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## Committee on Economic, Social and Cultural Rights

### Second periodic report submitted by Zambia under articles 16 and 17 of the Covenant, due in 2010\* \*\*

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\* The present document is being issued without formal editing.  
\*\* The annexes to the present document may be accessed from the web page of the Committee.



## **I. Information relating to concluding observations (E/C.12/ZMB/CO/1)**

1. Zambia is a State party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and she ratified the ICESCR on 10th April, 1984. As a State party to the ICESCR, Zambia is obliged to report periodically on the implementation of the provisions of the ICESCR by responding to recommendations of the Committee on Economic, Social and Cultural Rights (the Committee) and by indicating administrative, judicial and legislative measures which the State party has taken in order to protect the rights enshrined in the ICESCR. In light of the foregoing, Zambia presented its Initial Periodic Report to the Committee in September, 2003, and the Committee raised various concerns and recommendations following the presentation of the Initial Report. The following are the Reply to the recommendations made by the Committee:

### **Information relating to paragraph 33 of the concluding observations**

2. The Committee is invited to note that economic, social and cultural rights are contained in various pieces of legislation in the State party. As a starting point, the Committee may wish to note that the Constitution of the Republic of Zambia (the Constitution) in Article 10 provides for the basis of economic policies by creating an enabling environment. Although this part of the Constitution is not justiciable, it nonetheless provides a basis for the enjoyment of economic, social and cultural rights and guides the State party in policy formulation and implementation and application of the law. Further, the Constitution in its Preamble guarantees the equal worth of men and women to participate in the economic, social and cultural affairs of their community.

3. In addition, the prohibition of discrimination on the basis of sex guaranteed under Article 23 of the Constitution, ensures equal enjoyment of economic, social and cultural rights for both men and women. The right of every citizen to own and dispose of his or her property is also guaranteed under Article 16 of the Constitution. Redress in the form of compensation is guaranteed under Article 16 for anyone whose property has been compulsorily acquired by the State and any compulsory acquisition can only be permitted if done under the authority of the law. This is in line with General Comment No. 9 of 1998, which requires states to recognise the Covenant norms in their domestic legal order and ensure the availability of redress to any aggrieved individual.

4. The adoption of legislation such as the Citizens Economic Empowerment Act No. 9 of 2006 further provides a platform for the enjoyment of socio-economic rights by ensuring equal access for both men and women in the management and exploitation of the country's economic resources. Various other pieces of legislation such as the Zambia Development Agency Act No. 17 of 2022 contain provisions that ensure the enjoyment of economic, social and cultural rights through the creation of an enabling environment for steady economic, social and cultural development.

5. Furthermore, the State party invites the Committee to note, that the State party had proposed the revision of the Bill of Rights, which would have led to the inclusion of Economic, Social and Cultural Rights. However, this was not accepted in the referendum that took place in 2016.

### **Information relating to paragraph 34 of the concluding observations**

6. The State party supports the Human Rights Commission (HRC) in its role in promoting human rights and fundamental freedoms. Arising from its pledge, the State party has been consistent in providing resources to the HRC. This was intended to increase the HRC's capacity to provide effective monitoring mechanisms with regard to the protection of human rights. Although the HRC still needs more funding than what is currently allocated, the continued budgetary allocation in line with the available resources signifies the State party's commitment to ensuring that the fundamental rights of its people remain top priority.

7. Furthermore, recognising the importance of cooperation with other players on the issue of human rights, the State party has created an enabling environment that permits the HRC to obtain funding for its work and supplement its budget from donors.

**Information relating to paragraph 35 of the concluding observations**

8. The State party notes the Committee's Concluding Observation and has attended to the comment in the subsequent paragraphs below.

**Information relating to paragraph 36 of the concluding observations**

9. The Committee is invited to note that the State party takes into account its obligation under the Covenant in all aspects of its negotiation with international financial institutions to ensure that people's rights are respected and protected. The Committee may further wish to note that the Gender Policy adopted by State party ensures that aspects of the Covenant are taken into account by, among others, the following:

- Harmonisation of policies and laws based on comparative analysis which form part of the considerations by the State in acting;
- The Policy Analysis and Co-ordination (PAC) Division of Cabinet Office coordinates the development and review of all sector policies for compliance with gender equity and equality principles; and
- Requiring the Ministry of Finance and National Planning to ensure that all sector plans and budgets comply with budgeting principles that support gender mainstreaming.

**Information relating to paragraph 37 of the concluding observations**

10. The Zambia Law Development Commission (ZLDC) continues to play a role in the development of the law by the State party by perusing the laws to pick out anomalies and archaic laws for recommendation of review by the State party. ZLDC undertook research on the restatement of customary law in the State party, whose Report was completed. Proceeding therefrom, the ZLDC undertook to review several pieces of legislation and development of new laws with the view to eliminate traditional customs that create inequality between men and women. These include the following:

- Reviewing of the Intestate Succession Act Chapter 59 of the Laws of Zambia with the intention to ensure that widows are not disadvantaged in the sharing of the estate of their deceased husbands;
- Review of the Penal Code, Chapter 87 of the Laws of Zambia and Criminal Procedure Code Chapter 88 of the Laws of Zambia to ensure harmful practices such as sexual cleansing, female genital mutilation and initiation ceremonies resulting in injury and diseases are criminalised;
- Review of the Marriage Act, Chapter 50 of the Laws of Zambia by setting the minimum age of marriage, including customary marriage, to 18 years in order to protect the rights of girls and combat child marriage;
- Development of the Anti-Gender Based Violence Act No. 1 of 2011 and the Anti-Gender Based Violence Rules, 2016 to ensure all forms of violence against men and women including those rooted in culture, are eliminated; and
- The Development of the Gender Equity and Equality No 22 of 2015 to promote gender equity and equality as a cross cutting issue in all spheres of life and prohibit harassment, victimisation and harmful social and cultural practices.

**Information relating to paragraph 38 of the concluding observations**

11. The State party invites the Committee to note that the proposed revision of the Bill of Rights, which would have led to the revision of the non-discrimination clause in the Bill of Rights, was not accepted in the referendum that took place in 2016. The State party has continued to engage various stakeholders and cooperating partners to solicit for support to hold a referendum to amend the Constitution in a bid to enhance the Bill of Rights.

**Information relating to paragraph 39 of the concluding observations**

12. The State party has taken its commitment to increase the number of women in decision-making positions in the public sector seriously. The Committee may wish to note

that since 2011, there has been a significant and remarkable increase in women in decision-making positions.

13. In light of the above, most notable the State party invites the Committee to note that currently the State party has the second female Vice President. In 2015, the State party had the first female Chief Justice. The President of the Constitutional court is a woman and of the eleven judges currently on the Constitutional court bench, five are women representing 45%. Further, recognizable achievements have been made among judges in the judiciary with currently, 49.4 percent male judges and 50.6 female judges. Additionally, the Speaker and First Deputy Speaker of the National Assembly are women.

#### **Information relating to paragraph 40 of the concluding observations**

14. The State party recognises the need to implement an employment action plan for the improvement of the quality of life of its citizens. In this regard, the State party in its 8th National Development Plan 2022–2026 aspires to provide jobs by harnessing opportunities for economic diversification and growth to increase the quantity and quality of productive employment. The State party intends on supporting Micro, Small and Medium Enterprises (MSMEs) to expand and formalise their businesses with the view to create decent jobs. Further, the State party in its long-term development plan “Vision 2030” has set goals for attaining desirable socio-economic indicators to fulfil the aspirations of the people.

15. Currently, policies exist that aim at addressing the challenge of unemployment. The notable policies that address employment issues include:

- **The National Youth Policy-2024** provides for Skills Training Centres where young people are trained in various skills disciplines such as catering, carpentry and joinery, brick laying and plastering, welding, power electrical and ICT skills. As of October, 2023, the State party accredited 386 Skills Training Centres to the Technical Education, Vocational and Entrepreneurship Authority (TEVETA).

Further, the State party through the Ministry of Youth, Sports and Arts facilitates for the young people to acquire practical experience through attachment to various institutions. Following this, some of the youths are retained in the institutions by way of employment. Those unable to be absorbed in this manner are provided with “start-up kits” which include basic materials relevant to their trade and a small financial grant for capital.

Additionally, the State Party, through the Ministry, facilitates access to credit and financial service facilities to the youths through provisions of collateral-free and low interest loans. For this purpose, the State party, through the Ministry, has set up a special fund called “the Multi-Sectoral Youth Empowerment Fund”.

- **National Employment and Labour Market Policy (NELMP)-2018**

The 2018 NELMP, which currently under review, is one of the policies formulated by the State party to foster job creation. The overall objective of the 2018 National Employment and Labour Market Policy was to “support inclusive economic growth and development through the promotion of gainful and decent employment in all the sectors of the economy.

- **National Productivity Policy-2020**

The National Productivity Policy provides a mechanism for facilitating consensus on the interpretation and the need for increased productivity in all sectors of the economy. It serves as a means for establishing an appropriate institutional framework for building the productive capacities of individuals and organizations. In addition, the Policy acts as a catalyst for motivating individuals and organizations in all sectors of the economy to work in a concerted manner in efforts aimed at raising national productivity levels.

#### **Information relating to paragraph 41 of the concluding observations**

16. The State party has continued to take effective measures to ensure that the minimum wage enables workers and their families to enjoy an adequate standard of living. In this regard,

it was realised that the minimum wage had been inadequate for some time to meet the needs of most families. Therefore, Statutory Instrument No. 48 of 2023 was enacted in November 2023, to respond to the increase in the cost of living. The workers in the aforesaid sectors are recognised as being some of the most vulnerable workers therefore, requiring special protection of the minimum conditions of service by law.

17. The State party wishes to report that the Ministry of Labour and Social Security follows the price index system established by the Zambia Statistics Agency before reviewing the minimum wage. Additionally, the Ministry of Labour and Social Security is in the process of introducing sector-based minimum wages to protect more vulnerable employees in other sectors. Further, the Ministry of Labour and Social Security has introduced the office of Assistant Labour Commissioner who has the mandate to enforce the minimum wage orders through labour inspections to ensure compliance with the Orders.

#### **Information relating to paragraph 42 of the concluding observations**

18. The Committee's observation to limit the scope of the definition of essential services is noted. The Committee may wish to note that workers in the State party continue to enjoy the right to form and be part of any trade union of their choice. This right is guaranteed in Article 21 (1) of the Constitution of Zambia and under section 5 of the Industrial and Labour Relations Act Chapter 269 of the Laws of Zambia. Although membership to trade unions is provided for as stated, it is opined by the National Congress of Trade Unions that the threshold of the number of workers at a workplace required to form a union (about 50 or such other number as prescribed by the Minister) is too high. The implication is that most workers in medium enterprises may be denied the right to join a union of their choice. The Industrial and Labour Relations Act is currently being considered for review to address some of the issues raised above.

19. The right to strike is also guaranteed in section 5(h) of the Industrial and Labour Relations (Amendment) Act, Chapter 269 of the Laws of Zambia. Every worker is entitled to strike provided it is done within the ambit of the law.

#### **Information relating to paragraph 43 of the concluding observations**

20. The Committee may wish to note that prior to 2019, social security in the State party was generally limited to the formal sector. However, despite the State party's efforts in the recent past to increase employment opportunities for citizens, the majority of the State party's population are in the informal sector with little or no social security. The State party currently has five main public social security schemes namely; the Local Authorities Superannuation Fund, the Public Service Pension Fund, the National Pension Scheme, Workers Compensation Fund Control Board and National Health Insurance Scheme.

21. The National Pension Scheme established under the National Pension Scheme Act No. 40 of 1996 ("National Pension Scheme Act"), is the largest social security scheme in the State party and was established to provide social security cover to all eligible employees in the case of retirement, disability or death (hereinafter the "Contingencies"). The Public Service Pension Fund and Local Authorities Superannuation Fund are occupational pension schemes for workers in the civil service and local authority, respectively, who were employed before 2000.

22. The National Pension Scheme is administered by the National Pension Scheme Authority ("NAPSA") and is a basic Pension Scheme applicable to all employees in the private and public sector having commenced its operations in February 2000 and has largely focused on the formal sector.

23. Despite the focus of the National Pension Scheme being on the formal sector, the formal sector only represents 30% of the State party's workforce while the remaining 70% are in the informal sector. Therefore, in line with NAPSA's mandate and the State party's policy on poverty alleviation through social protection as espoused in the 8th National Development Plan, the State party through NAPSA embarked on measures to address challenges relating to social security in the State party with a focus on extending social security coverage to the uncovered groups in the informal sector. These include

self-employed persons such as bus and taxi drivers, saw millers, traders and small-scale farmers.

24. In light of the above fact, NAPSA established a Project Unit to spearhead the Extension of Coverage to the Informal Sector in 2017, with a focus on the development of strategies and initiatives aimed at extending social security coverage to the informal sector. As part of fulfilling its mandate to extend pension coverage, NAPSA spearheaded the enactment of the National Pension Scheme (Informal Sector) (Membership and Benefits) Regulations, Statutory Instrument No. 72 of 2019 (“Informal Sector Regulations”).

