdom of Lesotho.
2. The Committee expresses appreciation for the constructive dialogue held with the delegation of the State Party, led by Ms Beatrice S. Muyambango, Director for Child Development, Ministry of Community Development and Social Services of the Republic of Zambia. The well-informed responses from the delegation to the questions posed by the Members of the Committee helped to better understand the ongoing efforts and challenges in advancing children's rights and the implementation of the Charter in the State Party. Following careful consideration of the facts in the report, the written replies to the List of Issues, and the information provided during the constructive dialogue, the Committee has developed and adopted the following Concluding Observations and Recommendations, which, in the Committee's view, provide guidance to the State Party towards strengthened implementation of the provisions of the Charter.

II. PROGRESS IN THE IMPLEMENTATION OF THE CHARTER

3. The Committee appreciates the continuous commitment of the State Party to implement the provisions of the Charter through the legislative, policy, and other measures it has undertaken. In particular, it notes with appreciation the progress achieved by the State Party during the reporting period, including:
 - a. The promulgation of the Children's Code Act No. 12 of 2022 and efforts to harmonise related legislation, including the Anti-Human Trafficking (Amendment) Act No. 16 of 2022, Marriage Amendment Bill 2023, among other amendments;
 - b. The introduction of the Free Education Policy (2022) which has led to increased school enrolment, as well as the proactive efforts to address resulting challenges through community-driven initiatives to produce desks and build additional classrooms;
 - c. The implementation of social protection programs, including social cash transfers for child-headed households, benefiting over 2.2 million children, with special assistance for girls to continue their education;
 - d. The recruitment of over 15,000 health workers to address workforce shortages, and the increased Constituency Development Fund allocations for community projects, including the establishment of health facilities; and

- e. The inclusion of children in the development of the report and incorporation of their views in the report.

III. AREAS OF CONCERN AND RECOMMENDATIONS

A. General measures of implementation

Reporting

4. The Committee congratulates the State Party for submitting its first periodic report. However, it regrets that the report was delayed beyond the prescribed reporting framework under the Charter. **The Committee recommends that the State Party ensure the timely submission of the next periodic report and provide information on the implementation of these Concluding Observations and Recommendations.**

Legislation

5. The Committee welcomes the enactment of the Children's Code Act No. 12 of 2022, and the amendments to the Anti-Human Trafficking (Amendment) Act No. 16 of 2022, the Marriage (Amendment Bill 2023) and the Penal Code (Amendment) Chapter 87 of the Laws of Zambia, as well as the repeal and replacement of the Legitimacy Act 1929, Adoption Act 1956, Juveniles Act 1956, and the Affiliation and Maintenance of Children Act 1995. The Committee takes note of the ongoing consultations led by the Zambia Law Development Commission and other stakeholders to review child-related legislation, as recognised in its previous Concluding Observations.
6. The Committee refers to the recommendation of the UN Committee on the Rights of the Child in 2022 to the State Party recommending the revision of the expired National Child Policy. However, based on the information provided in the report, the Committee notes with concern that this policy has not been revised. The Committee is further concerned about the slow progress in revising the Constitution, particularly in incorporating a more inclusive Bill of Rights that fully enshrines children's rights. **Therefore, the Committee recommends that the State Party:**
 - **Establish clear timelines and indicators for monitoring and evaluating the reform of child-related laws;**
 - **Prioritise the finalisation and implementation of the National Child Policy, which should function as an overarching framework for coordinating national interventions with clear targets;**
 - **Expedite the process of revising the Bill of Rights to include children's rights;**
 - **Enhance capacity-building programs for officials responsible for implementing child protection laws for uniform understanding and application across all regions.**

Budgetary allocation

7. The Committee commends the State Party for increasing the budget allocated for social cash transfers and school feeding programs. The State Party's responses to the List of Issues highlight the increase in the Constituency Development Fund from K1.6 million in 2021 to over K30 million in 2024. The Committee, however, remains concerned that Zambia's overall investment in child-related sectors remains below regional and international benchmarks. **The Committee recommends that the State Party:**

- **Consistently raise the budget resources specifically allocated for child rights and welfare issues proportional to the population growth and increasing demand, to the maximum extent possible;**
- **Involve children in the budgetary process, providing opportunities for them to participate meaningfully in matters which concern them;**
- **Collect and provide data on the amount of resources and actual expenditures allocated to programmes and activities that are relevant to child rights, and periodically assess the impact of these allocations.**

Coordination

8. The Committee commends the State Party for the draft Statutory Instrument to operationalise the National Coordinating Committee for Children (NCCC) at the national, provincial, and district levels, in accordance with the Children's Code Act. The inclusion of a budget line for the NCCC beginning in 2025 and the upcoming meeting of Permanent Secretaries to coordinate child welfare initiatives are also positive developments for enhancing coordination on children's rights and welfare.

