

Zambia

Country Overview

Politics

Zambia is a constitutional republic in Southern Africa. In August 2016, the incumbent President, Edgar Chagwa Lungu of the Patriotic Front (PF), was re-elected by a tight margin. The 2016 election results were eventually considered free and fair by local and international observers, but with many voting irregularities cited.¹ The results were unsuccessfully challenged by the opposition party. Limits on press freedom and political party intolerance during the election period sparked sporadic violence across the country.²

Economy

Zambia is classified by the World Bank as a lower middle income economy.³ Between 2004 and 2014 the economy grew by seven percent a year on average, making it one of the world's fastest growing economies. Recent years have seen this growth decline to 2.8 percent and 3.3 percent in 2015 and 2016 respectively.⁴ Growth in the Zambian economy was fueled in large part by investment from China, particularly in the copper sector, the largest segment of the Zambian export economy.⁵ 70 percent of Zambian export value comes from copper.⁶ The more recent decline in growth is attributed to the reduction of copper prices, depreciation of the Zambian Kwacha and reduced power generation; the kwacha was Africa's worst performing currency of 2015. In 2015 copper prices turned downward due to less demand from China, and Zambia was overtaken by the Democratic Republic of Congo as Africa's largest copper producer. Poor management of water resources led to power generation shortages, which reduced industrial productivity.⁷ The government of Zambia has announced its 7th National Development Plan 2017-2021, which calls for a fundamental shift in how resources are allocated. The goal is to create a diversified and resilient economy to help sustain growth.⁸

Social/Human Development

Zambia has a population of about 15.5 million people, coming from over 70 different ethnic groups. The most populous ethnic groups are Bemba (21 percent), Tonga (13.6 percent) and Chewa (7.4 percent).⁹ The 2016 Human Development Report scored Zambia an HDI of 0.579, ranking Zambia as a medium human development country. Zambia has seen consistent increases in its HDI from 0.398 in 1990 to 0.579 in 2015.¹⁰ Approximately half of the country is undernourished, and the Global Hunger Index of 2016 ranked Zambia as the 3rd hungriest country in the world.¹¹ April 2016 saw many xenophobic attacks against foreign nationals including the looting of Rwandan and Zimbabwean shops.¹²



U.S. Department of State TIP Report Summary (2017)

U.S. Department of State TIP Ranking: Tier 2 Watch List

According to the *Trafficking in Persons Report*, trafficking risk may be found among women and children in export supply chains including agriculture, textile manufacturing, mining, and construction. South and East Asian nationals are at risk for trafficking in the textile and mining sectors. Zambian children are vulnerable to labor trafficking in illegal mining for the purpose of loading stolen copper onto trucks. Zambian children are also vulnerable to sex trafficking associated with the mining sector.

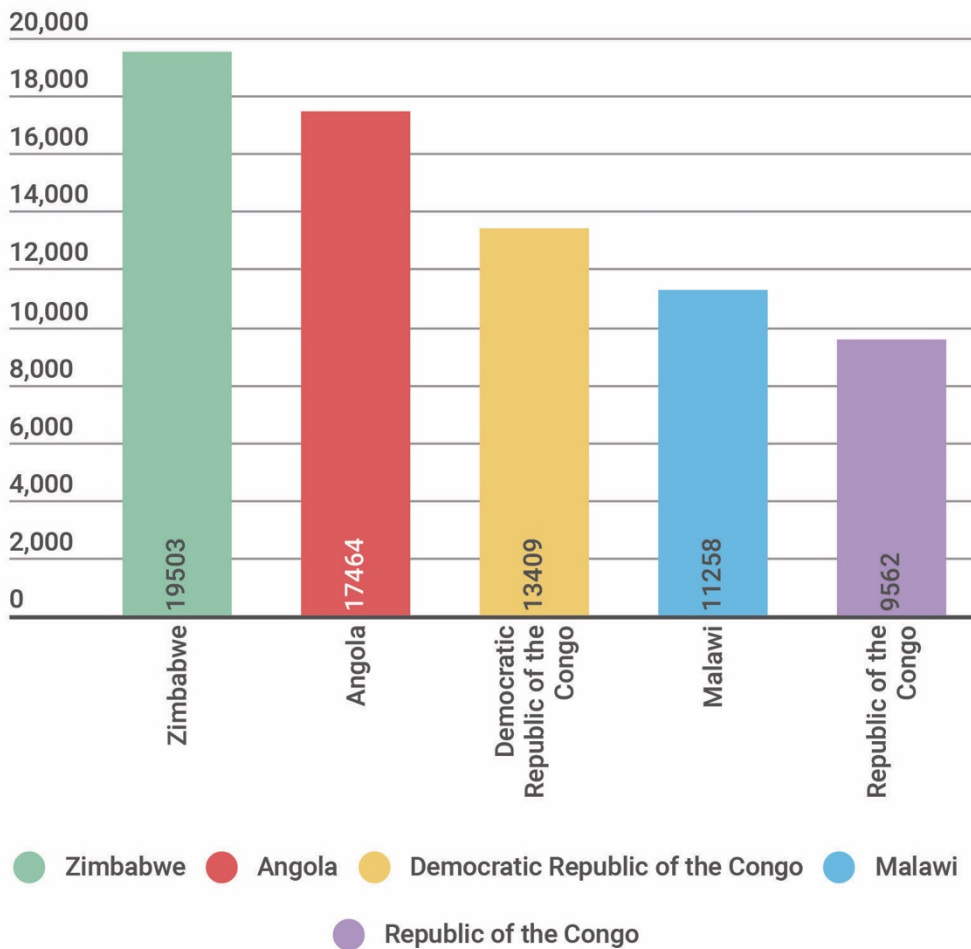
Read the full TIP Report at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271315.htm>