25. The Informal Sector Regulations marked the creation of the legal framework for the extension of social security to the informal sector. This was a demonstration of the commitment of the State party through NAPSA to ensure that the National Pension Scheme was an inclusive scheme covering all people in social security. The extension of coverage is intended to ensure inclusive social security coverage for all citizens of the State party, including those in rural areas. NAPSA therefore, targeted five (5) sectors to be piloted within the informal sector including marketeers, domestic workers, bus drivers, saw millers, small scale and dairy farmers in the rural parts of Southern, Central and the Copperbelt Provinces.

26. Further, the informal sector sub-scheme has a benefit package that is tailored to meet the expectations of the informal sector workforce. These include Weather Index Insurance, Maternity Benefits and Access to Credit, which benefits are unique and relevant for the informal sector scheme. In May 2021, the Zambia Industrial Commercial Bank disbursed the first loans to eligible small-scale farmers in the Magoye District of Southern Province.

27. Thus far, NAPSA has made tremendous efforts in extending coverage to the informal sector. Since the enactment of the Informal Sector Regulations, NAPSA has registered a total number of seventy-nine thousand (79,000) members under the informal sector scheme. The success that has been recorded thus far with the extension of coverage to the informal sector is largely attributed to vigorous campaigns and roadshows conducted in different parts of the State party through NAPSA and the establishment of partnerships with strategic stakeholders such as the Dairy Farmers Association of Zambia.

28. It should also be noted that before the extension of coverage to the informal sector project, the National Pension Scheme Act in August 2015 underwent a major amendment through the enactment of the National Pension Scheme (Amendment) Act No. 15 of 2015. This Act revised the pensionable age for the members of the National Pension Scheme from the age of fifty-five (55) to sixty (60). In addition to revising the pensionable age, the 2015 National Pension Scheme Amendment Act introduced late retirement at the age of sixty-five (65) for members of the National Pension Scheme.

29. In addition to the lack of coverage for the informal sector, the National Pension Scheme previously did not adequately address some of the challenges of its members. Key challenges faced were the lack of a benefit that allows members to access their contributions before retirement and delayed payment of benefits in certain instances.

30. Prior to its amendment, the National Pension Scheme Act did not provide for any instances when a member can access their contributions before the occurrence of any of the contingencies. This prompted the recent enactment of the National Pension Scheme (Amendment) Act No. 1 of 2023 on 14th April, 2023, whose purpose was to allow members below retirement age to access a once off pre-retirement lump sum benefit.

31. The premise of the 2023 Amendment was that despite the generally good performance by NAPSA against the key policy objectives of establishing the scheme, there were growing calls by members and other stakeholders for NAPSA to introduce a benefit that would permit members to access their contributions before attaining pensionable age. As at 31st March, 2024, a total of ZMW 9.4 Billion had been paid to 447,760 members that had claimed the pre-retirement benefit.

32. The rationale of the introduction of the pre-retirement lump sum benefit was to give members of the scheme access to financial resources and liquidity that would allow them to improve their income in the short-term, provide opportunities to cope with income shocks, invest in a business and improve savings among others. This was viewed as part of the process

of ensuring social protection in the medium to long term among members of the National Pension Scheme.

33. The Pre-Retirement Benefit entitles members of the National Pension Scheme who have made a minimum of at least 60 monthly contributions regardless of age or have attained the age of 45 regardless of the number of contributions to access 20% of their contributions inclusive of interest and indexation.

34. At retirement, members who have accessed the Pre-Retirement Benefit are entitled to the remaining 80% of their contributions (residual contributions). Therefore, despite members accessing part of their contributions, their retirement benefit is still guaranteed which is a key component of social security.

35. The State party is determined to continue making improvements to guarantee social protection for its members and support the efforts of NAPSA to effectively implement the International Covenant on Economic, Social and Cultural Rights.

#### **Information relating to paragraph 44 of the concluding observations**

36. Kindly refer to the Measures taken to implement Article 9 of the Covenant which details the monitoring function concerning private social security schemes and funds.

#### **Information relating to paragraph 45 of the concluding observations**

37. The State party continues to respond to these harmful traditional practices by ensuring that an adequate legal framework is put in place to protect widows and orphans. Steps have been taken aimed at eliminating and ending discrimination on the basis of sex, marital status and gender bias, including abolishing discriminatory inheritance laws, through the enactment and constant revision of relevant legislation. The Constitution in its preamble recognises the equal worth of women and men to freely participate in, determine and build a sustainable social order.

38. Further, the State party through the Ministry of Community Development and Social Services, has various protection programmes aimed at reducing poverty and vulnerability among key target groups such as women and children, such as Ending Child Marriage Programme and Social cash transfer programme; supporting womens' livelihood; keeping girls in school (in collaboration with Ministry of Education) and the public welfare assistance scheme. The total number of girls supported from 2020–2023 is 148,616. Additionally, the Ministry of Community Development and Social Services also promotes family-based care through income generating support initiatives, training in small scale entrepreneurship activities and start-up capital. To-date the State party's flagship of the Social Cash Transfer Program has a caseload of 1, 311, 101.

39. Although customary law is recognised under the State party's legal framework, Article 1 of the Constitution provides that any customary law and customary practice that is inconsistent with the Constitution shall be void to the extent of its inconsistency. Further, the Local Court Act Chapter 29 of the Laws of Zambia in section 12 provides that African customary law shall apply to any matter in so far as such law is not repugnant to natural justice or morality or incompatible with the provisions of any written law. Where customary law is therefore, in conflict with statutory law, statutory law takes precedence. This position was reaffirmed by the High Court in the case of *Ann P. Nkhoma v Smart Nkhoma*<sup>1</sup> where the High Court held that a Local Court shall administer only African customary law applicable to any matter before it, provided such law is not repugnant to natural justice or morality or incompatible with the provisions of any written law.

40. The Committee is invited to further note that the State Party has implemented the following measures:

- Criminalisation of harmful cultural practices under section 157 of the Penal Code (Amendment Act No. 15 of 2005), which provides as follows:

<sup>1</sup> *Ann P. Nkhoma v Smart Nkhoma* (2003) ZMHC 1.

*“(1) Any person who conducts or causes to be conducted a harmful cultural practice on a child commits a felony and is liable, upon conviction, to imprisonment for a term of not less than fifteen year and may be liable to imprisonment for life.*

*(2) in this section “harmful cultural practice” included sexual cleansing, female genital mutilation or an initiation ceremony that results in injury, the transmission of an infectious or life-threatening disease or loss of life to a child but does not include circumcision on a male child.”*

- Enactment of the Gender Equity and Equality Act No.22 of 2015 wherein the mandate of the Gender Equity and Equality Commission which is yet to be operationalised, includes the monitoring, investigating, researching, educating, lobbying, advising and reporting on issues concerning gender equity and equality.

41. Further, through the Zambia Law Development Commission (ZLDC), the State party has continued reviewing its legislation with the aim of abolishing harmful traditional practices and inheritance laws. Particularly, ZLDC has undertaken wide consultation on the review of the Interstate Succession Act to grant more inheritance rights to widows and orphans. Additionally, the enactment of legislation such as the Anti-Gender-Based Violence Act No. 1 of 2011 further aimed at protecting women against inequality, violence and other hegemonic practices committed against them illustrates the State party’s commitment to take adequate measures to address difficulties faced by women. To put the law into effect, the State party continues to sensitize judges, law enforcement officers and traditional leaders on traditional practices that may be harmful to women and orphans.

42. Programmes such as the Zambia Integrated Health Program campaign have been initiated focused on traditional leaders and their representatives with the view of changing perceptions and mind sets. Emphasis has been put on the need to be mindful of the pre-democratic era which influenced many African customs and traditions, and the need to promote equality for all as guaranteed by the Constitution in handling cases involving the interpretation and application of customary law. This has resulted in the adoption of harmless traditional practices. For example, sexual cleansing which was more common among the Bemba people of Luapula Province has been replaced with the symbolic gesture of wearing white beads on the right hand of the widowed spouse. In the Copperbelt Province, cleansing is now performed by smearing corn mash over the widowed spouse’s body. These practices still preserve the original value of the traditional custom, while eliminating the sexual aspects and other inhuman and degrading treatment of women, and the risk of HIV/AIDS.

#### **Information relating to paragraph 46 of the concluding observations**

43. The revision of two major policies relevant to children in the State party, the National Youth Policy in 2024, and in and the National Child Policy, which was revised in 2015, improved implementation of policies and legislation to improve the well-being of children and youth in the State party. Specific interventions aimed at preventing abject poverty and destitution in the home, an aspect reported as contributing immensely to the population of street children continue to be implemented by the State party. These have been done through programmes such as the Public Welfare Assistance Scheme (PWAS), the Social Cash Transfer Scheme (SCT) and the newly introduced Child Grant Scheme, focused mainly on children in the most destitute and incapacitated households. Further, the State Party is feeding over 2 million Early Childhood and Primary school learners in the public schools through a school feeding programme. This programme is currently in 70 districts across all 10 provinces and is being implemented in 5,231 schools.

44. Furthermore, as of 2020, 125 child protection committees (formerly Street Children Committees) were established at community level in different chiefdoms to sensitize communities on the dangers of harmful traditional ceremonies and the need to enact traditional child protection by-laws to strengthen child protection issues and end child marriages at household level. The committees’ main objectives are to provide coordination, capacity building and resource mobilisation at local and regional levels. These committees include representatives from relevant government line Ministries and Non-governmental organisations that provide services to street and other vulnerable children.

45. In 2020, the program under the Ministry of Youth, Sport and Child Development as it then was (now the Ministry of Youth, Sport and Arts) in collaboration with the Zambia National Service under the Ministry of Defence, introduced a program called the Rehabilitation and Integration of Street Children. The main objective of the program is to provide skills and rehabilitation of street children. The program is at 3 levels; the identification, training and integration of street children in the communities. The skills provided include general agriculture, catering, metal fabrication, auto mechanics, and plumbing amongst others. The Committee is invited to note that though the training is conducted by the Zambia National Service, the training personnel are capacity built in children's rights and equipped with the appropriate teaching methodology to also provide counselling to the children. As such, the training has no military component. The duration of the programme is 18 months and upon graduation, the graduates are linked to job placements and others are encouraged to form cooperatives through provision of start-up kit and capital. The training which is ongoing has now taken a different approach as civil society organisations have had their capacity built to provide this training. The department of Child Development is now under the Ministry of Community Development and Social Services.

46. The State party reports that preventative and rehabilitative services for children of physical, sexual and substance abuse are provided through partnership by the State party and private childcare institutions. Children, once removed from the streets, are taken to childcare institutions that care for children from the streets. Further, the State party has established two (2) Children's Centres in Lusaka Province and Copperbelt Province for the rehabilitation of children before reintegration with families.

47. Services for reintegration of street children are provided through the Department of Social Welfare in the Ministry of Community Development and Social Services and partner organisations trained to counsel families and children before reintegration. Home assessments are done before reintegration to assess the needs of the family and provide or recommend for assistance through the various social protection services available.

#### **Information relating to paragraph 47 of the concluding observations**

48. In its efforts to improve monitoring mechanisms to address the problem of child labour, the State party enacted the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order, 2013 (Statutory Instrument No. 121 of 2013) to prohibit employment of children or young persons in any type of hazardous labour. This was formulated in order to address the rising exploitation of children in sectors such as small-scale mining operations, agriculture and stone crushing.

49. The State party reports that the Children's Code Act No. 12 of 2022 has identified the need for protection of under age children and prohibits the use of forced labour of children. Section 13 states that "A person shall not subject a child to economic exploitation or any work that is hazardous or likely to interfere with the child's education, physical or mental health, spiritual, moral, emotional or social development." This law therefore criminalises the exploitation of children. The State party working together with other key stakeholders such as the Ministry of Labour and Social Security, is involved in programming at district level through coordination mechanisms such as the District Child Labour Committees and the District Child Protection Committees.

50. Additionally, the Child Protection Committees referred to in paragraph 43 above, are mandated to look into the plight of children generally which includes the matter of child labour.

#### **Information relating to paragraph 48 of the concluding observations**

51. The Ministry of Community Development and Social Services implements various programmes aimed at reducing poverty and vulnerability among women, children and persons with disabilities. These programmes are cash-based and in-kind support. The main programmes are the social cash transfer; food security pack; supporting women's livelihood; keeping girls in school and public welfare assistance, among others. The social cash transfer programme has a current caseload of 1, 311,101 (women, men); the food security pack

caseload is 242,000 as of 2023; supporting women's livelihood and public welfare assistance 93,198 as of 2023 (38,036 are males and 55,162 are females).

52. The State party wishes to provide information on the availability, coverage and funding of social services to support families, as well as on legal provisions in place to ensure equal opportunities for all families, in particular poor families, families from ethnic minorities, and single parent families, in relation to:

#### *Child care*

53. The State party reports that funds have been consistently released that support families. Child Headed Households and female headed households have been part of the target for the Social Cash Transfer program which aims at alleviating poverty. In addition, the State party has continued to help families access various non-contributory basic social protection services such as the Public Welfare Assistance Scheme and Food Security Pack.