9. The Committee is informed that two years after the enactment of the Children's Code Act, the NCCC has not yet been fully operationalised. Moreover, as per the latest information the Committee has, the Technical Working Groups (TWGs) under the NCCC have not met since 2022. If that is the current situation, **the Committee recommends that the State Party expedite the full operationalisation of the NCCC and that the TWG meet regularly to enhance inter-sectoral coordination on children's rights and welfare.**

Independent monitoring

10. The Committee welcomes the appointment of a focal point on children's rights at the Human Rights Commission and the ongoing efforts to establish a Child Rights Unit. However, the continued absence of a Commissioner for Children's Rights remains a notable gap. **The Committee recommends that the State Party set up the Office of the Commissioner for Children's Rights and allocate adequate financial, technical, and human resources to enable the office to independently promote, protect, and fulfil children's rights, including the handling, investigating, and addressing of complaints from or on behalf of children regarding violation of their rights.**

Data collection

11. The Committee notes from the constructive dialogue with the delegation the challenges reported regarding the availability and accessibility of disaggregated data on children. The Committee reminds the State Party that the lack of up-to-date and disaggregated data on key child rights indicators undermines the ability to accurately assess the situation of children and monitor the implementation of the Charter. **The Committee recommends that the State Party:**
- **Allocate sustained budget lines within the national budget for systematic and timely disaggregated data collection covering all areas of the Charter;**
 - **Enhance partnerships with relevant stakeholders to strengthen the collection, analysis, and dissemination of disaggregated data and statistics to inform policies for children accurately.**

Popularisation of the Charter and its monitoring mechanism

12. The Committee recognises the measures undertaken by the State Party to disseminate the Concluding Observations and Recommendations of the ACERWC on the initial report of the Republic of Zambia, including collaboration with civil society to raise awareness and the use of various platforms—such as media, public meetings, workshops, school debates, cultural ceremonies, and national days. **In this regard, the Committee encourages the State Party to further advance the systematic dissemination of the Concluding Observations and the Charter, and making the information accessible to children.**

B. Definition of the Child

13. The Committee acknowledges the steps made and ongoing progress by the State Party to harmonise laws defining a child but is concerned that the full harmonisation of legislation has not yet been achieved. For example, the Defence Act Chapter 106 still defines a child differently, and while the Committee is informed from the report that the State Party has initiated a review of this Act, **it strongly recommends that the State Party expedite this review and ensure that all legislation, including customary laws, that define a child is harmonised with the Children’s Code Act and the ACRWC.**

C. General principles

Non-discrimination

14. The Committee welcomes the inclusion of the non-discrimination principle within section 7(1) of the Children’s Code Act, prohibiting discrimination of a child based on any grounds, including race, sex, disability, or socio-economic status of the child’s family, among other categories. The Committee also commends the State Party for actively protecting and raising awareness about the rights and welfare of children with

albinism, the collaboration with the Albinism Foundation of Zambia in registering over 1,000 children with albinism, and hosting capacity-building workshops for parents and guardians. The State Party has also demonstrated commitment by investigating and prosecuting attacks against children with albinism, offering counselling and shelters for survivors, and facilitating access to sunscreen lotions through government hospitals. **The Committee recommends that the State Party:**

- **Continue to engage in awareness-raising and sensitisation programs on children with albinism in all regions to combat stigma and discrimination;**
- **Implement the African Union Plan of Action to End Attacks and Other Human Rights Violations Targeting Persons with Albinism in Africa and translate it into a national policy;**
- **Expedite the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa (Africa Disability Protocol).**

