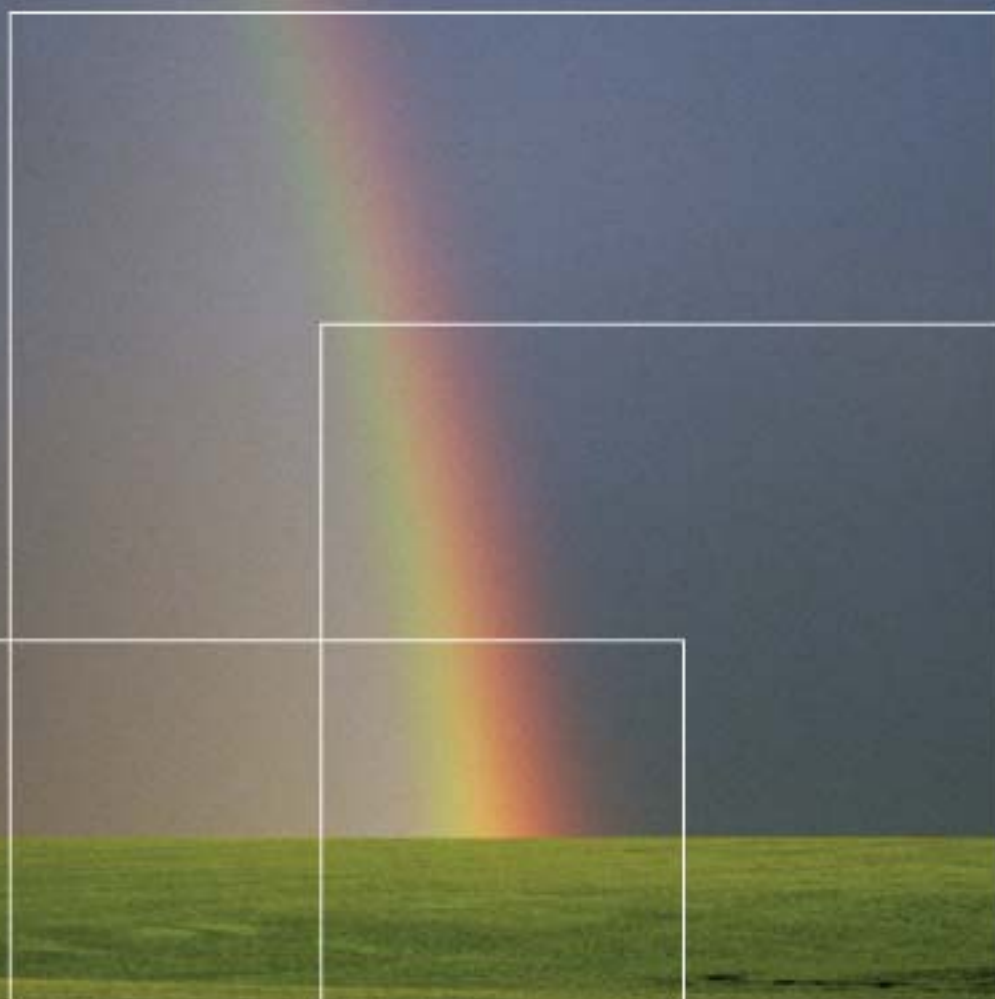




International
Labour
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International Labour Office
Decent Work Country Programme
Zambia



DECENT
WORK
COUNTRY
PROGRAMME

ZAMBIA

DECENT WORK COUNTRY PROGRAMME



Validated by
Ministry of Labour and Social Security (MLSS)
Zambia Federation of Employers (ZFE)
Zambia Congress of Trade Unions (ZCTU)
Federation of Free Trade Unions in Zambia (FFTUZ)