54. The State party also endeavours to facilitate the strengthening of linkages between Social Protection Schemes and care services often provided in the community (parenting support, etc.)

55. Section 181 of the Children's Code Act No. 12 of 2022 recognises the need for strengthening families and has provided for intensive family support services. These are services that aim at addressing various challenges and protection needs faced by children and their families such as child abuse, poor parenting, school dropout, among others. The Ministry of Community Development and Social Services, with support from UNICEF and other partners is implementing the children in families programme. Under this initiative Government has developed, finalised and launched the Integrated Statutory Case Management Information Management System (ISC-MIS) and the Guidance Notes for Statutory case management. This is aimed at capturing data for decision making for the various thematic areas for the protection which include; Children in migration, Children in Conflict with the law, Circumstantial children, Ending Child Marriage, Alternative Care and Violence Against Children.

#### *Persons with disabilities*

56. Social services that enable older persons and persons with disabilities to remain in their normal living environment for as long as possible and to receive adequate health and social care when they are dependent.

57. The State party having ratified the United Nations Convention on the Rights of Persons with Disabilities in 2010, has ensured that Persons with disabilities are a priority in its social protection programming. The State party through the Ministry of Community Development and Social Services has put in place several interventions and programs to provide services and amenities that contribute towards the uplifting the welfare and dignity of persons with disabilities thereby reducing poverty and inequality among them.

58. Some of the measures include the establishment of the Zambia Agency for Persons with Disabilities (ZAPD) under the Persons with Disabilities Act No. 6 of 2012. This has ensured access for persons with disabilities to education, assistive devices, microfinancing, rehabilitation, skills training, accessible information and agricultural support.

59. In order to continue and expand support to persons with disabilities, the State party is working through modalities of ensuring ZAPD is self-sustaining through the Public Private Partnership (PPP) programme on properties and farm centres owned by ZAPD.

60. Further, the National Vocational and Rehabilitation Centre (NVRC) was established as a pilot to train injured workers in line with the Workers Compensation Fund Control Board provisions. In 1977, the State party and the Workers Compensation Fund Control Board (WCFCB) agreed to establish a more encompassing training centre where those with congenital disabilities and those with disabilities acquired through injuries could be trained. The establishment of NVRC was also supported by the Finnish Government and the International Labour Organisation (ILO). The 1982 United Nations Declaration of the Decade of Disabled Persons (1983–1992) prompted an increase of activity designed to improve the situation and status of persons with disabilities. This further encouraged

Government's and stakeholder's efforts towards the establishment of NVRC. Between 1984 and 1986, a permanent National Vocational and Rehabilitation Centre was constructed by the WCFCB while the State party and the Finish Government in conjunction with ILO provided necessary equipment and machinery for the Centre.

61. The State party through the Ministry of Community Development and Social Services is working towards a quota system in providing services to persons with disabilities so that at least 10% of all programs and employment opportunities are reserved for persons with disabilities to address inequalities. This is envisioned to help persons with disabilities access services on an equal basis with others.

62. The Social Cash Transfer Programme is one of the key Social Protection Programmes and it is non-contributory. The overall objective of the SCT is to contribute towards the reduction of extreme poverty and intergenerational transfer of poverty. This is a programme through which the vulnerable, poor and incapacitated households receive non-contributory cash which is in value of ZMW400 and ZMW 800 for disabled persons, bi-monthly. The State party through the Ministry of Community Development and Social Services has been implementing the social cash programme since 2003.

63. Over the past few years, the SCT Programme has grown significantly both in scale and financing, from 880, 537 beneficiary households in 2021 to 1,311,101 in 2023. Currently the SCT covers 54% of poor people, making it the biggest Social Protection intervention in the country. This demonstrates the State party's commitment to ensuring increased support to the disadvantaged.

64. Further, the State party through the Ministry of Community Development and Social Services has been providing welfare support to vulnerable and incapacitated households through the Public Welfare Assistance Scheme (PWAS), Disability mainstreaming and Care for the Aged under the social assistance pillar of the National Social Protection Policy (NSPP). The support has been material and financial. PWAS is implemented in all the 116 districts across the country and focuses on education support, medical support, repatriation of stranded persons and provision of food supplements such as baby formula and many other interventions.

65. The State party's practices have adapted and continue to make strides towards the disability inclusive approach in all Government programmes and especially social protection services.

66. Care for the Aged is implemented through institutional and non-institutional programmes. On institutional programming, the State party is running homes for older persons and for non-institutional care, aging is included as a criterion on social protection programmes.

#### **Information relating to paragraph 49 of the concluding observations**

67. The State party through the Ministry of Community Development and Social Services has been implementing the social cash programme since 2003, and has continued to grow it, as reflected in the current increase of the caseload from 1,025,606 in 2022 to 1,311,101 in 2023. This has been facilitated by the increase in the budgetary allocation by the State party which is envisioned to build the State party's financing capacity beyond the present international assistance.

#### **Information relating to paragraph 50 of the concluding observations**

68. The Committee is invited to note that the State party launched the National Lands Policy under Objective 8 on 11th May, 2021, which adequately deals with the allocation of land to women which aims to achieve a gender sensitive and youth friendly land sector which is inclusive of people living with disabilities and other socially marginalized groups, which is aligned with Articles 3 and 11 of the Covenant. The policy entails and ensures that fifty percent (50%) of available land is allocated to women.

**Information relating to paragraph 51 of the concluding observations**

69. With regards the efforts to improve the living conditions in prisons and detention centres the State party has put in place various measures.

70. The State party has continued in its efforts to decongest the prison population by constructing more modern prisons, correctional centers and open-air farms. In this regard the State party has constructed a number of new Prisons, Correctional Centres and Open-Air Correctional farms across the country as follows;

**Correctional Centres constructed between 2013 and 2023:**

<i>S/N</i>	<i>Location</i>	<i>Holding Capacity</i>	<i>Year Constructed</i>
1.	Mwembeshi Maximum	650	2018
2.	Mwembeshi Remand Correctional Centre	2 000	2023
3.	Mwembeshi Central Correctional Centre	2 000	2023
4.	Monze Correctional Centre	250	2016
5.	Luwingu	200	2016
6.	Kalabo	250	2017
7.	Nansanga Open Air Correction farm	1 600	2022
8.	Luko Open Air Correctional Farm	250	2022

71. The provision of conditional releases of inmates through the prerogative of mercy and parole system has also positively contributed to decongesting prison and correctional centres. Although the parole system's main aim is to promote good behavior and reformation amongst inmates, it has ultimately contributed to the decongestion of the prisons and correctional centres which has seen the release of a total of 1,625 inmates on parole between 2017 and 2023. Of these, 1,526 were male and 99 were female.

72. The Committee is invited to note that following the repeal and replacement of the Prisons Act Chapter 97 of the Laws of Zambia by the Zambia Correctional Service Act No.37 of 2021, the State party has commenced the review and amendment of the Parole Rules which will ensure that more inmates are eligible for release on parole.

73. Presidential pardons have had a positive effect on reducing overcrowding in correctional centres. The State party has continued to use the Presidential pardon as a tool to address overcrowding. A total of 17,418 inmates received Presidential pardons between 2019, and 2023.

74. The Committee is invited to note that new modernised detention facilities/holding cells have been constructed alongside the construction of new police stations countrywide. Some of the recently newly constructed modern police stations with modernised holding cells are; Chelstone Police Station; Embassy Police Station; Lufwanyama Police Station; Kazungula Police Station; Ngabwe Police Station and Mwense Police Station. Further, there are on-going projects such as the construction of new police stations and police posts countrywide not yet completed but progressing well. The completed projects and on-going projects have modern prototype plans to ensure better conditions for all detainees. Thus, the new cells have, in addition to having male holding facilities, provision for holding female detainees and juveniles.

75. The State party wishes to report that in an effort to improve living conditions of inmates in Prisons and Correctional Centres, a total number of 25,000 mattresses and blankets were procured and distributed country wide in all Prisons and Correctional centres in 2022.

76. Further, through continued collaboration with key partners and stakeholders, a donation of 172 industrial fans was made by Centre for Infectious Diseases and Research in Zambia (CIDRZ) to Zambia Correctional Service in February, 2023. The industrial fans are meant to help improve ventilation in Prisons and Correctional Centres. The 172 industrial fans have since been distributed to strategic Correctional Centres in Lusaka and Southern Provinces.

77. With regards to the provision of health services, the State party remains resolute in ensuring that healthcare services are brought closer to inmates in Prisons and Correctional Centres through the provision of quality healthcare services, which has resulted in the implementation of the following programmes:

- Mass screening and treatment of Tuberculosis (TB) in Correctional Centers which took place 2021;
- Assessment of HIV, TB, STI and Hepatitis B in correctional centers conducted in 2021 which indicated infection reduction from 14% in 2020 to 6% in 2021 representing 8% reduction in HIV and Communicable diseases in Correctional Centers; and
- Development of the Zambia Correctional Service 2022–2026 Health Strategic Plan and the Implementation Plan.

78. In order to promote access to adequate healthcare services to those in Prisons and Correctional centres, the State party has established 29 healthcare facilities in all the 10 provinces which include four mini hospitals at the following facilities: Livingstone Central, Chipata, Kabwe Medium and Lusaka Central. The four mini-hospitals have well established laboratories for TB Screening, live testing, CD 4 count, and chemical analyzer, among other things.

79. During the period 2015 to 2021, the State party employed 226 medical personnel to work in the health facilities established in Correctional Centers. With reference to the provision of adequate health care for female inmates, female inmates have equal access to health care services located within and outside the correctional facilities. These measures have seen improvements in the mortality and morbidity rates among inmates in Prisons and Correctional Centres.

80. The Committee is invited to note that the State party has employed Environmental Health Officers (EHOs) and Environmental Health Technologists (EHTs) who advise the Correctional service on matters related to general environment in which inmates live and recommends the closure of certain facilities (infrastructure) if such are not habitable for human beings or contravening the provisions of the Public Health Act, Chapter 295 of the Laws of Zambia. The functions of these Environmental Health Staff also extends to prevention of diseases arising from the food, water and air that the inmates, officers and the surrounding communities are exposed to. These functions are done through inspections of premises and food, water and air, then making necessary recommendations.

81. With regards living conditions of Juvenile offenders, the State party has put measures to separate juveniles from adults in Prison/Correctional Centres country wide. This can be evidenced from the enactment of the Children's Code Act No.12 of 2022 which requires that a child shall not be kept in custody in an adult prison or correctional centre. In an effort to implement the Children's Code Act, the State party has so far constructed a new Juvenile section at the New Mwembeshi Central with a total holding capacity of 300.

82. The State party wishes to report that the Constitution changed the name of the Service from Zambia Prisons Service to Zambia Correctional Service. This means that the service has shifted from punitive to correction and rehabilitation of inmates. In line with the Constitution, the Zambia Correctional Service Act No. 37 of 2021 was enacted, which has since repealed and replaced the Prison Act Chapter 97 of the Laws of Zambia which includes provisions of Mandela rules and other International Human Rights Laws on the treatment of offenders.

83. The State party has also embarked on the process of restructuring the Correctional Service so that it conforms to the new mandate given by the Constitution. This will enable the State party to increase the ratio of Correctional officers from the existing one officer to fifty (50) inmates to the acceptable standard of one officer to four (4) inmates ratio. The Zambia Correctional Service has also taken measures to ensure that inmates do not re-offend after discharge through a number of rehabilitation programmes that the Offender Management Unit in the Service handles.

84. It is also important to note that there are a number of rehabilitation programmes being implemented that are designed to facilitate purposeful engagement with the inmates during incarceration. Inmates are allocated programmes according to their needs as identified in the Correctional Services. Some of the key rehabilitation programmes include:

- Pro-Social Thinking;
- Anger & Emotional Management;
- Substance Abuse Treatment;
- Managing and Overcoming Violence; and
- Sexual Offending Treatment:
  - Psychosocial Therapy; and
  - Occupational Therapy.

85. The Committee is invited to note that the State party remains committed to improving sanitary conditions in detention centers around the country and has ensured the provision of access to running water in all detention centers. The State party has also with the support of cooperating partners, ensured the provision of hygiene packs such as bathing soaps, washing detergents, toothpastes and brushes, disinfectants as well as other sanitary products to inmates.

86. Further, the State party has implemented programs to provide inmates with access to formal education, literacy classes, and vocational training opportunities. These programs aim to equip inmates with the necessary skills and knowledge to reintegrate into society upon their release. The State party has also developed initiatives focused on the rehabilitation and reintegration of offenders, including counseling services, substance abuse rehabilitation programs, and support for post-release employment. These efforts are essential for reducing recidivism rates and promoting successful reintegration into the community.

