

UN CRC	Ratification Date	Care-Related Concluding Observations
	6 Dec 1991	<p>CRC/C/ZMB/CO/2-4                      14 March 2016</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fZMB%2fCO%2f2-4&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fZMB%2fCO%2f2-4&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p><b>A. General measures of implementation (arts. 4, 42 and 44 (6))</b></p> <p><b>Data collection</b></p> <p>15. The Committee welcomes the launch of the Zambia Orphans and Vulnerable Children Management Information System (ZOMIS) and notes the State party’s intention to create a national database on children, together with the United Nations Children’s Fund and Reaching HIV/AIDS Affected People with Integrated Development and Support (RAPIDS). However, it reiterates its concern about the lack of information and inability to access disaggregated data about children in most areas covered under the Convention and the reported lack of resources, technical expertise and linkages between different sectorbased management information systems.</p> <p>16. The Committee encourages the State party to set up a national database with the support of its partners, to provide it with sufficient human, technical and financial resources and to use the data collected and analysed as a basis for assessing progress achieved in the realization of children’s rights and to help design policies and programmes to implement the Convention. The Committee recommends that the State party ensure that the information collected contain up-to-date data, allowing for disaggregation and analysis, on a wide-range of vulnerable groups</p>

	<p>including children living in poverty, children in street situations, children with disabilities and child labourers. The Committee also recommends that the State party take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights entitled <i>Human Rights Indicators: A Guide to Measurement and Implementation</i> when defining, collecting and disseminating statistical information.</p> <p><b>C. General principles (arts. 2, 3, 6 and 12)</b></p> <p><b>Non-discrimination</b></p> <p>25. The Committee notes with appreciation that some progressive provisions on nondiscrimination in relation to children have been included in the new Constitution. However, the Committee is concerned that the principle of non-discrimination, particularly in relation to access to health, education services, discriminatory social and cultural practices, customary marriage disputes and inheritance, is not adequately implemented with respect to children belonging to the most vulnerable groups, such as girls, children with disabilities, children belonging to religious minorities, children living with HIV/AIDS, migrant and refugee children, orphans and children born out of wedlock.</p> <p>26. The Committee recommends that the State party ensure equal access to education, basic health care and other welfare services for all children. It also recommends that the State party intensify its efforts to eliminate discrimination against the most vulnerable groups of children, such as girls, children with disabilities, children belonging to religious minorities, children living with HIV/AIDS, migrant and refugee children, orphans and children born out of wedlock. It also recommends that the State party continue prioritizing the support for vulnerable children and youth in the next National Development Plan.</p> <p><b>F. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))</b></p>
--	--

		<p><b>Children deprived of a family environment</b></p> <p>41. The Committee welcomes the adoption of the Minimum Standards of Care for Child Care Facilities and the fact that the State party runs the Child Care Upgrading Programme, but is concerned about the situation of a number of children living with a single parent, orphaned children and child-headed families, and about the lack of a regulatory framework for substitute care, lack of resources for foster parents, unawareness of the existing forms of alternative care and reportedly irregular inspections of the childcare institutions.</p> <p><b>42. The Committee recommends that the State party:</b></p> <ul style="list-style-type: none"><li><b>(a) Strengthen the capacity of the extended family and ensure adequate safeguards and clear criteria, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care;</b></li><li><b>(b) Raise awareness and provide information about available foster services;</b></li><li><b>(c) Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;</b></li><li><b>(d) Ensure that adequate human, technical and financial resources are allocated to foster parents, alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible;</b></li><li><b>(e) Consider ratifying the Hague Convention on the Law Applicable to Maintenance Obligations of 1973.</b></li></ul> <p><b>Adoption</b></p> <p>43. The Committee notes that a formal adoption system is in place in the State party but remains concerned that:</p> <ul style="list-style-type: none"><li>(a) Adequate information about domestic and intercountry adoption has not been provided in the State party's report;</li></ul>
--	--	---