Migrant and Other Vulnerable Populations

Zambia has net negative migration; less than 1 percent of the population are migrants.¹³ The largest source country for migrants to Zambia is Zimbabwe, although Angola, Democratic Republic of the Congo, Malawi and Congo are also sizeable migrant sending countries. Other source countries include India, Tanzania, Rwanda, South Africa and Burundi.



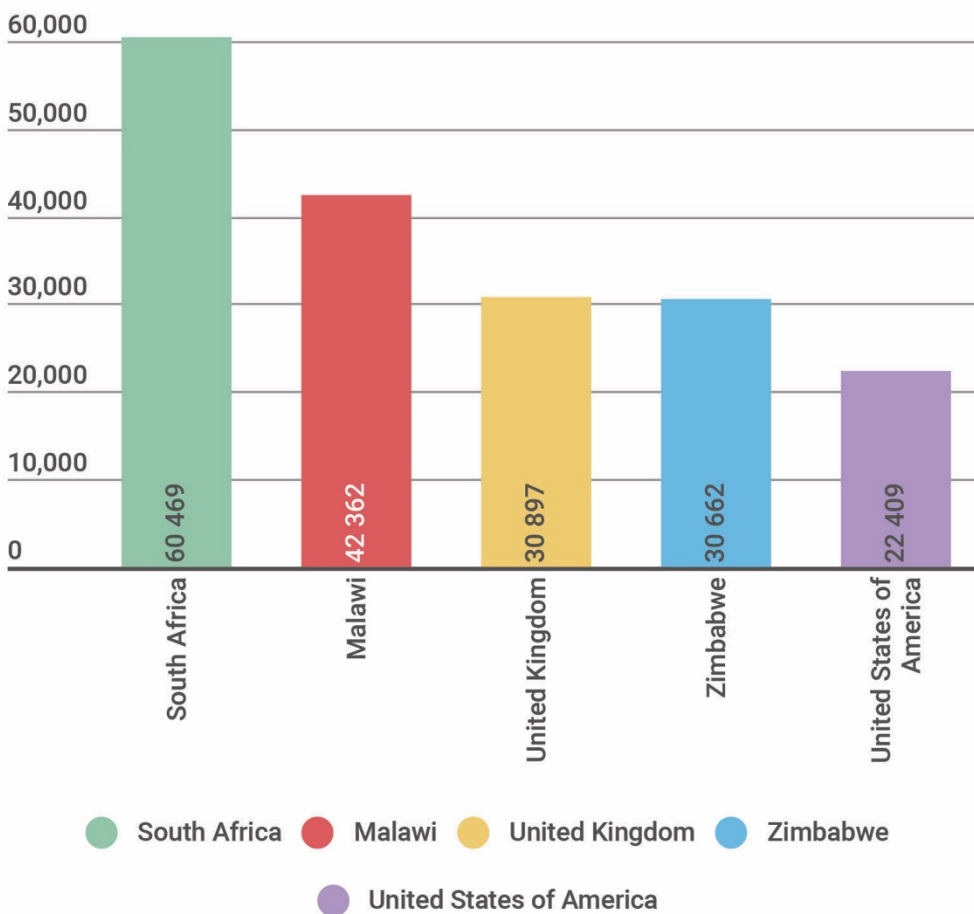
Migrants to Zambia



The top destination countries for migrants from Zambia are South Africa, Malawi, the United Kingdom and Zimbabwe.