#### **Information relating to paragraph 52 of the concluding observations**

87. The State party holds the health sector as a priority and this is reflected in its commitment to steadily increase budgetary allocation to the sector. In 2024, the budgetary allocation increased showing the State party's desire to expand access to quality health care across the country. The increase was attributed to the need by the State party to recruit additional medical personnel, improve primary and community health by increasing funding to hospitals and clinics and the procurement of equipment and drugs. For 2023, budgetary allocation to the health sector stood at ZMW17.4 billion, representing 10.4 % of the total ZMW167.3 billion national budget. For 2024, allocation to the health sector increased to ZMW20.9 billion; representing 11.8 % of the overall ZMW177.8 billion national budget. The State party has also put in place measures aimed at improving the conditions of the health sector and these include:

- Construction and rehabilitation of district hospitals;
- Construction of staff houses and mini hospitals;
- Procurement of drugs and medicines, and medical equipment; and
- Electronic health records.

88. The State party recognises that the unequal distribution of health personnel between rural and urban areas coupled with lack of training programmes and re-orientation towards integrated health services, is a major problem. In addressing this challenge, the Committee is invited to note the following measures<sup>2</sup> to be implemented by the State party, *inter alia*:

- Strengthen human resource management, planning, development and administration at all levels within the sector;
- Continue expanding the health workforce as and when the overall resources framework allows;

<sup>2</sup> Extracted from the National Health Policy, 2013.

- Increase enrolment of students and use equitable system in the enrolment of nurses and clinical officers among provinces; and
- Promote the recruitment and retention of health workers.

### **Information relating to paragraph 53 of the concluding observations**

89. The State party has put in place measures to prevent the spread of HIV/AIDS and other sexually transmitted diseases. It has further adopted measures to educate high risk groups, children and adolescents as well as the general public on the transmission of HIV/AIDS. Some of the measures that the State party has put in place to prevent HIV/AIDS are prevention of mother to child transmission of HIV which involves the screening of mothers during antenatal care visits and paediatric HIV testing. Antenatal syphilis testing and other STIs testing of pregnant women to prevent a child from being infected are also conducted. Further, there has been increased sensitisation in public places and through the media of the dangers of HIV/AIDS and how it is transmitted. Currently, the State party encourages condom use, distributes free condoms in public institutions, and encourages male circumcision through radio and television programmes in order to control the spread of HIV/AIDS. In addition, it provides treatment of STIs and HIV as a preventive measure.

90. HIV prevalence for both males (5–59 years) and females (aged 15–59) declined from 12.0 % in 2016, to 11.0% in 2021. The prevalence among females declined from 14.6% in 2016, to 13.9% in 2021. In the same vein, the prevalence of males also declined from 9.3% in 2016 to 8.0 in 2021. Rural and urban prevalence was recorded at 8.7% and 14.4 respectively in 2016. In 2021, HIV prevalence by location was highest in urban areas compared to rural areas at 13.5% and 9.2% respectively. This shows an increase in prevalence in rural areas while urban areas showed a decrease (ZAMHIA, 2021).

91. The Joint United Nations Program on HIV/AIDS (UNAIDS) “95-95-95” targets call for 95 percent of people living with HIV to be aware of their status, 95 percent of those aware of their status to be on Antiretroviral Therapy (ART), and 95 percent of those on ART to achieve viral load suppression (95:95:95). As of 2023, The State party had made progress towards the UN targets and was standing at 89:97:97. Despite the progress made, the State party has intensified its efforts to combat the pandemic of HIV by promoting the following:

- Strengthen prevention and case detection of HIV and STIs;
- Strengthen management of HIV / AIDS, STIs and other opportunistic infections;
- Strengthen access to functional palliative care services; and
- Scale-up prevention and control services among vulnerable and high-risk groups.

92. Measures have further been adopted to provide support to persons with HIV/AIDS and their families. The State party provides couple counseling in family-centered settings which allow children to be part of the counseling sessions. There are also policies in workplaces on HIV/AIDS that allow for the provision of counseling services to a spouse and immediate family members. Community health workers are also allowed to administer ARV at home and they are provided with integrated community health service packages. This is done in line with the Zambia Consolidated guidelines for the treatment and prevention of HIV and the Zambia National HIV Testing Services guideline.

93. The State party also encourages people in the workplace to formulate support groups to offer support to persons with HIV/AIDS. With regard to the reduction of social stigma on HIV/AIDS, the Committee is invited to note that the number of people disclosing their HIV/AIDS status has been increasing steadily. Further, measures have been put in place to ensure affordable access to anti-retroviral medicines. Currently there is a policy in place on free Anti- Retroviral drugs in public institutions that enables people to access free Anti-Retroviral drugs.

94. The State party has continued its prevention and care efforts in the field of health by providing sexual and reproductive health services, particularly to women and young people. The prevention and care efforts are seen along the continuum of care through one’s life cycle from child health to adolescent reproductive health. These are:

- Family planning services before pregnancy and during pregnancy through antenatal and after delivery through postnatal visits and community-based visits, to improve mother health and child survival;
- Integrated interventions approach aimed at improving health outcomes;
- Integration of other services such as sexually transmitted infections, family planning health education, prevention of mother to child transmission as part of antenatal services;
- Introduction of youth friendly services;
- Health promotion activities; and
- School health initiatives.

95. The State party has taken measures to combat HIV/AIDs through public information programmes. The State party through the Ministry of Health has been conducting sensitisation programmes and has intensified campaigns for voluntary counselling. The Anti-AIDS clubs formed in schools have also been useful in ensuring that information on HIV/AIDs is provided to the young people who are in schools. The introduction of the 990 toll free help lines on HIV/AIDS issues has been effective in ensuring that people are given information on HIV/AIDS.

#### **Information relating to paragraph 54 of the concluding observations**

96. See response to Article 13 of the Covenant below.

#### **Information relating to paragraph 55 of the concluding observations**

97. As stated in the response to paragraph 42 of the Concluding Observation above, the State party through the Ministry of Community Development and Social Services, runs a scheme called the Public Welfare Assistance Scheme, which is a social assistance scheme. The beneficiaries of the programme include orphans and vulnerable children who may be coming from child headed households. Support is given in the form of school fees for the children from grade 1 to 12 in public schools. However, there are no disaggregated statistics for child headed households only as other children who receive support are identified from other vulnerable households including where the household head is aged, disabled, chronically ill or an unsupported woman. In 2023, the number of vulnerable children who benefited from the Scheme as stipulated in the Public Welfare Assistance Statistics-2023 was a total number of 93,198 distributed as 38,036 males and 55,162 females.

98. The State party reports that funds have been consistently released that support families. Child headed households and female headed households have been part of the target for the Social Cash Transfer program which aims at alleviating poverty. In addition, the State party has continued to help families access various non-contributory basic social protection services such as the Public Welfare Assistance Scheme and Food Security Pack.

99. The State party also endeavours to facilitate the strengthening of linkages between Social Protection Schemes and care services often provided in the community (parenting support, etc.).

100. The State party has recognised the need for strengthening families and has provided for intensive family support services through the implementation and adherence to Section 181 of the Children's Code Act No. 12 of 2022. This is to ensure that the support services aim at addressing various challenges and protection needs faced by children and their families such as child abuse, poor parenting, school dropout, among others. The Ministry of Community Development and Social Services, with support from UNICEF and other strategic partners is implementing the children in families' programme. The State party further reports that under this initiative Government has developed, finalised and launched the Integrated Statutory Case Management Information System (ISC-MIS) and the Guidance Notes for Statutory case management. The Statutory Case Management Handbook and the Management Information System was developed in 2022, and launched on 28th February, 2023. These tools are aimed at capturing data for decision making for the various thematic areas for the protection which include; Children in migration, Children in Conflict with the

law, Circumstantial children, Ending Child Marriage, Alternative Care and Violence Against Children.

101. Further, the State party has created an enabling environment allowing other players such as civil society organisations, private entities and non-governmental organisations to provide support and assistance in matters concerning the welfare of children and currently a community case management approach is being used and in addressing the rights and needs of children and adolescents who face multiple risks and deprivations requires a cooperative, multi-stakeholder approach. The Ministry of Community Development and Social Services (MCDSS) utilizes the Community Case Management approach to contribute towards improving the well-being of Vulnerable Children and Adolescents (VCA).

102. Community Case Management as a coordinated and integrated approach is increasingly being accepted as “best practice” in the State party. This is because as a Coordinated and integrated approach, it requires collaboration, shared goals and a common understanding of definitions, processes, roles, and responsibilities.

103. The Ministry of Community Development and Social Services has since developed the Community Case Management guidelines and tools which were launched on 28th February 2023. The overall goal of Community Case Management is to promote access to essential services to vulnerable children, adolescents and their families in a conducive environment that facilitates their holistic growth, development and resilience.

104. In addition, the Ministry of Community Development and Social Services is working towards the provision of an effective case management system with a broad range of preventive, protective, transformative, responsive, and promotive services that improve the well-being of children, adolescents, and their respective families. To ensure smooth coordination, flow of resources and application of expertise is required to ensure that vulnerable children, adolescents, and their families’ needs or challenges are holistically and appropriately addressed. At the time of reporting, the Number of Community Welfare Assistance Committee Members was at 88,180 (2023) and the Number of Committees was at 8,818 (2023).

105. Further, the State party has created an enabling environment allowing other players such as civil society organisations, private entities and non-governmental organisations to provide support and assistance in matters concerning the welfare of children.

#### **Information relating to paragraph 56 of the concluding observations**

106. In order to encourage girl child education, the Ministry of Education has continued to work closely with traditional leaders and faith-based organisations especially those in rural areas, to sensitise communities on the value of educating the girl child and discourage child and early marriages. The development of policies such as that to end child marriages and the re-entry policy to allow female children who fell pregnant to get back into school are all premised on illustrating to society the value of educating the girl child.

107. The Constitution under Article 231 (3) (a) has provided for Gender and Equity and Equality Commission whose mandate, is to promote the Gender Equality in all spheres of life and for monitoring and reporting of the implementation of the Act, However, the State party reports that the Commission has not been operationalised due to the provisions of the Act that are still being progressively implemented by the relevant ministries.

#### **Information relating to paragraph 57 of the concluding observations**

108. The implementation of the National Cultural Policy, which was adopted in 2003, is an ongoing process. This is done directly by the Ministry of Tourism and other Ministries and Statutory Bodies that partly deal with Cultural matters.

109. Further the implementation of the National Cultural Policy is reflected and implemented through the implementation of the Eight National Development Plan through construction and maintenance of cultural related infrastructure, festivals and exhibitions at national, provincial and district levels.

**Information relating to paragraph 58 of the concluding observations**

110. The State party invites the Committee to note that the proposed revision of the Bill of Rights which would have led to the inclusion of economic, social and cultural rights in the Constitution was not accepted in the referendum which took place in 2016. Therefore, there have been no legislative changes in the field of the aforesaid rights. That notwithstanding, the State party has continued to engage various stakeholders and cooperating partners to solicit for support to hold a referendum to amend the Constitution in a bid to enhance the Bill of Rights, so as to also include economic, social and cultural rights.

**Information relating to paragraph 59 of the concluding observations**

111. The Concluding Observation of the Committee is noted. The State party reports that it engages with various stakeholders through conducting public sensitisation programmes on the provisions of the Convention through trainings, conferences, seminars and inductions. Consultation and validation workshops are required to be made during the preparation of periodic reports and this serves as one of the means to raise awareness of international obligations the State party has undertaken upon ratification of the Convention, as well as the Concluding Observations. The State party reports that adjudicators are also encouraged to apply international instruments in decision making where it is evident that the local legislation has lacunas.

**III. Information relating to specific articles of the covenant****Measures taken to Implement Article 1 of the Covenant***Constitution*

112. The Constitution of Zambia guarantees the right to self-determination. The Constitution also recognises the equal worth of men and women and their right to freely participate in, determine and build a sustainable political, legal, economic and social order. The Constitution further confirms the equal worth of women and men and their right to freely participate in, determine and build a sustainable political, legal, economic and social order. Article 16 of the Constitution also guarantees the right to protection from deprivation of property.

**Measures taken to Implement Article 2 of the Covenant**

113. The constitutional framework on the respect for, promotion and protection of human rights and fundamental freedoms is provided for under Chapter III (Bill of Rights) of the Constitution. The Constitution aims at giving practical effect towards the fulfilment of all human rights although economic, social and cultural rights are non-justiciable. All rights under the Bill of Rights of the Constitution are guaranteed to all persons without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

114. Kindly further refer to the response to paragraph 33 of the Concluding Observations.

**Measures taken to Implement Article 3 of the Covenant***Constitution*

115. The Constitution recognises the equal worth of men and women in their rights to participate, and freely determine and build a political, economic and social system of their own free choice. Article 23 of the Constitution guarantees protection of all persons from all forms of discrimination including discrimination based on sex. This ensures the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant.

*Other Legislative Measures*

116. The Gender Equity and Equality Act No. 2 of 2015 provides for the establishment of the Gender Equity and Equality Commission which is yet to be operational and whose functions shall include the following:

- (a) Ensuring, in liaison with the Ministry responsible for gender, that gender equality and equity is attained and mainstreamed in public and private affairs and structures;
- (b) Monitoring, investigating, researching, educating, lobbying, advising and reporting on issues concerning gender equity and equality;
- (c) Recommending, to appropriate authorities, any measures that need to be taken to ensure gender equity and equality; and
- (d) Taking steps, in liaison with appropriate authorities, to secure redress for complaints relating to gender equity and equality.