June 2007

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List of Acronyms and Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
ALMILN	Africa Labour Market Information Library Network
BDS	Business development services
CBP	Capacity building programme
CCA	Common country assessment (of UN)
DBS	Direct Budget Support
DFID	Department for International Development (United Kingdom)
DWA	Decent work agenda (of ILO)
DWCP	Decent work country programme
EU	European Union
FFTUZ	Federation of Free Trade Unions of Zambia
FNDP	Fifth National Development Plan
FRP	Feeder road programme
GDP	Gross Domestic Product
HIPC	Highly Indebted Poor Countries
HIV	Human Immune Virus
ILO	International Labour Organization/Office
ILRA	Industrial and Labour Relations Act
ILSSA	Improving Labour Systems in Southern Africa
IMF	International Monetary Fund
IPEC	International Programme for Elimination of Child Labour
JASZ	Joint Assistance Strategy Zambia
LED	Local economic development
LMI(S)	Labour market information (system)
MLSS	Ministry of Labour and Social Security
MMD	Movement for Multiparty Democracy
MSME	Micro, small and medium-sized enterprises
NAC	National AIDS Council
NELMP	National Employment and Labour Market Policy
NGOCC	Non-Governmental Organizations Coordinating Council
NORAD	Norwegian aid agency
PAC	Project Advisory Committee
PIU	Policy Implementation Unit
PPI	Private participation in infrastructure
PRSP	Poverty reduction strategy paper
PSD	Private sector development
RBTC	Regular budget for technical cooperation (of ILO)
ROAF	Regional Office/Bureau for Africa (of ILO)
SAP	Structural adjustment programme
SELP	Self-employment for school-leavers (project)
Sida	Swedish International Development Cooperation Agency
SLASA	Strengthening Labour Administration in Southern Africa
SME	Small and medium-sized enterprises
SPROUT	Summary project outline (of ILO)
SRO	Sub-regional Office (of ILO)
TC	Technical cooperation
TUTD	Trade Unions and Trade Disputes (Act)
UN	United Nations
UNDAF	United Nations Development Assistance Framework
USDOL	United States Department of Labor
WB	World Bank
WEDAZ	Women Entrepreneurs' Development Association of Zambia
WEDGE	Women's Entrepreneurship Development and Gender Equality (of ILO)
YWCA	Young Women's Christian Association
ZAFOD	Zambia Federation of the Disabled
ZAPD	Zambia Association of People with Disabilities
ZBCA	Zambia Business Coalition on AIDS
ZCSMBA	Zambia Association of Chambers of Small and Medium Business Associations
ZCTU	Zambia Congress of Trade Unions
ZFAWIB	Zambia Federation of Associations of Women in Business
ZFE	Zambia Federation of Employers

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Decent Work Country Programmes are intended as “living instruments”, to be revised as necessary depending on the prevailing context and circumstances. The preparation of this latest version of the Zambia DWCP (January 2007) owes a lot to numerous contributions received from many quarters.

The consultation process with the constituents for a Decent Work Country Programme for Zambia was initiated during 2005 by the former Director, ILO Lusaka Office, Mr Louis Ndaba-Hagameye, in association with Mr Tayo Fashoyin, Director ILO Sub-Regional Office (SRO), Harare.

From the early days, the Ministry of Labour and Social Security (MLSS), the employers’ organization, Zambia Federation of Employers (ZFE), and the workers’ organizations, Zambia Congress of Trade Unions (ZCTU) and the Federation of Free Trade Unions of Zambia (FFTUZ) have contributed to the identification of agreed national Decent Work priorities, and commented on various versions of the DWCP. Special thanks go to the Honorable Minister of Labour and Social Security, Ronald Mukuma MP, and his predecessor, Honorable Mutale Nalumango MP, for support for this initiative in the Zambian context. In addition, substantial inputs have been made towards the finalization of the DWCP by the Permanent Secretary, MLSS, Mr Ngosa Chisupa, as well as by his predecessor, Ms Josephine Mapoma.

The office bearers and officials from ZFE, ZCTU and FFTUZ have also helped to make the draft DWCP for Zambia a reality.