Migrants from Zambia



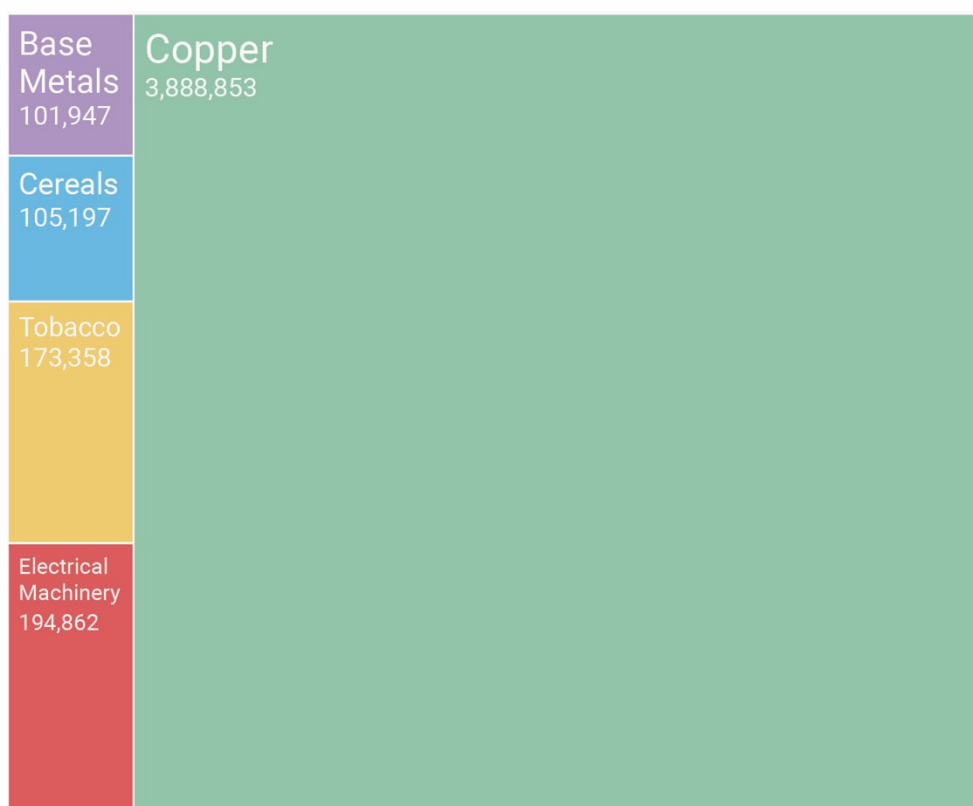
According to the UNHCR, 52,179 individuals are considered “persons of concern.” Over half of that population are refugees.¹⁴ Most refugees come from Angola, the Democratic Republic of Congo and Rwanda.¹⁵



Exports and Trade

Zambia's top exports in 2016 include copper, precious and semi-precious stones (such as emeralds, amethysts, garnets and tourmaline), tobacco, cereals, and other base metals.¹⁶