117. The Citizens Economic and Empowerment Act No 9 of 2006 prohibits discrimination on the grounds of gender and facilitates the establishment of the Citizens Economic Empowerment Commission whose function is to provide gender equality in accessing, owning, controlling, managing and exploiting economic resources.

118. The State party has started reviewing the proposed amendments to the Intestate Succession Act, Chapter 59 of the Laws of Zambia, with the intention to ensure that widows are not disadvantaged in the sharing of the estate of their deceased husbands.

*Administrative Measure*

119. The Office of the President, has a Gender Division which is responsible for coordinating gender-mainstreaming activities in the country. Judging from the recent appointments of women to key decision-making positions as highlighted in the response to paragraph 39 of the Concluding Observations above, some measure of success has been achieved.

**Measures taken to Implement Article 4 of the Covenant***Constitution*

120. The Committee is invited to note that the imposition of limitations on the exercise of human rights is guided by the Constitution. The Constitution in Article 25 provides general guidance on when a limitation might be imposed on the exercise of a right; that is only as determined by law. Anything done outside the confines of the law is invalid.

**Measures taken to Implement Article 5 of the Covenant**

121. The State party acknowledges that all human rights are universal, indivisible, interrelated and interdependent; therefore, all rights demand an equal measure of protection. An example of a judicial measure implementing this right is the case of “Christine Mulundika v The People”<sup>3</sup> wherein the Court declared the unconstitutionality of the provisions of the Public Order Act Chapter 104 for being in contravention of articles 20 and 21 of the Constitution – being part of the Bill of Rights. The principle established in this case is still good law and relied upon to date.

**Measures taken to Implement Article 6 of the Covenant**

122. The State party through the enactment of the Employment Code Act No. 3 of 2019 provides for non-discrimination of employment. According to the law, an employer shall promote equal opportunity in employment and eliminate discrimination in an undertaking.

123. The Act protects an employee from any employment policy or practice that discriminates, directly or indirectly, against an employee on grounds of colour, nationality, tribe or sex. Further, the Act encourages employers to take affirmative action measures

<sup>3</sup> Christine Mulundika v The People Supreme Court Judgment No. 25 of 1995.

consistent with the promotion of equality or the elimination of discrimination in the employment process.

124. Further, the Anti-Gender Based Violence Act No. 1 of 2011 protects persons from economic abuse on the basis of gender. The Act defines economic abuse to include denying a person the right to seek employment or to engage in an income-generating activity. Economic abuse is a form of Gender Based Violence.

125. In line with this, Section 31 of the Gender Equity and Equality Act speaks to the elimination of discrimination in employment citing that a woman has, on an equal basis with a man, the same right to access employment opportunities and work in all sectors of the economy.

126. The State party, through the enactment of the Education Act No. 23 of 2011, commits to making general education and vocational education progressively available. Further, the Gender Equity and Equality Act in Section 30 provides for the elimination of discrimination in education and vocational guidance.

127. The State party has continued to support the development of human capacities, through investments and interventions in education and skills development, health and nutrition, water and sanitation and reducing poverty, inequalities and vulnerability.

128. In an effort to encourage women and girls to take up science and technology, the State party has been implementing affirmative action through the provision of scholarships for females intending to undertake courses in science and technology (National Gender Policy, 2023).

129. Further, in the Eighth National Development Plan (8NDP), the State party focuses on expanding access and improving quality of early childhood, primary and secondary education as well as technical education, vocational and entrepreneurship training and higher education through the following strategies:

- Enhanced access to quality, equitable and inclusive education;
- Improved technical, vocational and entrepreneurship skills;
- Increased access to higher education; and
- Enhanced science, technology and innovation.

### **Measures taken to Implement Article 7 of the Covenant**

#### *Legislative Measures*

130. Section 31 (1) of the Gender Equity and Equality Act No. 22 of 2015 provides that a woman has, on an equal basis with a man, the same right to access employment opportunities and work in all sectors of the economy. Further, section 31(2) of the aforementioned Act makes provision for equal remuneration, benefits and treatment in respect of work of equal value as well as equality of treatment in the evaluation of the quality of work for women. It also calls for the protection of conditions of work, accessibility of workplace and occupational health and safety including promotion, job security and the benefits of conditions of service. Additionally, the Employment Code Act No. 3 of 2019 in Part VII Sections 92–94 provides for employee welfare including water and sanitation for the employee, housing of employees and medical attention.

131. The Factories Act, Chapter 411 of the Laws of Zambia, makes provision for the regulation of the conditions of employment in factories and other places as regards the safety, health and welfare of persons employed therein; to provide for the safety, examination and inspection of certain plant and machinery. The State party through Section 31 of the Gender Equity and Equality Act provides for the elimination of discrimination in employment, which includes access to employment opportunities, promotion, job security and benefits of conditions of service. Further, the Employment Code Act No. 3 of 2019 provides for employee welfare and protection of wages, which includes housing and other needs.

132. Division 7.3 of the Employment Code Act No. 3 of 2019 also provides for the regulation of minimum wage level and minimum conditions of employment; and provides

for matters connected with or incidental to the foregoing. The law provides for different forms of wage determination such as: through Collective Bargaining for all workers that belong to a trade union and through Statutory Instruments issued by the Minister of Labour and Social Security for all non-management workers that do not belong to trade unions.

133. The Employment Code Act No. 3 of 2019 provides that the Minister may, by Statutory Instrument, designate a public holiday under the Public Holidays Act as a paid public holiday and an employee shall be entitled to a holiday with full pay if the employee is not absent from duty without the permission of the employer or for a reasonable excuse, either on the day immediately preceding or on the day following the public holiday. Further, an employee, who remains in continuous employment with the same employer shall be granted annual leave with full pay at a rate of at least two days per month.

#### *Administrative Measures*

134. The State party has strengthened the Ministry of Labour and Social Security to ensure that everyone enjoys just and favourable conditions of work. The Strategic Objectives of the MLSS are to:

- Promote employment opportunities for youths, women and persons with disabilities;
- Promote social dialogue;
- Promote social protection through the creation of a comprehensive Social Security System;
- Create awareness on labour and employment matters and enhance decision-making;
- Strengthen the regulatory and legislative framework for the employment and labour Sector;
- Promote and enforce Occupational Safety and Health Standards at places of work to ensure a safe and healthy working environment;
- Promote productivity in the country to enhance economic growth;
- Reduce the spread and impact of HIV and AIDS on workers and employers;
- Eradicate the worst forms of Child Labour;
- Reduce the brain drain in the country;
- Effectively utilize the skills of migrant workers;
- Curb discrimination in the labour market; and
- Monitor the implementation of ministerial programmes and ensure that the intended objectives are achieved.

135. In line with the above, the State party through the Ministry of Labour and Social Security has employed 21 labour officers and labour inspectors in a quest to ensure that all workers including migrant and expatriate workers enjoy just and favourable conditions of employment. In an attempt to improve the conditions of service for vulnerable groups and provide safe work environments, the Ministry of Labour and Social Security is in the process of revising the Minimum Wages and Conditions of Employment for Shop Workers, Domestic Workers and General Workers. Further, the Ministry of Labour and Social Security is also currently reviewing the Factories Act, Chapter 411 of the Laws of Zambia to ensure safety in the workplace.

#### **Measures taken to Implement Article 8 of the Covenant**

##### *Legislative Measures*

136. The State party recognises the right to form and be part of any trade union of their choice. This right is guaranteed in Article 21 (1) of the Constitution which provides that “except with his own consent a person shall not be hindered in the enjoyment of his freedom of assembly and association.”

137. Section 5 of the Industrial and Labour Relations Act Chapter 269 of the Laws of Zambia provides for the right of every employee concerning trade union membership. Further, Section 5 of the aforementioned Act and Section 5(2) (a) and (3) (a) of the Employment Code Act No. 3 of 2019 both provide that it is prohibited to directly or indirectly discriminate against someone's employment on the grounds of their colour, nationality, tribe, language, race, social origin, religion, belief, political views, sex, gender, pregnancy, marital status, ethnicity, family obligations, disability, status, health, culture or economic situation. Furthermore, Section 108 of the Industrial Labour Relations Act, Chapter 269 reiterates the prohibition of discrimination in employment and provides the steps one can take when discriminated against in the workplace.

### **Measures taken to Implement Article 9 of the Covenant**

138. The Zambia National Social Security Policy was officially initiated on 25th January, 2019. This policy was developed to provide a framework for the State party's social security system, outlining principles and guidelines to ensure the provision of essential social services and financial support to its citizens. It serves as a cornerstone for promoting social welfare and economic stability within the State party. It addresses various aspects such as pension schemes, healthcare coverage, disability benefits, unemployment support, and other forms of social protection provided by the State party to its citizens. The policy is designed to ensure that individuals and families have access to essential social services and financial assistance during times of need, promoting social welfare and economic stability within the State party.

139. The existing social security schemes include contributory pension schemes under the National Pension Scheme Authority (NAPSA), Public Service Pensions Fund (PSPF), Local Authorities Superannuation Fund (LASF) and other occupational schemes offered by the private sector. Other Social security services include the Medical Schemes, National Health Insurance Management Authority (NHIMA) and the Workers' Compensation Fund Control Board (WCFCB) that compensates an employee when they-stop working because of work-related injury.

140. The State party also has existing non-contributory schemes known as the social cash transfer scheme (SCT) benefiting 1,311,101 households as at 2023, Food Security Pack Program benefiting 242,000 households as at 2023, Public Welfare Assistance Scheme with 40,000 beneficiaries as at 2023, FISP which has over 1 million beneficiaries with an allocation of ZMW8.6 billion, Health care programs for senior citizens above the age of 65 and school feeding programs.

141. The Committee may wish to note that prior to 2019, social security in the State party was generally limited to the formal sector. However, despite the State party's efforts in the recent past to increase employment opportunities for citizens, most of the State party's population are in the informal sector with little or no social security. Below is a table indicating the members contributing to the schemes, retirees, and beneficiaries:

<i>Institution</i>	<i>Membership</i>	<i>Beneficiaries and retirees</i>
NAPSA	1 100 000	25 000
PSPF	107 313	66 598
LASF		
Workers compensation	538 062	21 397
NHIMA	1 000 000	6 700 000
Pia (private pension schemes)	141 267	
<b>Totals</b>		

### *Legislative measures*

142. Article 189 of the Constitution provides that pension benefits shall be paid promptly and regularly. Where a pension benefit is not paid on a person's last working day, that person shall stop work but the person's name shall be retained on the payroll, until payment of the pension benefit based on the last salary received by that person while on the payroll.

### Measures taken to Implement Article 10 of the Covenant

143. The State party wishes to submit that there are laws present that guarantee the right of men and women to enter into marriage. The Constitution in its preamble recognises the significance of the family as an important unit of society and the Marriage Act, Chapter 50 of the Laws of Zambia guarantees this right. In the State party, any marriage entered into requires the free will of the parties to it.

144. For persons below the age of 21, which is the legal age for marriage, the Marriage Act Chapter 50 of the Laws of Zambia, requires that the written consent of the father, mother or guardian is obtained for the marriage to be valid.

145. However, this may not be the case in most rural and peri urban marriages in which customary law applies. This means that a girl or woman can be married off once they reach puberty. The State party has revised the Marriage Act in a bid to align it with other laws such as the Constitution and the Children's Code Act in relation to child marriage. The minimum marriageable age has been revised to 18 years for all marriages whether statutory or customary, as section 2 of the Marriage (Amendment) Act No. 13 of 2023 (hereinafter referred to as the "Marriage (Amendment Act)"), now provides that a 'child' is defined as 'a person who has attained, or is below, the age of eighteen years.' The Marriage (Amendment) Act repealed section 33 of the Marriage Act CAP 50 of the Laws of Zambia, which previously allowed marriage of children, including those under the age of 15. Under section 3 of the Marriage (Amendment) Act, the provision has now been replaced with wording that now renders any marriage void if one or both parties are children and this restriction has been extended to marriages conducted under customary law, under which there was previously no marriageable age limit.

146. The Gender Equity and Equality Act No. 22 of 2015 gives a woman power to decide for herself and act on all matters relating to marriage and family life, including the right to choose a spouse and enter into or leave a marriage.

147. Section 5(2)(a) of the Employment Code Act provides that an employer shall not, in any employment policy or practice discriminate, directly or indirectly, against an employee or a prospective employee on grounds of colour, nationality, tribe or place of origin, language, race, social origin, religion, belief, conscience political or other opinion, sex, gender, pregnancy, marital status, ethnicity, family responsibility, disability, status, health, culture or economic grounds. Furthermore, Section 40 under "family responsibility leave" states that an employee is entitled to three paid leave days per year to cover responsibilities related to the care, health or education for that employee's child, spouse or dependant.