Best interests of the child

15. The Committee notes the incorporation of the principle of the best interests of the child within the Children's Code Act and appreciates its influence on various policies, including the National Health Policy and National Policy on Disability. The Committee recognises the ongoing collaboration between the State Party and civil society to raise awareness about the best interests of the child, including training for local court magistrates and engagement with religious and traditional leaders at the grassroots level. While appreciating these efforts, the Committee is informed from reports of children that there are concerns about the reception of children's rights among traditional and religious leaders, who often view these principles as contrary to cultural norms. **In this regard, the Committee recommends that the State Party:**

- **Strengthen and refine sensitisation initiatives targeting traditional and religious leaders to foster a broader acceptance and understanding of children's rights;**
- **Implement comprehensive educational and administrative strategies across all levels of government and society to promote the principle of the best interests of the child in all policies, strategies, programs, projects, and action plans;**
- **Ensure that the best interests of the child are a primary consideration in budget allocations, human resources distribution, and decision-making processes.**

The right to life, survival and development

16. The Committee takes note of the State Party's efforts to accelerate stunting reduction through a multi-sectoral strategy aimed at improving food security and nutrition practices in 42 of 116 districts and recognises the reduction in stunting rates from 40% in 2014 to 35% in 2018. The Committee appreciates the 1,000 most critical days and the 1,000 SCT nutrition pilot project, which reaches 12,500 households.

17. However, the Committee remains deeply concerned about the high levels of child malnutrition and under-five mortality in Zambia. According to available briefings of the African Child Policy Forum, nearly 32.3% of children under five are stunted, among the highest in Africa, and under-five mortality is still high at 61 deaths per 1,000 live births. Additionally, 68% of the population, including children, lacks access to basic sanitation facilities, and 35% lacks access to safe drinking water. **In response to these challenges, the Committee recommends that the State Party:**

- **Collect and provide up-to-date disaggregated data on under-five mortality, stunting and malnutrition rates among children;**
- **Scale up the existing multi-sectoral strategy to accelerate stunting reduction to reach children in all 116 districts;**
- **Adopt a holistic and system-strengthening approach to respond to child malnutrition, stunting, and under-five mortality;**
- **Increase access to basic sanitation and safe drinking water, targeting vulnerable groups of children;**

Respect for the views of the child

18. The inclusion of child participation provisions in the Children's Code Act, the National Child Participation Framework, and the institutionalisation of a Children's Parliament and sector-specific guidelines are notable steps forward. The Committee also recognises the State Party's initiatives to strengthen community platforms and media to amplify children's voices in policy and legislative processes. **The Committee refers the State Party to the ACERWC Guidelines on Child Participation (2022) and Aspiration 10 of Agenda 2040, and recommends that the State Party:**

- **Broaden initiatives to ensure that all children have the opportunity to engage in matters that affect them, in accordance with the age and maturity of the child;**
- **Promote child participation and leadership in school governance through advisory student or learner councils;**
- **Facilitate meaningful participation of children in the development and adoption of laws and policies in all matters affecting them, as well as in monitoring their implementation.**

D. Civil rights and freedoms

Name, nationality, identity and registration at birth

19. The Committee recognises the measures to improve birth registration rates, including setting up birth registration desks in 806 health facilities across all provinces, implementing the National Civil Registration and Vital Statistics Policy, and the revision of the Births and Deaths Registration, Statutory Instrument No. 44 of 2016 to decentralise birth registration and issuance of birth certificates. The Committee also acknowledges the mobile birth registration exercises and the Integrated National Registration Information System, which has resulted in over 300,000 birth certificates being issued.

20. The Committee remains concerned about ongoing barriers to birth registration, particularly in rural communities where long distances to health facilities, understaffing, and lack of awareness hinder registration rates. The Committee notes from reports that low registration rates in certain areas, such as Western Province, prevent children from accessing essential services and protections. **The Committee, drawing on its General Comment on article 6 of the Charter with regard to the right to birth registration, name and nationality, recommends that the State Party:**

- Uphold the principle of non-discrimination, including the child's birth in or out of wedlock in existing legislation and policies;
- Increase budget allocations to establish a well-resourced, integrated, and universally accessible birth registration system;
- Strengthen mobile birth registration initiatives to reach children who are unable to access health facilities;
- Monitor and evaluate the impact of birth registration policies and decentralisation measures to meet the 50% birth registration coverage target for children under five.