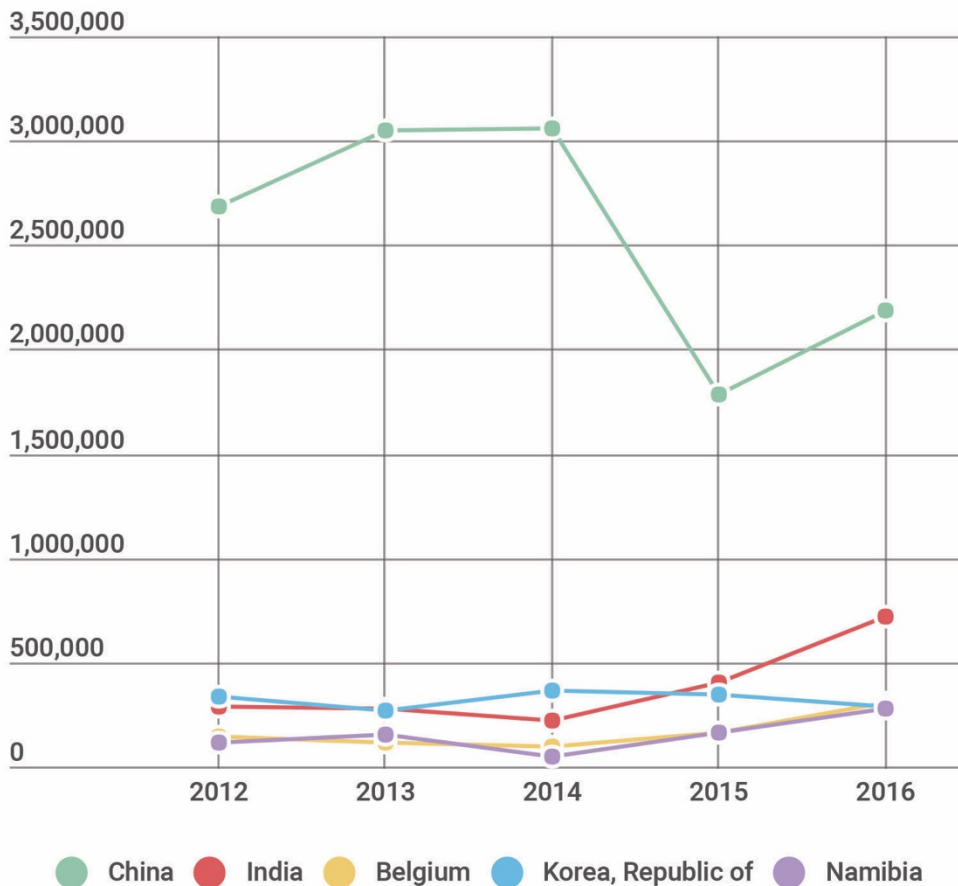
Top Commodity Exports (USD/Thousands)



The top importers of goods from Zambia are China, India, Belgium, Korea and Namibia.¹⁷



Zambia Export Partners (USD/Thousands)



Trafficking in Persons Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers' Rights

Freedom of Association

In Zambia, the law provides for the right of most workers to form and join independent unions, conduct legal strikes, and bargain collectively. Certain workers, such as police and military personnel are excepted. Trade unions consisting of 25 members or more are required to register with the Ministry of



Labor and the process can take up to six months, which causes most unions to strike illegally to bypass procedural requirements.¹⁸ The law requires unions to notify employers ten days in advance of planned action and demands that strike action does not exceed 14 days.¹⁹ There is no law that protects workers from dismissal if they participate in an illegal strike and a fine of 50,000 kwacha (USD 5,056) or 20,000 kwacha (USD 2,022) may be applied to the trade union or individual, respectively.²⁰

Working Conditions

The law permits the Ministry of Labor and Social Security authority to set wages by sector. Minimum wage categories range from 700 kwacha (USD 79) to 1,445 kwacha (USD 162) per month.²¹ Foreign and migrant workers do not receive a minimum wage and are not protected by most labor laws.²²

The Ministry of Labor and Social Security is responsible for establishing and enforcing laws related to acceptable conditions of work yet health and safety standards are reportedly not effectively enforced, especially in the informal sector, due to staffing shortages regarding labor inspectors.²³ While workers are granted the right to remove themselves from workplace situations which compromise their health and safety, authorities have not effectively upheld this right and workers who protested their working conditions have faced dismissal in some cases.²⁴

Discrimination

The law prohibits discrimination in employment based on race, sex, disability, political opinion, social origin, religion and language but the law does not apply to discrimination based on sexual orientation or gender identity.²⁵ It is reported that the government has effectively enforced the law but migrant workers are excluded from legal protections unless they are documented.²⁶

Forced Labor

The law prohibits all forms of forced or compulsory labor but exceptions are made in the event of a national emergency or disaster.²⁷ The government reportedly has not effectively upheld this law as it lacks adequate resources to investigate trafficking operations possibly related to the mining, construction and agricultural sectors.²⁸

Child Labor

The minimum age for work in Zambia is 15. The minimum age for hazardous work is 18.²⁹ Hazardous tasks are defined in legislation and include a wide range of activities including handling tobacco or cotton, fishing, lifting heavy loads, night work, long hours and excavation, among others.³⁰

Primary school in Zambia has an entry age of seven with a duration of seven grades but it is not compulsory. At the age of 16, 40 percent of girls and 14 percent of males are out of school.³¹



Civil Society Organizations

Non-governmental organizations are required to register and re-register every five years under the NGO Act. While some NGOs complied, others believed the law to be a violation of the right to free association and eventually resolved the dispute in court, which ended forced registration.³² NGOs operating in Zambia advocated for workers' rights throughout the year and reportedly did not face any government restrictions.³³