Inputs, almost too numerous to mention, have been received from highly supportive colleagues within the ILO: these include technical comments from the Director, Deputy-Director and Specialists in the ILO’s SRO Harare; inputs from the ILO’s Regional Office for Africa (ROAF), Addis Ababa; inputs from ILO Headquarter Units, including: CABINET, PROGRAM, GENDER, DIALOGUE, ENTERPRISE, SEED, EMPLOYMENT POLICY, INTEGRATION, ILO/AIDS, TRAVAIL, SOCIAL FINANCE, DECLARATION.

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Gerry Finnegan
ILO Representative for Malawi, Mozambique and Zambia
ILO Lusaka Office
ZAMBIA

January 2007

FOREWORD

Employment and labour issues are at the core of the Zambian economy, and they affect the operations of every sector and the workings of every ministry. The Government of the Republic of Zambia welcomes the ILO's initiative, supported by the social partners, in preparing a coherent and focused programme that will contribute to the promotion of Decent Work throughout the economy.

At the highest level of Government, Zambia is committed to Decent Work. The Vision 2030 states that employment creation will be a priority if Zambia is to become a middle income country by 2030. In addition, the Employment and Labour chapter of the Fifth National Development Plan indicates that the Decent Work Programme will be given priority during the period 2006-2011. To this end, the Government is establishing a Sector Advisory Group (SAG) with a focus on Employment and Labour. To complement the recent Labour Force Survey, and the just launched process for Zambia's first Economic Census, Zambia also needs regular and up-to-date information on the labour market. The focus on job creation for women, young people and people with disabilities is most needed and very welcome, as is the prevention of HIV and AIDS in the world of work, and the elimination of child labour.

Zambia needs *job creation*, and Government is determined to ensure that these jobs are essentially decent work: providing rights at work, social protection, and social dialogue. The social partners are eager to work with the government promoting the creation of decent jobs. *Job creation for women* has been highlighted in the National Employment and Labour Market Policy (NELMP), and it is a priority for Ministry of Gender in Development and Ministry of Commerce, Trade and Industry, as well as for the Joint Assistance Strategy theme group on Gender. *Job creation for young people* is prominent in the NELMP, and it is a priority for the Ministry of Youth, Sport and Child Development and at its National Youth Development Fund. The *employment and economic empowerment of people with disabilities* is also addressed in the NELMP, and is an important area for the Ministry of Community Development and Social Services, as well as the major focus of the Zambia Agency for Persons with Disabilities.

Zambia needs support in the *prevention and mitigation of HIV and AIDS in the world of work*, as we need a healthy and productive workforce that can operate free from discrimination and stigma. This is also a major priority of the National AIDS Council, and the United Nations in Zambia, including the work of UNAIDS.

Child labour is a scourge of today's society, and its ill-effects will be seen in generations to come. The Government is determined to see Zambia's children and young people develop and grow, free from exploitation, to become fully-fledged citizens and economic actors of tomorrow. The MLSS has established a Child Labour Unit to lead the Time Bound Programme on the elimination of child labour in Zambia, and the social partners are actively engaged in this process. The United Nations system, in particular UNICEF, is also involved in child labour prevention.

While warmly welcoming this Decent Work Country Programme for Zambia, I also commend those cooperating partners who have already committed themselves to supporting components of the DWCP. This is a DWCP for Zambia, crafted by the tripartite partners involved in employment and labour issues, viz. Government, employers' organizations and workers' organizations, with technical support from the ILO. It should also be seen as a vehicle to help harmonize support for the Employment and Labour Sector in Zambia. All the tripartite partners continue to require further capacity building assistance and support to make Decent Work a reality and operational in every corner of the Zambian economy.