		<p>(b) Informal adoptions, which are generally not monitored with respect to the best interests of the child, are accepted and practised within the State party;</p> <p><b>44. The Committee recommends that the State party:</b></p> <ul style="list-style-type: none"><li><b>(a) Promote and encourage formal domestic and intercountry adoptions, in order to prevent abuse of the practice of informal adoption and protect the rights of children;</b></li><li><b>(b) Provide comprehensive information about adoption in its next periodic report.</b></li></ul> <p><b>I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</b></p> <p><b>Asylum-seeking and refugee children</b></p> <p>55. The Committee notes that the Parliament was supposed to consider the Refugee Bill in 2013. The Committee is concerned that the current Refugee (Control) Act of 1970 does not provide specific protection for refugee children nor refugee status determination in the case of unaccompanied and separated children. The Committee is also concerned about the difficult social situation of the refugees and their families in areas such as health and education.</p> <p><b>56. The Committee recommends that the State party expedite the adoption of the Refugee Bill and strengthen the legal protection of refugee children. The Committee also urges the State party to provide refugee children with access to social services, such as health and education.</b></p> <p><b>Children in street situations</b></p> <p>59. The Committee notes with appreciation that the State party revised its National Youth Policy and National Child Policy to improve the well-being of children, provided training for the police officers and established rehabilitation children’s centres in Lusaka and Copperbelt Province. However, the Committee remains concerned at the limited access of children in street situations to health, education and other basic social services and their vulnerability to abuse and exploitation. It is also concerned about the lack of reliable data on children in street situations.</p>
--	--	---

		<p><b>60. The Committee reiterates that the State party:</b></p> <ul style="list-style-type: none"> <li>(a) Take all effective measures to ensure that children in street situations are provided with adequate food, clothing, housing, health care and educational opportunities, including vocational and life skills training, to support their full development;</li> <li>(b) Provide these children with preventive, recovery and reintegration services throughout the country;</li> <li>(c) Provide necessary support to families in order to prevent children from going to the streets;</li> <li>(d) Collect data on children in street situations and identify and address root causes.</li> </ul> <p style="text-align: center;"><b>Country Report</b></p> <p>CRC/C/ZMB/2-4 27 January 2015</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fZMB%2f2-4&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fZMB%2f2-4&amp;Lang=en</a></p> <p style="text-align: center;"><b>Care Related Concluding Observations</b></p> <p>CRC/C/15/Add.206 2 July 2003</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f15%2fAdd.206&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f15%2fAdd.206&amp;Lang=en</a></p> <p><b>D. Principal subject of concern and recommendations</b></p> <p><b>1. General measures of implementation</b></p>
--	--	--

		<p><b>Coordination</b></p> <p>7. The Committee notes that several ministries are responsible for the implementation of the Convention and that various national policies regarding children exist. It is concerned at the lack of effective coordination of the activities relating to the implementation of the Convention and concurs with the State party in its opinion that coordination needs to be strengthened. The Committee welcomes the information that a National Child Council will be established for this purpose, and welcomes the establishment of the National Steering Committee on Orphans and Vulnerable Children in 2000.</p> <p><b>8. The Committee recommends that the State party make sure that the new National Child Council is provided with adequate power and human and financial resources to effectively coordinate all activities for the implementation of the Convention. It further recommends that the relationship between the Council and the National Steering Committee on Orphans and Vulnerable Children be well defined in order to avoid duplication of coordinating activities, and the Steering Committee be provided with adequate resources, both human and financial, to be able to perform its mandate fully and effectively, using a rights-based approach.</b></p> <p><b>3. General principles</b></p> <p><b>Right of non-discrimination</b></p> <p>21. The Committee notes that the Constitution enshrines general provisions against discrimination (arts. 11 and 23), although it does not always apply to foreigners, and that further legislation and policies are not in line with the general principle of non-discrimination. The Committee is concerned, however, that the principle of non-discrimination is not adequately implemented with respect to children belonging to the most vulnerable groups such as girls, children with disabilities, orphans, disadvantaged children, refugee children and children born out of wedlock.</p> <p><b>22. The Committee recommends that the State party:</b></p> <ul style="list-style-type: none"><li><b>(a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;</b></li><li><b>(b) Prioritize and target social services for children belonging to the most vulnerable groups.</b></li></ul>
--	--	---

		<p><b>Corporal punishment</b></p> <p>30. The Committee notes that the Constitutional Court has outlawed the practice of corporal punishment (John Banda v. the People, HPA/6/1998) but remains concerned that corporal punishment is still practised and accepted in schools, families, and care and juvenile detention institutions.</p> <p>31. The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment, in schools and care institutions, as well as in families. The Committee encourages the State party to reinforce its public awareness campaigns to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.</p> <p><b>5. Family environment and alternative care</b></p> <p><b>Parental responsibilities</b></p> <p>34. The Committee is concerned that a large number of families are headed by single parents, mostly women, and/or AIDS orphans, many of them facing financial and other kinds of difficulties. The Committee is concerned at the lack of involvement of fathers in the upbringing and development of children.</p> <p><b>35. The Committee recommends that the State party:</b></p> <p><b>(a) Take all necessary measures to provide assistance to single-parent and child-headed families in order to support them in bringing up their children and siblings, in light of article 18 (2) of the Convention;</b></p> <p><b>(b) Take the necessary measures to promote the involvement of fathers in the upbringing and development of their children.</b></p> <p><b>Children deprived of a family environment</b></p> <p>36. The Committee notes the information that children deprived of a family environment (orphans and other vulnerable children) should be cared for by the extended family and that foster care is supported by special fees paid to foster parents, but the Committee is concerned that these forms of alternative care are not sufficiently encouraged and supported.</p>
--	--	---