Immigration Policies Limiting the Employment Options or Movements of Migrants

Refugees are required to obtain government permission to move or live outside of refugee camps, and permission is frequently granted. The government also limits refugees' legal employment options to refugee camps, unless refugees obtain specific government authorization to work outside camps.³⁴

Migrant workers, unless documented, are not protected by most labor law protections and face discrimination in wages and working conditions.³⁵

Ratification of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

Conventions	Status
ILO 29 Forced Labor	In force
ILO 87 Freedom of Association and Protection of the Right to Organize	In force
ILO 98 Right to Organize and Collective Bargaining	In force
ILO 100 Equal Remuneration	In force
ILO 105 Abolition of Forced Labor	In force
ILO 111 Discrimination	In force
ILO 138 Minimum Age	In force
ILO 181 Private Employment Agencies	In force
ILO 182 Worst Forms of Child Labor	In force
ILO 97 Migration for Employment	In force

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Use of Export Processing Zones (EPZs)

Zambian Multi-Facility Economic Zones (MFEZ) were first established through the Triangle of Hope Initiative (ToH) introduced in 2005 by the Japan International Corporation Agency (JICA).³⁷ Investors in MFEZ receive waivers on customs duty on imported equipment, excise duty, and value added tax, among other concessions. There are two MFEZ's currently in operation: the Chinese Chambishi MFEZ located in the Copperbelt (including its extension Lusaka East MFEZ) and the Lusaka South MFEZ.³⁸

Political Risk Factors

Political Instability or Conflict

Zambia scores an 86.3 on the 2016 Fragile State Index and ranks 49 out of 178 countries.³⁹ The election on August 2016 which reinstated Edgar Chagwa Lungu as president resulted in increased tension and violence between members of the ruling Patriotic Front (PF) and the opposition United Party for National Development (UPND).⁴⁰

Level of Crime and Violence

The World Economic Forum Global Competitiveness Report ranked Zambia 65 out of 138 and 41 out of 138 for business costs of crime and violence and business costs of organized crime respectively.⁴¹ In 2016, there were several instances of xenophobic violence against foreign nationals in Zingalume and George Compounds, following allegations of ritual killings.⁴² Violence against women and girls, including rape, marriages of girls under the age of 18 and prostitution, have been especially reported among female asylum seekers and refugees.⁴³

Level of Corruption

The Transparency International Corruption Perception Index scores Zambia a 38 out of 100, where a 0 signals "Highly Corrupt" and a 100 signals "Very Clean." Zambia is ranked 87 out of 176 on that index.⁴⁴ Corruption among police is an emerging trend and of particular concern, in addition to corruption in education and health services.⁴⁵ For example, police have been observed using roadblocks to limit participation in political gatherings, especially during parliamentary by-elections and have also routinely extorted money and goods from motorists at roadblocks.⁴⁶ U.S. firms and the Zambian government have identified corruption as an obstacle to foreign direct investment.⁴⁷



Socio-Economic Risk Factors

Level of National Economic Development

Zambia's HDI value for 2015 is 0.579 which places the country in the medium development category, ranking it 139 out of 188 countries and territories.⁴⁸ When adjusted for inequality, however, the HDI falls to 0.373, a loss of 35.6 percent.⁴⁹

Level and Extent of Poverty

The most recent survey data that were publicly available for Zambia's multidimensional poverty index (MPI) are from 2014. In Zambia, 54.4 percent of the population (8,554 people) are multidimensionally poor while an additional 23.1 percent live near multidimensional poverty (3,629 people). In rural parts of Zambia, about 83 percent of inhabitants are poor and 71 percent of them are extremely poor; the total population of the rural poor is around seven million.⁵⁰

Degree of Gender Inequality

The UNDP Gender Inequality Index scored Zambia a 0.526 and ranked it 139 out of 188 countries.⁵¹ Zambia has a two-tier system of land ownership consisting of both state and customary law.⁵² Despite the Land Act of 1996 which guarantees women the right to be land owners, customary law is given equal validity where men dominate the allocation, inheritance and use of land.⁵³ Measures have been taken to reduce the inequality that women experience, such as a reinstatement of a previously enacted 30 percent quota on land allocation, but women continue to face difficulties obtaining sufficient credit to purchase land.⁵⁴

The UN Committee on the Rights of the Child has expressed concerns that vulnerable children are being denied access to health and education, noting the imposition of primary school fees as a possible contributing factor as well as the discriminatory traditional attitudes resulting in high dropout rates among girls.⁵⁵