148. Through the enactment of the Employment Code Act of 2019 (Part V), the State party clearly defines and stipulates the conditions employment of young children and young persons. The Act prohibits the employment of children in categories of work such as, industrial undertakings, worst forms of labour, night work and covered work sites. And further, Part V of the Employment Code Act lays out the consequences of employment of young children and young persons thereof.

149. The State party reports that the Children's Code Act has identified the need for protection of under age children and the use of forced labour of children. Section 13 states that "A person shall not subject a child to economic exploitation or any work that is hazardous or likely to interfere with the child's education, physical or mental health, spiritual, moral, emotional or social development." This law therefore criminalises the exploitation of children.

150. Some measures taken to foster awareness on the pieces of legislation include the publication of the National Action Plan for the Elimination of the Worst Forms of Child Labour 2020–2025 and the enactment of Children Code Act No. 12 of 2022. Further, section 181 of the Children's Code Act No. 12 of 2022 recognises the need for strengthening families and provided for intensive family support services. These are services that aim at addressing various challenges and protection needs faced by children and their families such as child abuse, poor parenting, school dropout, among others.

151. The Committee is invited to note that section 15 of the Employment Code Act No. 3 of 2019 of the Laws of Zambia, provides that an employee is entitled to maternity leave after

having worked for 2 years. All expecting mothers who qualify are entitled to paid-maternity leave of 14 weeks after delivery. It is worth noting that such leave does not affect any accumulated annual leave to which the expecting mother is entitled. Further, the Act provides that an employer shall not terminate a contract of employment of an employee based on reasons relating to absence from work during maternity.

152. The State party is continuously reviewing its labour laws to ensure conformity with the ILO Conventions.

153. The Committee is invited to note that the State party enacted Statutory Instrument No. 121 of 2013, The Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order which prohibits employing a child or young person in any type of hazardous labour.

154. The introduction of free education by the Government in January, 2022, has further improved access to education, therefore, most children who were involved in economic activities have since returned to school.

155. The State party reports that it has laws and mechanisms in place for the protection of vulnerable groups such as asylum seekers and their families. Some of the laws in place include the Anti Human Trafficking Act No. 16 of 2022, and the Children's Code Act No. 12 of 2022. Further to the provisions of the Anti-Human Trafficking Act No. 11 of 2008, the Amendment Act provides for specific issues such as the creation of a Government department under section 2A of the Amendment Act namely the Anti-Human Trafficking Department whose mandate is among other functions, to coordinate all activities related to human trafficking, establish effective measures in order to prevent and eradicate trafficking in persons, investigate, arrest and prosecute cases of trafficking in persons as well as collect and share information relating to trafficking in persons. The Act has also widened the scope of law enforcement agencies to investigate, arrest and prosecute cases involving trafficking in persons.

156. Due to the importance that Government places on enhancing stakeholder collaboration, the Amendment Act has revised the composition of the National Committee on Human Trafficking to include the Drug Enforcement Commission (DEC), the Anti-Human Trafficking Department and the Anti-Corruption Commission (ACC).

157. Section 167 of the Children's Code Act No. 12 of 2022, identifies an unaccompanied child on the move or refugee, migrant child, a child who is a victim of human trafficking or a child who has been displaced as a result of war, civil disturbance or disaster as a child in need of care and protection. Additionally, protection mechanisms under the Children's Code Act have also been provided under the responses to Paragraph 47 and 48 of the Concluding Observations.

158. The law further provides for procedures on how to care and protect children in above situations taking into consideration the best interest of the child. Such procedures may include placement of the child into kinship care, foster care or a place of safety where the child in question would receive the required care and protection services such as provision of basic needs (food, shelter, clothing, medical or educational assistance).

#### *Administrative Measures*

159. Administrative measures are addressed in the response to paragraph 48 of the Concluding Observations as well as the response to paragraph 55 of the Concluding Observations.

160. Social services that enable older persons and persons with disabilities to remain in their normal living environment for as long as possible and to receive adequate health and social care when they are dependent.

161. The State party also has the National Referral Mechanism for the Protection of vulnerable migrants in the State party, from 2010. This is a chart or pathway that provides guidance on the different stages of assistance for vulnerable migrants requiring protection assistance. It promotes the coordination of national stakeholders for the provision of effective

and comprehensive assistance to selected categories of vulnerable migrants, including asylum seekers, in line with the national legal framework and international best practices.

162. In 2018, Zambia Statistical Agency estimated 955,301 children to be involved in child labour, thus, to address this, the State party also developed and implemented the first National Action Plan for Elimination of the Worst Forms of Child Labour. The State party now has in place the National Action Plan (NAP II) for the Elimination of the Worst Forms of Child Labour (2020–2025) aimed at curbing worst forms of child labour. The Government has in place the National Child Labour Policy which establishes an action plan and designates responsible agencies/committees at the national and district levels aimed at addressing the common forms of child labour issues in the country.

163. District Child Labour Committees (DCLC) identifies victims of child labour and facilitates reintegration of children into school. The DCLC is responsible for the implementation of National Action Plan for the elimination of the worst forms of child labour. The DCLC also conducts awareness programmes and counsel victims of child labour.

164. The State party working together with other key stakeholders such as the Ministry of Labour and Social Services, is involved in programming at district level through coordination mechanisms such as the District Child Labour Committees and the District Child Protection Committees. Additionally, the Human Rights Commission through the office of the Commissioner for Children assists the State to promote and protect children against child labour through implementation of specific programmes including conducting inspections with reported/suspected incidences of child labour.

165. The State party has enabled the National Health Insurance Scheme to include older persons to access free primary health care services (65 years and above).

166. The State party reports that it is mandated under the Anti-Gender-Based Violence Act No.1 of 2011 to provide shelter, medical treatment, legal services and rehabilitation services such as psychosocial counselling to survivors of Gender Based violence. The State party reports that it runs six shelters in six different districts across the country; Chongwe, Chipata, Mungwi, Sesheke, Mansa and Lundazi Shelters. These shelters are used for both survivors of Gender Based Violence and victims of trafficking. The State party also undertakes family tracing and reunification and reintegration whenever applicable. The State party also links survivors to other agencies and stakeholders for additional support.

167. The State party reports that it is aware of the ongoing revision of the GBV training module for the Zambia Police Service. The State party has also integrated the GBV training for officers in the Ministry of Community Development and Social Services and other stakeholders during the sensitization of the Social Cash Transfer Grievance Redress Mechanism.

168. The State party with support from its cooperating partners launched the minimum norms and standards for the management of temporal shelters which give guidance on the services that would be offered to victims of human trafficking and Gender Based Violence as well as how these places of safety or centres for victims would be managed if they are private or government owned.

### **Measures taken to Implement Article 11 of the Covenant**

#### *Legislative Measure*

169. The State party has enacted various pieces of legislation such as the Bio-Safety Act No. 10 of 2007, Public Health Act, Chapter 295 of the Laws of Zambia and Dairy Industry Development Act No. 22 of 2010 are in place to ensure that food is of good quality, nutritious and free from adverse substances.

#### *Administrative Measures*

170. The State party adopted a National Action Strategy to combat poverty, incorporated in National Development Plan. The plan for the current reporting period is the 8NDP. The strategic focus of the plan is infrastructure and human development. Additionally, in order to reduce the high poverty levels in rural areas and promote rural development, the focus is also

on stimulating agriculture productivity and promotion of agro-businesses and improving the provision of basic services such as water and sanitation, health, education and skills development. The areas identified in the Plan are generally in line with the areas that the State party has identified which are agriculture, education, health and local housing.

171. The State party has adopted measures to promote access to credit for disadvantaged and marginalised individuals and groups. The State party has put in place various initiatives aimed at creating access and affordability of funds to vulnerable groups in society. These include-

- Provision of funds through the Citizenship Economic Empowerment Commission;
- Implementation of the Public Welfare Assistance Scheme through provision of educational support, food and shelter to disadvantaged individuals and households; and
- Support to viable but vulnerable farmers through the Farmer Input Support Programme;
- By lowering the cost of doing business by reduction in interest rates creation of Business Regulation Review Agency and one stop business licensing centres, so that more resources are made available for private sector investment.

172. Measures have been adopted to ensure that there is affordable food in quality and quantity sufficient to satisfy the dietary needs of everyone and to ensure that the food is free from adverse substances and is culturally acceptable. The State party and its cooperating partners and non-governmental organisations are offering subsidised or free agricultural inputs to targeted beneficiaries in order to make the food cheaper. Agricultural diversification is one of the strategies in the National Agriculture Policy. Through this Policy, various crops and different types of livestock are being promoted. This increases the dietary base and diversity.

173. The State party has created a Food and Nutrition section under the Department of Agriculture of the Ministry of Agriculture that is aimed at providing extension services focused on food processing and utilisation. It has also improved rural infrastructure such as roads and storage barns, construction and rehabilitation of main food storage facilities and deep tanks for cattle, which has enhanced accessibility, quality and quantity of food.

174. The State party is promoting participatory research, on-farm research and research based on locally produced crops and locally available livestock in order to address the issue of cultural acceptance.

175. The State party has also put in place measures to promote equal access to food, land, credit and natural resources for food production for disadvantaged and marginalised individuals and groups. The following are some of the measures in place:

- Food: The Farmer Input Support Programme (FISP), which receives over 52 per cent of the Ministry of Agriculture's budget and provides assistance to at least 1.6 million smallholder farmers;
- Credit: Institutions such as the Citizens Economic Empowerment Commission (CEEC) have been established to empower individuals and groups to access affordable credit; and
- Natural Resources: Local communities participate in the management of natural resources through co-management structures where part of the resources from such natural resources are retained by the community.

176. The State party has adopted policies for the implementation of the right to adequate food so as to enhance food and nutrition security. Policy documents such as the National Agriculture Policy (2004–2015), the Eighth National Development Plan (8NDP 2002–2026) and the Zambia Comprehensive Africa Agriculture Development Program (CAADP) Compact address food and nutrition security elements and enhance food and nutrition security. The State party uses Mid Term Review of policy documents and monitoring and evaluation implementation plans as mechanisms to monitor progress towards the full realisation of the right to adequate food.

177. The Social Cash Transfer programme has had a number of positive impacts (through impact evaluations). Evidence has shown that beneficiaries have been able to take their children to school, improved livelihoods, increased the access to food and ownership of small livestock. Despite the positive impacts of the SCT programme, the State party as a country are still faced with stunting and overall malnutrition. It is for this reason that in 2022, the State party introduced and launched the 1000 Days SCT Nutrition pilot. The purpose of this 1000 Days SCT Nutrition pilot is to test the feasibility of adding a 6th category to the SCT programme that primarily targets women and children under 2 years old or targeting the first 1000 days of life. This additional category would essentially make the SCT programme gender and nutrition sensitive. Currently the 1000 days SCT is being implemented in Chipata, Kalabo, Mpika and Mwinilunga districts on a pilot basis.

178. With this Cash Plus initiative the targets are households that have pregnant and breastfeeding women/adolescents as well as children 2 years and below using the SCT programme as an entry point. Therefore, those identified in the pilot 1000 days SCT are households on SCT and non-SCT households. The beneficiaries receive a cash transfer for SCT households a top up cash amount (ZMW75 per month paid bi-monthly of ZMW150) and for non SCT households ZMW225 (paid bi-monthly as ZMW450.) In addition to cash, households are referred to other services such as Scaling Up Nutrition (SUN II), Water, Sanitation and Hygiene (WASH), Adolescent Sexual and Reproductive Health (ASRH), Early Childhood Development (ECD), Community-Led Total Sanitation (CLTS) using a case management approach.

#### *The right to water*

179. As at end of June 2023, a total of 634 boreholes equipped with hand pumps were constructed and 130 piped water schemes were constructed, benefiting more than 13,000 households. In the 2024 Budget, the State party committed to construct 1,374 boreholes and rehabilitate 1,270 boreholes across the country, aimed to benefit 92,000 households, in a bid to accelerate access to clean and safe water supply. The State party is implementing the Integrated Small Towns Project in 4 provinces, namely, Luapula, Muchinga, Northern and Western Province. The Project is scheduled to be completed in 2024 and will benefit over 193,000 households. Further, 3 Water Supply Systems Projects, benefiting over 1 million people, are projected to be completed or commenced by year end 2024.

180. In 2023, the State party rehabilitated 6 dams and commenced the construction of 16 multi-purpose dams mostly in water stressed prone areas, that is, Central, Eastern, Luapula, Northern, North-western, and Southern Provinces. It is estimated that 15.7 million cubic metres of water will be harvested, benefitting over 22,000 households and approximately 1.7 million livestock. In 2024, the State party committed to commence the construction of 38 dams across the country, to rehabilitate 6 more dams in Eastern and Southern Provinces, as well as to continue to maintain dams across the country and implement programmes aimed at restoring and protecting water sources.

181. The State party increased budgetary allocation to water and sanitation from ZMW541 million in 2015 to ZMW1,948,869,116 in 2024. The increased budgetary allocation was meant for the rehabilitation and construction of water supply and sanitation infrastructure in the rural, peri-urban and urban areas. In addition, the State party signed an agreement with the Government of the United States of America through the Millennium Challenge Corporation for a project to improve the supply of water in Lusaka. It is estimated that a total of 1 million people will directly benefit from this project.