Protection against child abuse and torture

21. The Committee acknowledges the State Party's efforts to eliminate corporal punishment in all settings, including the home, following the repeal of the Juveniles Act. The Committee appreciates section 23 of the Children's Code Act, which clearly guarantees children's rights to protection from torture, cruel treatment, and punishment. **The Committee recommends further promoting positive discipline practices through targeted public awareness campaigns and ensuring that the institutions responsible for safeguarding children from corporal punishment and other forms of abuse are properly sensitised.**

E. Family environment and alternative care

22. The Committee positively views the steps taken to improve the care of children without a family environment through the domestication of the UN Alternative Care Framework and the National Alternative Care Guidelines. The Committee welcomes the emphasis on family-based care as the primary solution for children in need, with institutional care being used only as a last resort, and the recognition of children at risk of separation or lacking alternative care as needing special protection and support. The Committee recognises the reforms introduced by the Children's Code Act, which outlines clear procedures for domestic and inter-country adoptions, as well as handling cases of international child abduction, foster care, and other child-related applications. **The Committee recommends that the State Party:**

- Collect and provide disaggregated data on the annual number of children within each of the following categories during the reporting period: homeless children, children taken into protective custody due to abuse or neglect, children placed in foster care, children in institutional care, children

- adopted domestically, children entering the country through inter-country adoption, and children leaving the country through inter-country adoption;
- **Improve community-based systems for reporting, responding, and managing cases to better protect children in all care settings from abuse and neglect.**

23. The State Party report emphasises its commitment to addressing the issue of children living on the streets through key interventions like the allocation of skills bursaries under the Community Development Fund and the Free Education Policy. Despite these initiatives, the feedback from children involved in developing the report indicates a visible presence of street children in urban areas. The Committee is also informed from reports that the effectiveness of reintegration programs is limited and heavily reliant on inconsistent donor funding. **In this regard, the Committee recommends that the State Party:**

- **Adopt a child rights approach in developing and providing alternative solutions, ensuring that children are not dependent on street connections for survival or development and are not coerced into unwanted placements;**
- **Support street children in alternative care settings and establish follow-up mechanisms, particularly for children transitioning into adulthood, to prevent an abrupt termination of support and services;**
- **Assess and enhance the sustainability and effectiveness of existing programs aimed at supporting children in street situations, ensuring they are adequately funded and adapted to meet the needs of these children;**
- **Develop comprehensive strategies that address the multiple causes of children ending up on the streets, such as structural inequalities and family violence, and implement a wide-ranging social protection framework.**

F. Health and welfare

Children with disabilities

24. The Committee commends the State Party for the initiatives aimed at improving access to health and education services for children with disabilities, including the establishment of the Children's Developmental Intervention Clinic at the University Teaching Hospital, the National Policy on Disability, the provision of assistive technologies in schools through partnerships with stakeholders, and the recruitment of special education teachers.

25. The Committee has received information indicating that children with disabilities continue to encounter significant barriers. It is reported that schools generally lack adequate infrastructure to accommodate the specific needs of children with disabilities. Moreover, there are communication barriers in healthcare due to a lack of sign language and braille-trained staff, weak enforcement of the Persons with Disabilities Act, and the absence of a comprehensive review of national legislation to align fully with the Convention on the Rights of Persons with Disabilities (CRPD). If

this information accurately reflects the situation, **the Committee recommends that the State Party:**

- **Strengthen the legal and policy framework to ensure full compliance with the CRPD, focusing on eliminating barriers in education and healthcare;**
- **Implement targeted training programs for healthcare workers and educators to improve communication with children with disabilities, emphasising skills in sign language and braille;**
- **Develop a comprehensive action plan with clear targets, drawing on the ACERWC Strategy for Promoting and Protecting the Rights of Children with Disabilities in Africa.**

Health and health services

26. The Committee appreciates the establishment of 1,162 rural health centres by 2023, a notable increase from 2017, as well as the recruitment of over 15,000 health workers in the past two years and the creation of a community health budget line to retain community-based agents. The Committee also notes the adoption of the National Health Strategic Plan (2017–2021) but given that it has expired, **recommends that the State Party:**