	<p><b>37. The Committee recommends that the State party strengthen the capacity of the extended family and foster parents to take care of orphans and other vulnerable children by providing them with adequate financial and other support in the best interests of the child.</b></p> <p>38. The Committee notes the existence of the Child Care Upgrading Programme (CCUP) but is concerned, inter alia in light of the increasing number of AIDS orphans, that a growing number of children are being placed in institutions and that there is a lack of disaggregated data in this regard, which makes it difficult to fully assess the need for institutional care and to develop effective policies. The Committee also notes with concern the absence of an independent complaint mechanism for children in alternative care institutions, the inadequate review of their placement in institutions, as well as the lack of available trained personnel in this field.</p> <p><b>39. The Committee recommends that the State party take all necessary measures to make institutional care a solution of last resort and to improve the quality of care, both in private and public institutions, via CCUP (registration, enforcement of quality standards). The Committee further recommends that the State party provide additional training, including in children's rights, for social and welfare workers, undertake periodic review of placements in institutions and establish an independent complaints mechanism for children in alternative care institutions.</b></p> <p><b>Adoption</b></p> <p>42. The Committee notes that the Adoption Act of 1958 provides for the regulation of domestic and intercountry adoptions, but remains concerned that informal adoptions, which are generally not monitored with respect to the best interests and other rights of the child, are more widely accepted and practised within the State party.</p> <p><b>43. In light of article 21 of the Convention, the Committee recommends that where adoption is considered, the State party encourage and promote formal domestic and intercountry adoptions, in order to prevent the abuse of the practice of informal adoption and protect the rights of children. In light of the increasing number of children deprived of a family environment, the Committee recommends that the State party promote and encourage formal adoptions. Additionally, the Committee encourages the State party to accede to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.</b></p>
--	--

		<p><b>6. Basic health and welfare</b></p> <p><b>HIV/AIDS</b></p> <p>50. The Committee notes the existence of the National Steering Committee on Orphans and Vulnerable Children and the recent adoption of the National HIV/AIDS/STI/TB Council Act No. 10 of 2002, but remains extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting high and increasing number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the insufficiency of alternative care for these children.</p> <p>51. The Committee recommends that the State party:</p> <ul style="list-style-type: none"><li>(a) In light of the Committee's general comment No. 3 on HIV/AIDS and the rights of the child, as well as the Guidelines on HIV/AIDS and Human Rights of 1996, increase its efforts to prevent HIV/AIDS;</li><li>(b) Continue to consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, adoption, emotional care and education;</li><li>(c) Involve children in formulating and implementing preventive and protective policies and programmes;</li><li>(d) Regularly monitor the National HIV/AIDS Policy to better assess its progress;</li><li>(e) Seek further technical assistance from, among others, UNAIDS and UNICEF.</li></ul> <p><b>8. Special protection measures</b></p> <p><b>Street children</b></p> <p>68. The Committee expresses grave concern at the high and increasing number of street children. In particular, the Committee notes their limited access to health, education and other basic social services as well as their vulnerability to police brutality, sexual abuse and exploitation.</p> <p><b>69. The Committee recommends that the State party:</b></p>
--	--	--

		<p>(a) Undertake a study to assess the scope and the causes of and consider establishing a comprehensive strategy to address the high and increasing number of street children, with the aim of preventing and reducing this phenomenon;</p> <p>(b) Ensure that street children are provided with preventive and rehabilitative services for physical, sexual and substance abuse, protection from police brutality and services for reconciliation with their families, and that authors of violence against street children are prosecuted and punished; and</p> <p>(c) Take all effective measures to ensure that street children are provided with adequate food, clothing, housing, health care and educational opportunities, including vocational and life-skills training, to support their full development.</p>
<b>Country Report</b>		
<p>CRC/C/11/Add.25                  19 November 2002</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f11%2fAdd.25&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f11%2fAdd.25&amp;Lang=en</a></p>		
<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	N/A	
<b>OPAC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	N/A	
<b>ICCPR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	10 Apr 1984	
<b>ICESCR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>