Hon. Ronald C. Mukuma, MP
Minister of Labour and Social Security

Zambia DWCP Executive Summary

Over the past few years, the ILO's approach at the country level has been progressing towards a more coordinated and streamlined programme that is grounded in national priorities as agreed with the constituents, and rooted in the national development agenda. The purpose of the Decent Work Country Programme for Zambia is to coordinate and align technical assistance, support and resources around an achievable set of priority outcomes. The major issues to be addressed in the Zambian DWCP were identified and prioritized through a participatory planning process involving all of the constituents in Zambia: Ministry of Labour and Social Security on behalf of Government; Zambia Federation of Employers on behalf of employers, and Zambia Congress of Trade Unions and Federation of Free Trade Unions on Zambia on behalf of the workers. In addition, relevant government ministries, the UN system, bilateral and multilateral cooperating partners and civil society were consulted.

These issues are job creation for women, young people and people with disabilities; prevention and mitigation of HIV and AIDS in the world of work, and elimination of the worst forms of child labour. These components of the DWCP are also seen as contributions towards achieving the objectives of Zambia's Vision 2030; the Fifth National Development Plan, and in particular its chapter on Employment and Labour; the National Employment and Labour Market Policy (NELMP), an outcome from ILO support to Ministry of Labour and Social Security, and the common United Nations Development Assistance Framework (UNDAF), to which the ILO is a contributor.

The priority issues were assessed in the context of the comparative advantages of the ILO as a specialized agency within the One UN system in Zambia, and in that way the issues were appraised within the framework of four pillars of ILO's Decent Work agenda. These are rights at work, employment creation and enterprise development, social protection, and social dialogue. Furthermore, the DWCP for Zambia builds upon recent and ongoing ILO programmes, projects and activities in Zambia, including NELMP formulation.

- In relation to **rights at work**, this incorporates the ILO's Time Bound Programme Support Project on the elimination of child labour and the HIV/AIDS Induced Child Labour project, funded by the US Department of Labor; the Study on Child Trafficking, funded by the European Union, and the support of Government of Canada for enhancing the role Vocational Training in eliminating child labour.
- In relation to **employment**, this includes the Women's Entrepreneurship Development and Gender Equality programme, as well as the Development of Entrepreneurship for Women with Disabilities, both funded by Irish Aid; the Business Development Services Zambia project, funded by Swedish Sida, and the Labour-intensive public works programmes funded by Government of Norway.
- In relation to **social protection**, this incorporates the Social Security for All project, funded by the UK Department for International Development (DFID); support for prevention of HIV and AIDS in the world of work, funded by Government of Italy; and rapid assessment of HIV and AIDS in the informal economy, funded by UNDP.
- In the field of **social dialogue**, this incorporates the Supporting Labour Administration in Southern Africa project, funded by the US Department of Labour.

1.0 SITUATIONAL ANALYSIS

1.1 Socio-Economic Context

Since 1991 the Zambian economy has faced many challenges, despite an unwavering commitment to economic reform demonstrated by successive governments. Though commendable progress has been made at stabilising the economy at the macro-economic level, the country's social and economic indicators reveal that much work remains to be done if the poverty levels are to be reduced. Approximately 67% of Zambians live below the poverty line, and 46% of these are classified as being extremely poor.¹

Undoubtedly, poverty in Zambia has been exacerbated by the persistently high unemployment levels, and further compounded by the HIV and AIDS pandemic. Although GDP growth has been averaging about 4.5% annually, this growth has not translated into a commensurate increase in the number of jobs. Of the 6,184,000 people in the labour force, only about 700,000 are formally employed, and the remainder of the workforce is either engaged in the informal economy or unemployed². Many of these are women, young people and people with disabilities. Employment creation, therefore, remains a high priority for the Zambian Government, as reflected in the National Employment and Labour Market Policy (NELMP) and in the title of the Fifth National Development Plan (2006-2010) – “*Achieving broad-based wealth and job creation through technological advancement and citizenry participation*”. HIV and AIDS prevalence is estimated at about 15.6% of the population between the ages of 15-49 years,³ and young women proportionately more infected and affected than young men. As this age group is the most productive segment of the population, the impact of HIV and AIDS on the individual workplace and on the economy as a whole is devastating, leading to further worsening of the poverty situation. Furthermore, the disproportionate impact of HIV and AIDS on women as workers, as entrepreneurs, as carers and heads of household requires immediate and supportive actions in relation to prevention and mitigation.