- **Develop a new National Health Strategic Plan with clear actions, targets, and indicators, supported by adequate financial, technical, and human resources;**
- **Strengthen healthcare infrastructure in rural areas to proportionately address the needs of the children living in these areas, as well as monitor and evaluate healthcare services.**
- **Provide information on the measures undertaken to facilitate the meaningful participation of non-governmental organisations, local communities and the beneficiary populations in the planning and management of programmes for children.**

27. The Committee commends the State Party for implementing the Adolescent Health Strategy (2017–2021) and the multi-sectoral coordination through adolescent health TWGs at the national, provincial, and district levels. The Committee acknowledges the programmes of comprehensive sexual education, community dialogue sessions, and peer education initiatives targeted at out-of-school children. However, the Committee is concerned about the limited access to sexual reproductive health (SRH) services in rural areas. **The Committee draws the State Party's attention to the ACERWC Study on Teenage Pregnancy in Africa: Status, Progress and Challenges (2022) and recommends that the State Party:**

- **Develop a new Adolescent Health Strategy with clear actions, targets, and indicators, supported by adequate financial, technical, and human resources;**
- **Strengthen legal, policy, and regulatory frameworks for teenage girls and boys, and out-of-school adolescents, to have access to comprehensive, accurate, and age-appropriate SRH information;**

- **Ensure SRH services are gender and adolescent-responsive with trained health workers offering non-stigmatising, confidential care that meets adolescents' mental, physical, social, and psychological needs, and support adolescents in making informed SRH decisions;**

28. The Committee further commends the State Party for the measures undertaken with regard to addressing the lead pollution in Kabwe, including screening and treating thousands of children for lead exposure, the environmental remediation efforts, and the development of the Lead Education and Awareness Framework. **The Committee encourages the State Party to reinforce its remediation efforts targeted at the containment and removal of lead waste, and expand lead testing and treatment services, ensuring that vulnerable groups receive timely interventions.**

G. Education, leisure, and cultural activities

Education

29. The Committee appreciates the State Party's efforts to improve access to education, including the Free Education Policy implemented in 2022, as well as the Home-Grown School Feeding Programme, menstrual hygiene support for female learners, and expanding secondary infrastructure through the Zambia Enhancement Education Project. Despite this, the Committee remains concerned about ongoing barriers to education, particularly for the girl child, children living in rural areas, children living in poverty, and children with disabilities. **Recognising the theme 'Education: The Time is Now' of the 2024 Day of the African Child, the Committee recommends that the State Party:**

- **Collect and provide up-to-date, disaggregated data to evaluate the state of education, focusing on enrollment rates, completion rates, out-of-school children, and other key indicators relevant to their specific contexts, and develop targeted programs using this information;**
- **Address traditional barriers to girls' education, such as child marriage and teenage pregnancy, through community engagement and child-friendly approaches;**
- **Increase teacher recruitment to lower the student-to-teacher ratio and build teachers' capacity through continuous training.**

Leisure and cultural activities

30. The Committee welcomes the inclusion the right of a child to rest, leisure, play and participate in cultural and artistic activities as provided under section 21 of the Children's Code Act, and recognises that this reflects article 12 of the Charter. The Committee also commends the construction of new play parks, the engagement with communities to create recreational spaces using locally available materials, and the adoption of the natural play park model and its accessibility to children, including children with disabilities. However, the Committee remains concerned about the limited availability of state-provided, free recreational parks, particularly in rural areas,

and the financial barriers to accessing existing parks in urban areas. **The Committee recommends that the State Party:**

- **Expand access to free, state-provided recreational parks, taking into consideration children in rural areas and those who are out-of-school;**
- **Implement community-based recreational programs that offer structured activities such as sports, arts, and reading;**
- **Revamp existing recreational spaces to encourage their use, especially in underutilised or neglected areas.**

H. Special protection measures

Refugee and displaced children

31. The Committee acknowledges the adoption of the first-ever National Refugee Policy in August 2023 and other policies, including the National Migration Policy and the National Policy on Human Trafficking and Smuggling of Migrants. It also takes note of the Birth Registration Desks in refugee camps to support birth registration coverage for children born to refugee parents. However, the Committee is informed of the inadequate infrastructure, limited services, and hygiene conditions at refugee camps, specifically in Kenani and Mantapala. **The Committee recommends that the State Party:**