CEDAW	10 Apr 1984 Ratification Date	Care-Related Concluding Observations
CEDAW/C/ZMB/CO/5-6	21 Jun 1985	<p>19 September 2011</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/ZMB/CO/5-6&amp;Lang=En">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/ZMB/CO/5-6&amp;Lang=En</a></p> <p><b>C. Principal areas of concern and recommendations</b></p> <p><b>Trafficking and exploitation of prostitution</b></p> <p>23. The Committee welcomed the Anti-Human Trafficking Act (2008), the Interministerial Committee on Trafficking, the National Plan of Action on Trafficking, and other efforts of the State party aimed at addressing trafficking and the exploitation of prostitution. However, the Committee is concerned that Zambia remains a country of origin, destination and transit for the trafficking of persons and that there is an increasing number of child victims of commercial exploitation, including prostitution, especially of girls, orphans and disadvantaged children. The Committee regrets the absence of statistical data on the number of women and girl victims of trafficking for purposes of economic exploitation or prostitution. The Committee notes that the Zambian Penal Code criminalizes prostitution, including with respect to people living on the earnings of prostitution.</p> <p><b>24. The Committee calls upon the State party to fully implement article 6 of the Convention, including through:</b></p> <ul style="list-style-type: none"> <li>(a) Effectively implementing the new legislation on trafficking, ensuring that perpetrators are punished and victims adequately protected and assisted;</li> <li>(b) Increasing its efforts at international, regional and bilateral cooperation with other countries of origin, transit and destination through information exchange, in order to prevent trafficking and harmonize the legal procedures aimed at the prosecution of traffickers;</li> <li>(c) Conducting comparative studies on trafficking and prostitution, including the collection of disaggregated data, to identify and address root causes in order to eliminate the vulnerability of girls and women to sexual exploitation and traffickers and facilitate the recovery and social</li> </ul>

		<p>integration of victims; <b>(d) Pursuing a comprehensive approach in addressing the question of prostitution, including the provision of shelters and others services such as exit or reintegration programmes for women who wish to leave prostitution.</b></p> <p><b>HIV/AIDS</b></p> <p>35. The Committee notes with concern that HIV/AIDS remains a serious concern in the country and that additional efforts are needed to raise awareness, especially among youth, about the risks and effects of HIV, AIDS and other sexually transmitted infections. The Committee is concerned about the impact of HIV/AIDS on women and especially on young girls who are raped due to the belief that intercourse with a virgin cures the infection. In this respect, the Committee is concerned that women and girls may be particularly susceptible to infection owing to gender-specific norms and that the persistence of unequal power relations between women and men and the inferior status of women and girls may hamper their ability to negotiate safe sexual practices, thereby increasing their vulnerability to infection. The Committee is also concerned about the shortage of personnel, and the inadequate infrastructure, health-care facilities, access to services and safe spaces for women living with HIV, particularly in rural areas. The Committee is also concerned about the number and social situation of orphaned children and of older women who are generally caring for family members living with HIV/AIDS.</p> <p><b>36. The Committee calls upon the State party to:</b></p> <ul style="list-style-type: none"><li><b>(a) Undertake continued and sustained measures to address the impact of HIV/AIDS on women and girls, especially orphaned children and older women and assess the consequences of HIV/AIDS for the family and society;</b></li><li><b>(b) Enhance its focus on women’s empowerment by including a clear and visible gender perspective in its policies and programmes on HIV/AIDS and increase the role of men in all relevant measures;</b></li><li><b>(c) Improve access to free prevention, treatment and care and support services at the programming level where gender and customary factors contribute significantly to infection rates among women and girls;</b></li><li><b>(d) Improve access to services for HIV-positive women by incorporating gender-based violence concerns into health-care protocols and introducing measures to effectively respond to gender-based violence and abuse;</b></li><li><b>(e) Undertake awareness-raising campaigns throughout the State party and among personnel in</b></li></ul>
--	--	---

		multiple sectors of government in respect of the prevention, protection and maintenance of confidentiality in order to systemize and integrate approaches for combating HIV/AIDS and to eradicate negative and harmful beliefs regarding the cure of HIV/AIDS.
<b>CRPD</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	1 Feb 2010	
<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	30 Oct 2012	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/ZMSession14.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/ZMSession14.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Accession Date</b>	<b>Link to Country Profile</b>
	11 Jun 2015	<a href="http://www.hcch.net/index_en.php?act=states.details&amp;sid=259">http://www.hcch.net/index_en.php?act=states.details&amp;sid=259</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review