The attainment of the Highly Indebted Poor Countries (HIPC) Initiative completion point in April 2005 brought about a renewed sense of optimism in the country. The savings from debt relief are being channelled into poverty reducing programmes, as well as into investment in the social sectors. The Ministry of Labour and Social Security (MLSS) has benefited from additional budgetary support, e.g. support for the Child Labour Unit. Increasingly, MLSS and the ILO are working together with the social partners and other stakeholders within the framework of a national Time Bound Programme (to be formulated in 2007-08) to eliminate child labour in Zambia. These developments are particularly important given that the 2005 MDG progress report for Zambia reveals that it is likely to meet the targets for only five of the ten goals.

In 2005-06, the government conducted a Labour Force Survey—the first for almost 20 years. The findings of the survey will help to provide a solid baseline for planned interventions in this Decent Work Country Programme, as well as for the government's related policy and planning instruments. It will also create a basis for more robust labour market information over the next few years.

1.2 Labour and Employment legislation and ratifications of ILO conventions

Since it joined the ILO in 1964, Zambia has ratified a total of 43 conventions (see Annex 1), of which 39 are currently in force. Included among the ratified conventions are all eight core conventions⁴. The Zambian Government is at present in the process of ratifying the Labour Inspection Convention No. 81 (1947).

¹ Living Conditions Survey III, Central Statistics Office, Lusaka, 2004

² Zambia Labour Force Survey preliminary results, CSO, Lusaka (2006)

³ Zambia Demographic and Health Survey 2001-2002

⁴ The ILO core conventions are: Forced Labour, 1930 (No.29); Freedom of Association and Protection of the Right to Organise, 1948 (No.87); Right to Organise and Collective Bargaining, 1949 (No.98); Abolition of Forced Labour Convention, 1957 (No.105); Discrimination (Employment and Occupation), 1958 (No.111); Minimum Age, 1973 (No. 138); and Worst Forms of Child Labour, 1999 (No.182).

However, the lack of domestication of ratified conventions in local laws has meant that judgements based on ILO Conventions that have been brought before it on appeal from the Industrial Relations Court have been rejected by the Supreme Court. The ongoing review of the Industrial and Labour Relations Act and the Employment Act has received submissions from many stakeholders on possible ways of addressing this issue. For Decent Work to become a reality in Zambia, it is essential to have the fundamental labour standards in place and operational.

Additional laws which help to shape the industrial relations scene in Zambia include: Factories Act; Minimum Wages and Conditions of Employment Act, and the Employment of Children and Young Persons Act. With the assistance of the ILO, the government in collaboration with the social partners has been undertaking a review of these laws, with the objective of harmonizing them with International Labour Standards, and bringing them into line with the current orientation of the economy. The inclusion of a proposed chapter on the prevention and management of HIV and AIDS in the workplace in the Employment Act is one new feature of the revisions. The proposed Statutory Instrument on the Worst Form of Child Labour is another.

Zambia's industrial relations are regulated by the Industrial and Labour Relations Act (Cap 269), which designates the active social partners within the country's tripartite arrangement: these are the Zambia Congress of Trade Unions (ZCTU) representing the workers; the Zambia Federation of Employers (ZFE) representing the employers; and the Ministry of Labour and Social Security representing the government. The Act provides for the establishment of the Tripartite Consultative Labour Council (TCLC). The TCLC has an important role in securing tripartite cooperation on policies relating to employment, labour and industrial relations matters, including equal opportunities in employment. The Employment Act (Cap 268) regulates the employment relationships between employers and employees. In this respect, it provides provisions on conditions of employment such as contracts of service and leave entitlement.