- **Prioritise improvements in infrastructure and basic services at refugee camps;**
- **Expedite construction of the road to Mantapala camp for better access, especially during the rainy season;**
- **Increase allocations for the rehabilitation and reintegration of unaccompanied refugee children and children on the move, including the creation of safe homes for their protection.**

Children in conflict with the law

32. The Committee commends the State Party for operationalising the Family and Children's Division, established under the Constitution of Zambia (Amendment) Act No. 2 of 2016, with five judges assigned to handle matters within the Division. In addition, the Committee notes with appreciation the steps taken by the State Party to protect children in conflict with the law as had been recommended in its previous Concluding Observations, including the increase in the age of criminal responsibility from 8 to 12 years.

33. The Committee is informed from the report that, as part of the implementation of the Children's Code Act, the State Party has drafted Guidelines for National Prosecutors on the Application of the Children's Code Act for Children in the Criminal Justice System and Guidelines for Police Officers for Handling Children in Conflict and Contact with the Law. The Committee observes, however, that the report only indicates the anticipation of the endorsement of these guidelines. Moreover, the Committee is concerned about the insufficient number of judges in the Family and

Children's Division, as well as the reported lack of appropriate child-friendly infrastructure and delays in the submission of social welfare reports. **Therefore, the Committee recommends that the State Party:**

- **Promptly adopt and implement the Guidelines for National Prosecutors on the Application of the Children's Code Act for Children in the Criminal Justice System and Guidelines for Police Officers for Handling Children in Conflict and Contact with the Law;**
- **Increase the number of judges in the Family and Children's Division for timely hearings and resolution of cases involving children;**
- **Establish adequate transit centres to provide safe and appropriate temporary accommodations for children;**
- **Improve and ensure child-friendly court infrastructure across all regions for a conducive environment for children in conflict with the law;**
- **Provide ongoing training for judicial officers, police, and social workers on the Children's Code Act for proper implementation of child-friendly justice processes.**

Children of incarcerated parents and primary caregivers

34. The Committee appreciates the legislative measures aligned with article 30 of the Charter, including section 25(4) of the Penal Code and section 306 of the Criminal Procedure Code, which prohibits the death penalty for pregnant mothers, and section 56 of the Prisons Act, which allows infants to stay with their imprisoned mothers until the age of four before being transferred to relatives or Social Welfare. The Committee also welcomes the proposed amendment to the Zambia Correctional Services Bill to lower the age limit for children staying with their imprisoned mothers from four to two years, in line with the best interests of the child.

35. The Committee thanks the State Party for sharing data on children living in prison in its written replies to the List of Issues, and is of the view that while the collection of data is important, information on additional measures is required for the full protection of the rights of these children. **The Committee makes reference to its General Comment on children of incarcerated and imprisoned parents and primary caregivers and recommends that the State Party:**

- **Prioritise non-custodial sentences for parents and primary caregivers, taking into account the best interests of the child;**
- **Strengthen national policy frameworks and action plans to translate legislation into concrete, measurable actions;**
- **Establish clear implementation mechanisms that demonstrate how policies, action plans, and programs are being executed;**
- **Regularly report on the extent to which children living in prison are able to enjoy their rights.**