Landlessness and Dispossession

Zambia's land tenure and titling system has led to incidents of land grabbing, particularly affecting vulnerable members of the community.⁵⁶ Land held under customary law (about 85 percent of the country's land) has no title and only the chief can give consent to potential investors to lease the land.⁵⁷

The Ministry of Lands has a stated goal of addressing challenges pertaining to the slow processing of title deeds by reforming land policy that will, among other things, demarcate land for special economic zones, or Multi-Facility Economic Zones (MFEZ). It is possible that this land reform could lead to dispossession as land is allocated for future MFEZ projects.⁵⁸



Women are frequently dispossessed from their land by their deceased spouse's family and are left with no legal recourse as women are not guaranteed land ownership rights under customary law.⁵⁹

Environmental Factors

Zambia was hit by a severe drought in April of 2016, which reduced water levels to a record low. Through the power generated by the hydro-electric Kariba Dam, Zambia has been able to provide its people, and some neighboring countries, with cheap and abundant electricity.⁶⁰ However, the drought led to blackouts that impacted the country's productivity levels in both industrial and agricultural sectors.⁶¹ Blackouts increased production costs in copper mines, Zambia's main export, which led to thousands of workers being laid off in addition to a devaluation of copper as demand from China fell.⁶²

Documented Trafficking in Persons Risk Factors in Key Commodity Supply Chains

Copper

Copper Overview

Zambia has the largest reserves of copper in Africa and copper plays a critical role in the country's relatively undiversified economy.⁶³ The mines were privatized in the 2000s. Although mining activities have traditionally been concentrated in the area known as the "copper belt," surveys suggest copper deposits in other regions as well.⁶⁴ Copper production requires high levels of financial investment. Because the price of copper is set in the market, production costs determine profit levels for investors. Many of the older mines in Zambia have been depleted near the surface, requiring greater investment to mine at greater depth.⁶⁵

Documented Trafficking in Persons Risk Factors in Copper

According to the U.S. Department of State 2016 *Trafficking in Persons Report*, forced labor or forced child labor is involved in copper production in Zambia.⁶⁶ Human Rights Watch (HRW) has reported serious exploitation, including indicators of human trafficking, of adult Zambian workers in Chinese-state owned copper mines.⁶⁷ In 2015 and 2016, it was reported that the Chinese economic downturn significantly decreased mining activity⁶⁸ and many workers were laid off or were at risk of losing their jobs⁶⁹, angering local unions and economically devastated towns in the copper belt.⁷⁰ The U.S. Department of State also reports that children in Zambia may be forced by gangs to load copper onto trucks in the copper belt region.⁷¹



Gemstones other than Diamonds

Gemstones other than Diamonds Overview

Zambia is home to a wealth of precious and semi-precious stones, including emeralds, most notably. 20 percent of the world's emeralds are mined in Zambia.⁷² Other stones include amethyst, beryl, and garnets.⁷³ Both large scale commercial mines with hired workers and small-scale artisanal mines are present in the sector,⁷⁴ although small-scale mines are reportedly under-utilized as there are significant challenges in accessing the necessary capital.⁷⁵

Documented Trafficking in Persons Risk Factors in Gemstones other than Diamonds

The U.S. Department of Labor's *2016 List of Goods Produced by Child Labor or Forced Labor* notes that various gems are mined with child labor in Zambia.⁷⁶ It is estimated that illegal mining accounts for 40 percent of emerald production. Commercial mines use hired security guards, some of whom are migrant workers from Nepal to patrol mines with dogs seeking workers who may be smuggling gems out of their operations. It should be noted that these Nepali guards themselves, as migrant workers, could be at risk of TIP themselves as Nepali security guards have been noted to be in other contexts.⁷⁷

Tobacco

Tobacco Overview

Over 60 percent of the Zambian population relies on agriculture for their livelihood and tobacco is one of Zambia's key agricultural export crops (in addition to cotton, tea and coffee). About 59,000 hectares are planted with tobacco. Tobacco is grown by about 10,000 small and medium-scale farmers.⁷⁸

Documented Trafficking in Persons Risk Factors in Tobacco

The U.S. Department of Labor has noted child labor in tobacco production.⁷⁹ Although tobacco is not noted specifically, the U.S. Department of State notes trafficking risk in agriculture. According to recent research, contract farmers who take loans from buyers for inputs end up earning less in profit than the total of their loan, leaving them in "debt cycles." These farmers may be more likely to rely on low or unpaid vulnerable labor such as children. Hired workers have also been noted in smallholder tobacco production.⁸⁰





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