1.3 Roles of Social Partners

1.3.1 Employers' organizations

The Zambia Federation of Employers (ZFE) was founded in 1955 (then the Federation of Employers of Northern Rhodesia), as the first organization of employers. Though ZFE remains the central organization for employers, it is increasingly facing competition from other organizations such as the Chambers of Commerce and the Zambia Business Forum. With ILO support, ZFE recently undertook a strategic planning exercise in order to reposition itself as the central organization of employers in Zambia. The plan outlines three strategic objectives that ZFE should aim to achieve:

- a. Putting in place functional and efficient internal organizational structures and systems;
- b. Delivering services that meet the demands of its members, and
- c. Ensuring its financial sustainability.

ZFE has undertaken two further initiatives which should enhance its contribution to DWCP implementation. With ILO support it conducted a survey of the needs of SMEs, with the intention of reaching out to more small and medium-sized enterprises, including women-owned businesses. It has also taken a decision to create a "Women's desk", a step which should complement DWCP implementation. The ZFE actively supported the development of the NELMP, and it is in agreement with the priorities of the DWCP.

1.3.2 Workers' organizations

Zambia has two trade union federations, namely the Zambia Congress of Trade Unions (ZCTU) which was established in 1964 and has 26 affiliates with a total membership of 260,000, drawn from different sectors of the formal economy, and the Federation of Free Trade Unions of Zambia (FFTUZ), registered in 1998, which has 11 affiliates with a total membership of 50,000, also drawn from various sectors of the formal economy.

An amendment to the Industrial and Labour Relations Act (ILRA) in 1997, allowed for the formation of more trade unions and federations of trade unions and employers. Subsequently Zambia has seen an increase in the number of trade unions representing workers in various sectors, including more than one trade union in the same industry or sector, such as the teaching, agriculture and electricity sectors. Workers' organizations are normally represented by the larger ZCTU in international forums such as the International Labour Conference. Both federations contributed to the formulation of the NELMP and the Zambia DWCP priorities, as well as the DWCP validation.

2.0 TOWARDS A DECENT WORK COUNTRY PROGRAMME FOR ZAMBIA

2.1 Components of the ILO's Decent Work Agenda and Decent Work Deficits in Zambia

The ILO's Decent Work Agenda is centred on four pillars: rights at work; employment; social protection, and social dialogue. The Decent Work Agenda provides a vitally important rights-based lens for assessing and analyzing issues affecting the labour market. A decent work deficit or lack of decent work is defined as "the absence of sufficient employment opportunities, inadequate social protection, the denial of rights at work and shortcomings in social dialogue". Decent work deficits in Zambia are evident in all four areas that comprise the Decent Work agenda. The ILO is organized around "Sectors", each of which concentrates on one of the four pillars of Decent Work, thus enabling it to effectively respond to these challenges and promote decent work for all globally.

2.1.1 Pillar One: Rights at Work (Sector 1)

Although Zambia has ratified the major Conventions promoting the fundamental principles and rights at work, significant numbers of workers do not benefit from the protection and entitlements that these Conventions (and their related Recommendations) offer, as approximately 80 percent of these workers are in the informal economy. The majority of these are women, who are often exposed to personal, financial, economic and social risks and vulnerabilities resulting from their need to find employment and generate income. Given the characteristics of the informal economy, the enforcement of laws protecting workers' rights, occupational health and safety, and other core labour issues has proved to be challenging and difficult for the Ministry of Labour and Social Security (MLSS) and other enforcement agencies such as the police. This has left many people in work environments which have little or no regard for workers' rights, and poor health and safety conditions. This is a concern shared by all ILO constituents in Zambia.