#### *The right to adequate housing*

182. In the 2024 national budget, the State party has allocated ZMW2,651,214,182 for housing and community amenities, a significant increase from about ZMW799,000,000 in 2015. The State party has continued to construct low-cost houses for its citizens through the National Housing Authority (NHA). As of 2023, the NHA targeted to build 10500 houses across the country under a rent-to-own scheme, as part of a project to build 50,000 units countrywide. The State party is also working with the private sector to address the housing deficit in the country.

183. In 2023, the Zambia National Building Society (ZNBS) project planned to help alleviate the State party's housing sector challenges, by rendering cheap mortgage products available to low-income and middle-income earning individuals. A portion of the loan proceeds was allocated for technical assistance and institutional strengthening of ZNBS. The project aided urban development by providing formal housing to Zambians and promoted private sector involvement in housing sector development in the State party. A total of 1,771 affordable housing loans worth over ZMW 254,000,000, were given, including 445 mortgage loans and 1,326 building material loans. The extended loan facilities created a total of 4,427 job opportunities. During the project implementation, nearly 90% of property ownership in the State party was obtained through 'self-build'. As a result, building material loans served as an appealing solution that enabled beneficiaries to incrementally build at their own pace.

#### **Measures taken to Implement Article 12 of the Covenant**

184. The State party has adopted the National Health Policy of 2013 which is currently under review to incorporate emerging issues in the Health Sector.

185. The State party has put in place measures with regards to healthcare infrastructure such as government-run health posts, health centres, first level hospitals, second level hospitals, district hospitals, and tertiary care hospitals, primarily located in urban and rural areas. The State party has further made efforts to strengthen primary healthcare services to improve accessibility. This includes initiatives such as the deployment of Community Health Workers to remote areas and the provision of basic healthcare services at community level health posts.

186. In order to ensure efficient and effective rehabilitative services at all levels of care, the State party has taken significant steps in line with the National Health Strategic Plan 2022–2026.

187. These include increasing the number of hospitals providing rehabilitative care from 4 to 15 and scaling up the implementation of Community-Based Rehabilitation (CBR) services from 6 to 24 districts. Additionally, there has been an introduction of 4 hospitals providing specialised, high-intensity rehabilitation services. These measures aim to address the challenges faced by persons with disabilities by improving access to quality rehabilitative care across the country. The State party has further implemented various policies and programs aimed at improving healthcare accessibility and inclusivity. For example, the National Health Strategic Plan includes objectives related to improving access to healthcare services for vulnerable populations. Non-Governmental Organizations and international organizations also play a significant role in supporting healthcare initiatives, including those focused on improving accessibility for vulnerable populations.

188. The State party funds essential healthcare services, which are provided for free at public primary health care facilities. The National Health Insurance Scheme (NHIS) supplements payment for healthcare services, including essential healthcare services for all enrolled members.

189. All adults above the age of 18 are required to register with the NHIS, with formal sector employees (public and private) enrolling through a payroll deduction of 2% of their monthly basic salary paid by the employer (1%) and employee (1%). Self-employed individuals enroll through a deduction of 1% of their declared salary.

190. Some vulnerable persons, including the poor, mentally ill, adults above 65 years and children below 18 years, and other vulnerable groups identified by the Ministry of Health, are exempted from NHIS payments, which are paid by the State party.

191. Therefore, the majority of healthcare services costs are covered by the State party and NHIS, making them affordable to most people.

192. Ensuring the quality and efficacy of drugs and medical equipment in the State party is a critical aspect of healthcare provision. The State party, through regulatory bodies like the Zambia Medicines Regulatory Authority (ZAMRA), oversees the approval, importation, distribution, and use of drugs throughout the State party. ZAMRA ensures that drugs meet

international standards and are scientifically approved before they are made available to healthcare facilities and the public.

193. Efforts are made to prevent the distribution and use of expired and ineffective drugs by ZAMRA. This involves rigorous inspection and monitoring of pharmaceutical products throughout the supply chain, from importation to distribution to healthcare facilities. Expired and any unusable products are quarantined and disposed every quarter. Additionally, healthcare professionals are trained to recognise and report any issues related to the quality or efficacy of drugs and medical equipment they encounter.

194. The State party through the Ministry of Health projects to have 70% of the establishment by 2026 through recruitment of 3000 and 4000 healthcare workers in 2023, and 2024, respectively. In order to strengthen human resource planning, development and training, the integrated Human Resource Information System (iHRIS) has been rolled out to all the districts and is currently operational. The State party has also put in place National Training Operational Strategic Plan (NHRH-SP) 2018–2024 in order to scale up pre-service and in-service training programs for health personnel.

195. The State party has worked to expand healthcare facilities, particularly in rural areas, to improve access to maternal and child health services. This includes the establishment of health posts and clinics in underserved communities. Efforts have also been made to train and deploy more healthcare workers, including midwives and community health workers, to provide essential maternal and child health services in rural areas. This helps to improve the quality of care and access to services.

196. The State party has also implemented various family planning programs aimed at increasing access to contraceptives and reproductive health services. This includes education and awareness campaigns to promote family planning methods and reproductive health. Education and awareness-raising programs have been conducted to promote maternal and child health practices, including the importance of antenatal care, skilled birth attendance, and breastfeeding. These programs target both women and men in communities.

197. Efforts have been made to strengthen emergency obstetric care services in healthcare facilities to reduce maternal mortality. This includes ensuring the availability of skilled birth attendants, emergency referrals, and essential obstetric supplies. The State party has worked to integrate sexual and reproductive health services with other healthcare programs to provide comprehensive care to women and children. This includes integrating family planning services with antenatal care and HIV/AIDS programs. Special attention has also been given to reaching out to disadvantaged and marginalised groups, including adolescent girls, rural women, and women from low-income households, through targeted interventions and outreach programs.

198. These measures reflect the State party's commitment to improving maternal and child health and sexual and reproductive health services, particularly in rural areas and for vulnerable populations.

199. The State party has implemented a comprehensive approach to improve Water, Sanitation, and Hygiene (WASH) in healthcare facilities, focusing on various aspects to ensure safe and clean environments. Measures include the provision of running water in critical areas such as maternity annexes, sanitary facilities, and water storage, alongside the construction of handwashing stations. Additionally, staff are trained in water quality monitoring and treatment both at healthcare facilities and within communities, enhancing the capacity to maintain safe water standards.

200. Water quality monitoring activities serve as early warning systems, enabling prompt responses to potential threats. In crisis or outbreak situations, efforts are intensified to provide safe water supplies to affected communities. This includes contact tracing to affected areas and households, followed by environmental cleaning and disinfection, alongside the distribution of household chlorine and educational materials to promote hand hygiene and sanitation practices.

201. To support these initiatives, supplies such as chlorine, liquid soap, and hand sanitizers are distributed, ensuring communities have access to essential hygiene products. Assessments are regularly conducted to gather information for decision-making and

implementation, with a focus on quantifying needs and providing on-site mentorship and technical support. Moreover, personal protective clothing and equipment are procured to safeguard healthcare workers during response efforts and to prevent the spread of disease.

202. The State party has prioritised enhancements of immunisation programs and strategies for infectious disease control to safeguard its population. Efforts include expanding immunisation coverage, especially among children, through mobile clinics and outreach programs to remote areas. Routine vaccination services adhere to the national schedule, with periodic campaigns targeting specific diseases or age groups to boost coverage rates, particularly during outbreaks.

203. To ensure effective vaccine distribution, the State party has strengthened its supply chain management, maintaining vaccine potency and minimizing wastage. Comprehensive disease surveillance and response mechanisms enable rapid detection and containment of outbreaks, complemented by health education campaigns promoting immunisation and preventive practices.

204. Collaboration with international partners such as World Health Organisation (WHO) and United Nations agencies enhances the State party's immunisation programs through technical support and funding.

205. The State party has implemented comprehensive measures to tackle substance abuse, particularly among children and adolescents. Through public awareness campaigns, educational programs, and policy interventions, efforts are directed at reducing the misuse of alcohol, tobacco, illicit drugs, and other harmful substances. These initiatives aim to address the root causes of substance abuse while promoting healthier lifestyles among the population.

206. Furthermore, the State party prioritises the provision of adequate treatment and rehabilitation services for individuals struggling with drug addiction, with a special focus on supporting their families. By addressing substance abuse holistically, the country aims to mitigate the social and economic impact of drug addiction on individuals and communities.

207. In line with these efforts, the State party is in the process of developing the Tobacco Control Bill to protect the public from the harmful effects of tobacco use. Additionally, the State party is in the process of implementing a National Alcohol Policy to further safeguard the population from the adverse effects of alcohol consumption.

208. The State party has been actively engaged in preventing HIV/AIDS and other sexually transmitted diseases (STDs) through comprehensive strategies. These efforts include targeted education and awareness campaigns aimed at high-risk groups, children, adolescents, and the general public to increase knowledge about transmission and prevention methods. Additionally, the State party provides support services to persons living with HIV/AIDS and their families, including access to treatment, care, and psychosocial support.

209. Efforts to reduce social stigma and discrimination associated with HIV/AIDS are integral to the State party's approach. Through advocacy programs and community engagement, works to promote acceptance and understanding, combatting prejudice and misconceptions surrounding the disease. By addressing both prevention and support services while tackling stigma and discrimination, the State party aims to mitigate the impact of HIV/AIDS and STDs, fostering healthier communities and improving the overall well-being of its population.

210. The State party has made efforts to strengthen healthcare accessibility and efficiency. Firstly, there's a commitment to increasing the drug budget allocation, recognising the critical role medication plays in healthcare provision. The increase aims to ensure a consistent supply of essential medicines, mitigating shortages and ensuring timely treatment for patients. Concurrently, promoting local manufacturing of medicines, vaccines, and medical supplies is prioritised. By cultivating domestic production capabilities, it is hoped that reliance on imports diminishes, fostering national self-sufficiency, economic growth, and job creation in the pharmaceutical sector.

211. In response to the complexities of procurement and supply chains, the State party has introduced longer framework contracts. Extending contract durations aims to alleviate the lengthy lead times associated with procurement processes, enhancing supply chain efficiency

and reducing delays in medicines availability. Additionally, effective inventory management and rational medicine use are emphasized. Skilled personnel are employed to oversee inventory, optimising stock levels, minimising wastage, and ensuring appropriate medication usage.

212. Furthermore, enhancing last-mile distribution networks for medicines is prioritised to ensure equitable healthcare access. Strengthening distribution channels and leveraging technology aim to optimise the efficiency and reliability of delivering medications, even to remote and underserved communities.

213. Adequate treatment and care for mental health has been prioritized through investments in capacity building among healthcare workers to manage mental health presentations, aiming at enhancing patient care. Trainings are being conducted across all ten provinces, with primary healthcare facilities receiving particular attention to improve early diagnosis and prevent severe presentations.

214. Treatment guidelines for mental disorders has been developed, and dissemination is underway, with healthcare practitioners encouraged to utilize them adapted to our context. Technical support is being provided by mental health specialists to other facilities through both physical visits and virtual case management discussions. Facilitation for appropriate procurement and effective distribution of psychotropic medication via Zambia Medicines and Medical Supplies Agency (ZAMMSA) is underway to enhance treatment outcomes.

215. Effective judicial support, primarily through the specialized mental health facility Chainama Hills Hospital, is being provided. Psychiatry specialists facilitate responses to legal representatives of patients and respond to court orders within six months of request. Ongoing mentorship in forensic psychiatry aims to increase the number of specialists capable of addressing forensic presentations. Visits to correctional facilities nationwide are conducted upon request or as needed to address forensic mental health presentations. Education sessions for patients and caregivers on legal processes are being conducted for cases with a forensic component.

### **Measures taken to Implement Article 13 of the Covenant**

216. The State party recognizes the right of everyone to education. It also agrees that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect of human rights and fundamental freedoms. It further agrees that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

217. The State party undertakes to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children's schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State party and to ensure the religious and moral education of their children in conformity with their own convictions.

218. The State party remains committed to providing equal educational opportunities to all children, regardless of their socio-economic status, race, ethnicity, gender and physical status. The State party through the Ministry of Education has continued with policy, legislative and administrative reform process. The reforms were on:

- The Education Act of 2011;
- The Higher Education Act No.4 of 2013 (Amendment No.23 of 2021);
- The revision of the 1996 Educating Our Future – National Policy on Education;
- The Teaching Professions Act No.5 of 2013;
- The Higher Education Loans and Scholarships Board Act No. 31 of 2016; and;
- The Examinations Council of Zambia Act No. 3 of 2023.

219. In the 2023 national budget allocation, the State party allocated ZMW23.3 billion to the education sector, representing 13.9 percent of the national budget. As of 2024, the

national budget allocation for education is ZMW27.3 billion which is 15.4 percent of the national budget.