Child labour and exploitation

36. The Committee commends the State Party for its efforts to combat child labour, including the revision and integration of the Employment of Young Persons Act into the Employment Code Act. This revision introduces stricter penalties for individuals who employ children below the minimum working age and provides for labour inspections. The Committee welcomes the increased funding for labour inspections, which rose significantly between 2021 and 2023, and the additional allocations for child labour activities in the 2024 budget. The Committee also appreciates the training of over 500 law enforcement officers in 2023 to enhance their ability to identify and respond to child labour and trafficking, among other issues.
37. Despite ongoing efforts, the feedback from the children involved in the development of the State Party report highlights a significant gap in awareness and enforcement of child labour laws at the community level. Given the children's assessment rating the government's efforts to combat child labour as 'red', and their claim that if Community Child Labour Committees were effectively monitoring, then child labour would not be as rampant as it is, **the Committee draws the State Party's attention to the ACERWC Study on Children's Rights and Business in Africa (2023), as well as the African Union's 10-year action Plan to Eradicate Child Labour, Forced Labour, Human Trafficking and Modern Slavery in Africa (2020 - 2030), and recommends that the State Party:**
- **Strengthen awareness-raising and sensitisation initiatives among children and communities about the roles and responsibilities of District Child Labour Committees and ensure they are adequately resources to effectively enforce, monitor, prevent and address child labour in their jurisdictions;**
 - **Collect, monitor, and publish data on child labour complaints, including details of inspections, citations issued, prosecutions undertaken, and penalties related to violations;**
 - **Ensure corporate regulations on due diligence, transparency, remediation, and legal accountability incorporate child rights and are implemented in a child-friendly manner.**

Harmful social and cultural practices

38. The Committee appreciates the reduction of the prevalence of child marriage rates from 40% to 29%, the launch of a multi-stakeholder end child marriage campaign, and the establishment of a civil society coalition and an inter-ministerial committee dedicated to ending child marriage. The Committee further welcomes the development of a new National Strategy for Ending Child Marriage by 2030 and the explicit prohibition in section 18(1) of the Children's Code Act of harmful practices that negatively affect a child's development. **Taking into account the Joint General Comment of ACERWC and the African Commission on Human and Peoples' Rights on ending child marriage, the Committee recommends that the State Party:**
- **Provide comprehensive social protection and health services for girls at risk of or have already been affected by child marriage;**

- Finalise and implement the revised National Strategy on Ending Child Marriage, ensuring it is well-funded, coordinated at the highest levels of government and involves key stakeholders through a multi-sectoral approach;
- Conduct capacity-building workshops for relevant government officials, especially those dealing with marriage registration, to enhance their understanding of laws prohibiting child marriage and to reinforce the legal rights and protections afforded to children.

39. The Committee is seriously concerned about the gaps in the full harmonisation of customary law with statutory laws, especially in rural and traditional settings where harmful practices persist. Practices such as *Fwenyatete* and *Makozhi*, promoting early sexual debut and unregulated sexual activity, as well as certain puberty initiation rituals for both boys and girls, contradict the principles of child protection and expose children to harmful practices. **The Committee recommends that the State Party:**

- Harmonise customary and traditional law with statutory law;
- Provide relevant and updated information on the nature, type and prevalence of harmful social and cultural practices, including disaggregated data on the number of children subjected to these practices and those who have been rescued;
- Enhance community sensitisation programs, particularly in rural and traditional areas, to raise awareness among traditional leaders and communities about the harmful impact of certain cultural practices on children's rights;
- Invest in long-term sustained strategies targeted at transforming harmful cultural and gender norms affecting vulnerable children;
- Create specialised units for children in law enforcement and train legal professionals in gender-transformative approaches.

I. Responsibilities of the child

40. The Committee commends frameworks like the Children's Code Act and the National Child Participation Framework for clearly defining the responsibilities of the child, along with initiatives such as the Child Parliament and child safeguarding clubs that raise awareness. The Committee also welcomes sensitisation campaigns bringing together parents, community members, and traditional and religious leaders, to ensure that the efforts to uphold the responsibility of the child do not infringe upon children's fundamental rights. **The Committee encourages the State Party to sustain these positive measures and continue collaboration with stakeholders and civil society to promote the responsibilities of the child as outlined in domestic laws and the Charter.**

IV. CONCLUSION

41. The African Committee of Experts on the Rights and Welfare of the Child expresses sincere appreciation to the Government of the Republic of Zambia for the measures

undertaken to implement the African Charter on the Rights and Welfare of the Child. The Committee wishes to inform the State Party that, in accordance with Rule 74 of its Revised Rules of Procedure, it will undertake a follow-up mission to assess the implementation of these Concluding Observations and Recommendations in the foreseeable future. The Committee would also like to extend an invitation to the State Party to submit its second periodic report in December 2027 in compliance with its obligations under article 43 of the Charter.

42. The African Committee of Experts on the Rights and Welfare of the Child would like to take this opportunity to renew the assurances of its highest consideration to the Government of the Republic of Zambia.