220. The registration or enrolment of a child in the State party is compulsory as it is law, as provided for in Section 17 (1) of the Education Act Number 23 of 2011, that a parent shall enroll a child who has attained the school-going age at an educational institution and shall ensure the child's attendance at the educational institution. Section 17 (4) provides thus: *"a person, who without reasonable excuse, fails to enroll a child of school-going age at an educational institution or prevents a learner from attending school or withdraws a learner from an educational institution commits an offence and is liable, upon conviction, to a fine not exceeding one hundred thousand penalty units to imprisonment for a period not exceeding one year, or to both."*

221. The State party has made general and vocational education progressively available and accessible to all persons without discrimination against a learner in any manner.

222. Further, the Ministry of Education has in place educational outreach programmes targeted at ethnic minorities. The State Party has schools placed in refugee camps such as Mayukwayukwa and Maheba with the purpose of increasing their educational enrolment. Further, human rights are taught as part of the school curriculum from grade one through to university.

223. Over the years, despite their determination, many children have dropped out of school at various stages due to their parents, guardians or sponsors lack of resources. To mitigate this challenge, the State party introduced free education in 2001, for primary school level and in 2021, for early childhood and secondary school level making it accessible to all. This has positively and directly impacted everyone who has a child attending classes at a public school.

224. In 2022, the State party implemented a Free Education Policy (Education for All) from Early Childhood Education to grade 12 (Early Childhood Education and Secondary level). Through this policy, parents/guardians are not paying any user fees, hence this has led to increased enrolment from about 336,434 in 2021, to 379,738 in 2022, at Early Childhood Education level, and 3,563,985 in 2021, to 3,901,230 in 2022 at Primary school level, and from 1,125,195 in 2021, to 1,257,713 in 2022, at Secondary level and in an effort to improve the quality of education services, the State party through the Ministry of Education has in the years 2022, and 2023, recorded a cumulative massive recruitment of 37,218 teachers. Further, the State party is also in the process of revising the Education Curriculum Framework from Early Childhood Education to Tertiary Education and Youth and Adult Literacy Education.

225. The introduction of free education (Education for All) by the State party entails that, user, parent teacher association (PTA) and examinations fees have been abolished and a compensatory grant to all public secondary has been introduced. Further, subsidy for user fees pegged at K600 per pupil in all Grant Aided Secondary Schools was introduced on the understanding that the Education Secretaries Forum (ESF) reduce user fees in all Grant Aided Schools to a reasonable and affordable fee.

226. A Secondary Boarding School Bursary Scheme had been introduced to be administered through the Constituency Development Fund (CDF) to pay boarding fees for learners from vulnerable households who would be selected using vulnerability selection criteria.

227. In relation to higher education, the State party revised the Bursary Scheme to a Student Loan Scheme (the Loan Scheme). Initially, only a few eligible students accessed the Bursary but now the Loan Scheme has been expanded and more students from all public universities are accessing the Loan Scheme. To this effect, an 18% increase has been recorded in the total number of students supported under the Loan Scheme from 24,482 in 2022, to 28,827 in 2023. On the other hand, 21,381 students were supported in 2021, and 2022, recorded a 15 % increase. Currently, the Student loans are being awarded to students at 8 Public Universities. In addition, the State party has, through the Constituency Development Fund included specific funding toward Secondary Boarding School and Skills Development Bursaries.

228. Further, in tertiary and higher education public institutions the legal provisions are that Loans, Scholarships and Bursary support has been increased to allow more students attain tertiary. The Higher Education Loans and Scholarship Board (HELSEB) has partnered

with United Nations Educational, Scientific and Cultural Organization (UNESCO) in the provision of bursary support for refugees.

229. The State party places paramount importance on the quality of the Youth and Adult literacy programmes offered to the learners as provided for under the National Education Policy of 1996 which is currently being revised by the State party, through the Ministry of Education, to conform to emerging issues in the education sector.

230. The Ministry of Education provides Youth and Adult Literacy Education (YALE) whose main function and responsibility is the provision of basic reading, writing, numeracy and functional skills to youths and adults who have never been to school and the early dropouts. This program has recorded significant progress through the establishment of 106 centres as at 2023. Further, the State party is raising awareness through campaigns and commemoration of events such as the annual International Literacy Day in the month of September.

231. Schools have learner support structures for improving learner retention, such as learner-friendly school environments, Academic, and Guidance and Counselling support. A good number of schools have since improved their learner support systems, especially Guidance and Counselling Services and have therefore improved their learner retention rates.

232. The State party has increased in the number of primary schools from 9,441 in 2020, to 10,546 in 2021. Secondary Schools also increased from 1,290 in 2020, to 1,729 in 2021. The increase is attributed to the upgrade of some primary schools to secondary schools and the construction of 82 secondary schools under the Zambia Education Enhancement Project

233. The State Party has a School Feeding Program in selected ECE and Primary schools, currently, the programme is being implemented in 5,321 schools in 70 districts, of which 2,300,000 learners are benefiting from this program (representing about 35% of learners). The main goal of the programme is to improve quality, access, and equal participation to primary education.

234. Furthermore, technical girls' schools have been created countrywide, including the acceptance of girls in what were initially technical schools for boys only. For example, before 1996, there were no technical schools for girls and all available technical schools were not enrolling girls. As at 2023, technical schools for girls have been opened and almost all old boys' technical schools admit girls.

235. The State Party has significantly increased the Orphans and Vulnerable Children Grant. This intervention provides financial support to orphaned and vulnerable learners who have dropped out of school or are at risk of dropping out of school due to social economic factors. Such learners are provided with bursaries to enable them come back or continue with their secondary education. The Ministry of Education has significantly increased the Orphans and Vulnerable Children Grant.

236. Additionally, under the Constituency Development Fund (CDF), the CDF provides a bursary scheme, offering vulnerable learners enrolled in boarding schools a means to pay boarding fees. Further, the CDF provides improved and safer boarding facilities around schools.

237. The State party recognizes the importance of special education provision, and has made notable strides, with regard to special education legislation, beginning with the Ministry of Education assuming responsibility for educating students with disabilities. So far, policies have provided the foundation of current practices in special education and inclusive education in the State party.

238. However, the quality of special education is adversely impacted by the lack of resources and other challenges. Thus, the quality of special education services may not be comparable to developed nations. In view of this, the State party has created a new budget line for schools with Learners with Special Education Needs in order for special education to be more meaningful and beneficial.

### Equity

239. Lowering cut-off point for girls at grades 7 and 9 National Examination, in this respect, refers to the principle of positive discrimination of the disadvantaged gender in terms of achievement and opportunities in education. In its initiative to include the participation of more girls in education, the Ministry lowers the selection cut-off point for girls at transitional examinations. This principle is applied at grades 7 and 9 examinations to select learners to grades 8 and 10 respectively.

240. The numbers of pregnancies and re-admissions have been increasing over the years from 2017 to 2020. In 2021, the numbers reduced drastically. The reduction may be linked to awareness programs in schools that help learners abstain from illicit sex or protect themselves from unintended pregnancies. On the other hand, it could be due to the high non-response rates from schools in providing data about all the indicators. Readmission across all grades were way too below the numbers of those that were falling out of school due to pregnancies. This entails that not all the learners are re-admitted, by choice.

### Number of pregnancies and re-admissions by grade group from 2016 to 2021

School Level	Status	Year				
		2017	2018	2019	2020	2021
Primary	Pregnancies	10 684	11 453	11 502	12 330	6 230
	Re-admissions	5 527	4 917	5 669	5 078	5 274
Secondary	Pregnancies	2 956	3 576	4 222	4 089	12 359
	Re-admissions	2 052	2 488	3 158	2 876	8 091

*Data Source:* 2021 Educational Statistical. Bulletin.

241. The Keeping Girls in School (KGS) initiative of the State Party that was launched in 2015 to address inequalities in educational attainment related to gender and poverty and reduce secondary school drop-out rates among vulnerable adolescent girls. KGS is led by the Ministry of Education targeting girls, from extremely poor households under social cash transfer, to access education through provision of bursaries to cover the cost of their secondary school fees only. The number of beneficiaries (accumulatively) rose from 28,799, in 39 districts, in 2020, to 148,616 Girls, in 65 districts in 2023.

242. The programme supports the provision of sanitary towels to vulnerable learners in schools across the Country, and about 1, 027, 841 female learners have to date benefited from this initiative. The programme has targeted 145,424 female learners to access sanitary towels by December 31, 2023.

243. In complementing government efforts, partners such as CAMFED, Forum for African Women Educationalists of Zambia (FAWEZA) and Zambia Open Community Schools (ZOCS) have been working with the Ministry to ensure that school dropouts are given an opportunity to come back to school and continue their education. For example, **Campaign for Female Education** (CAMFED) has been helping and promoting girl-child education. By 2020, the programme had expanded its operations from 3 districts to 46, across four provinces covering over 62,611 girls.

### Gender Parity Index

244. Gender Parity Index (GPI) is the ratio of males to females' learners enrolled in the school system. A GPI lower than one (1) indicates more males than females in the school system. Through a number of interventions and legislation, the Ministry has made tremendous progress to increase the GPI though more work is needed. The table below gives the situation relating to the GPI:

**Gender parity index for Grades 1–7 and Grades 8–12 from 2017 to 2021**

Grade	Year				
	2017	2018	2019	2020	2021
Grade 1–7	1	1.02	1.03	1.03	1.01
Grade 8–12	0.9	0.85	0.93	0.94	1.07

**Gender parity index in all schools by grade group and agency – 2021**

Province/Grade	Grade 1–7	Grade 8–12
Community	1.03	1.22
Grant Aided	1.11	1.36
GRZ	1.04	1.05
Private	1.08	1.06

*Data Source:* 2021 Educational Statistical Bulletin.

245. The GPI at Primary level from 2017 to 2020 has been 1+ implying an equal number of female and male learners attending school while at Secondary, the GPI has been below 1, indicating that less females were attending school compared to males. However, in 2021, the GPI for both Primary and Secondary schools were equal to 1 implying an equal number of male and female learners attending school. Further, there is marked progress in term of GPI at primary compared to Secondary levels. Further public and community schools need to do more to raise the GPI at school level (that is from grades 1–12).

246. The Ministry of Education continues to explore other avenues to sensitize communities and focus on the inclusion of girls in education through engagements with different stakeholders in order to minimize pregnancy among girls and maintain them in the school system.

247. For example, the Ministry of Education is working closely with other Ministries such as Home Affairs and Internal Security, Community Development and Social Services, Health, Religious bodies, NGOs, traditional leaders and local authorities work in prohibiting the withdrawal of girls from schools for marriage purposes.

**Measures taken to Implement Article 14 of the Covenant**

248. The State party has a policy of free compulsory primary education and has continued to build more schools in order to realize this right more effectively. Kindly refer to paragraph 230 in Article 13 above.

**Measures taken to Implement Article 15 of the Covenant**

249. The Committee is invited to note that in 2014, the State party, through the Ministry of Education, revised the education curriculum for grades 1 to 12. The Revision created an education and training system which provide a variety learning pathways to accommodate different learner interests and learning outcomes. Schools to offer learning opportunities driven by learner interests: those who are academically inclined to proceed along their chosen path, and those who seek vocational education also pursue their interests. Learners to acquire both academic and vocational qualifications, with the forgoing, vocational subjects were harmonized with TEVET curricula in order to equip learners with basic labour market entry skills while still in school. Thus, learners at Secondary School level sit for Trade Test levels III, II and I. Level III acquired at Junior Secondary and Levels II, I at Senior Secondary school levels. Learners are examined and assessed by TEVETA. Further, in its endeavour to promote scientific research and creativity, the State party has continued to support Junior Engineering Technical Society (JETS) clubs in various schools through the Ministry of Education. Through these clubs, the State party awards students for their scientific development in order to promote and encourage scientific research.

250. The Committee is further invited to note that the State party has continued to support scientific research and creative activity. This has been aided by the adoption of the National Cultural Policy in 2003 and administered through the Ministry of Tourism. The Committee is invited to note that in its effort to promote and support cultural and artistic rights, the State party has undertaken the construction and rehabilitation of cultural villages, theatres and art galleries across the country. A Multi-purpose theatre at the Maramba Cultural Village in Livingstone was constructed in 2013 with a sitting capacity of 700 people. The construction of a Multi-purpose theatre at Masala in Ndola and the Livingstone Arts Gallery has also been completed. In addition to the Venus Theatre in Kabwe, Kitwe Little Theatre in Kitwe and Kabwata Cultural Village in Lusaka, six other cultural villages are being constructed in Mansa, Solwezi, Kasama, Chipata, Kabwe and Chinsali districts.

### **III. Conclusion**

251. The Committee is invited to note that the State party is fully committed to implement and realise its obligations under the Covenant. The State party recognises the importance of economic, social and cultural rights, not only as a means for personal development, but for the development of its country as a whole. In this regard, the State party continues to progressively implement the provisions of the Covenant and further continues to revise its legislation in order to bring it in conformity with the Covenant to ensure full enjoyment of all the rights in the covenant and provide a dignified standard of life for its people.

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