Despite significant developments with workplace programmes, many of which are based on the ILO Code of Practice, awareness and prevention programmes on HIV and AIDS have not yet reached many of those working in the informal economy. The issues relating to child labour, particularly in its worst forms, and the rights of children require further attention and action in the Zambian context. Child labour is widespread, particularly in the informal economy in both rural and urban areas. In 1999, the number of working children was estimated at approximately 600,000. New estimates from studies conducted in association with the 2005-06 Labour Force Survey have shown that the figure for child labour is almost 900,000, thus confirming that a large number of children below the minimum age for employment (15 years) work to supplement family income and offset economic shocks in the household. The HIV and AIDS pandemic has made a many children highly vulnerable to child labour, and the increase in the number of working children is seen as a result of the growing number of children being orphaned.

Even in the formal economy, a large number of workers remain unaware of their rights and remain unprotected from potential injustices or victimization at work—protection which these rights should provide. As the Zambia labour market has an excessive supply of labour, some employers have taken advantage of

this situation by not providing employees with the conditions of service that are stipulated by the law. There has been an increasing trend towards casualization, a situation in which the employer-employee relationships are unclear and ambiguous, and such situations militate against decent work. There is room for Zambia to learn from global best practices and adopt and implement additional International Labour Standards, including the Labour Inspection Convention that is in process, and draw lessons from ILO Recommendation on the Employment Relationship, 2006 (No.198).

2.1.2 Pillar Two: Employment (Sector 2)

The inability of the Zambian economy (both public and private sectors) to generate an adequate number of jobs has left many job seekers—particularly young people and school-leavers, women and people with disabilities—without the opportunities for obtaining decent employment. In such cases, many are left with no option but to look to the informal economy as a source of income and work. The few formal jobs that are created are mostly taken up by men, with the more vulnerable groups such as the youth, women and persons with disabilities being left behind. Women with disabilities and people living with HIV and AIDS are particularly disadvantaged. The lack of access to market-oriented technical and management skills training opportunities for these target groups has hindered their ability to compete for the limited number of jobs that are available. The lack of opportunities for decent employment holds back human development, exacerbates the poverty situation, and limits the prospects for achieving the MDGs. Such Decent Work deficits are highlighted in the NELMP, given prominence in the FNDP, and are at the core of this DWCP.

2.1.3 Pillar Three: Social Protection (Sector 3)

The structure of the Zambian labour market and the large number of jobs in the informal economy leaves the majority of workers without basic forms of social protection. The institutional social protection arrangements provide coverage only to those workers in formal employment. Given the inadequate social security benefits for workers leaving employment and their lack of access to entrepreneurship training, there is a strong likelihood that many—particularly women, youths and people with disabilities—will end up in the poverty trap. With regard to occupational health and safety, in recent years there has been an increase in the number of occupational accidents, some on a large scale. The inability of government departments to enforce the Occupational Safety and Health laws (such as the Factories Act) due to inadequate implementation capacity, has contributed to this situation. The increase in industrial accidents negatively impacts on the country's GDP growth rate, as indicated in the 2006 Budget Speech. The designation of the MLSS as an “economic ministry” has effectively brought labour and employment issues to centre stage, and MLSS has garnered an increased share of the national budget to enable it to address many of these issues.

Despite commendable efforts by the public sector, the private sector, trade unions and other stakeholders in the prevention and mitigation of HIV and AIDS in the workplace, workers and those of working age still remain vulnerable. Cases of discrimination and stigmatization are commonplace in workplaces across the country. To address the situation, the government has been working with the social partners and other stakeholders on a national HIV and AIDS workplace policy, as well as adding the chapter in the new Employment Act. Nevertheless, more needs to be done, particularly for workers in the informal economy, to regulate for and enhance prevention, and support complementary prevention management measures being undertaken by the social partners, National AIDS Council (NAC) and UN (including the ILO).

2.1.4 Pillar Four: Social Dialogue (Sector 4)

There is evidence of increasing commitment by the social partners to using social dialogue, not only as a tool for dispute resolution, but as a mechanism for facilitating consultation and effectively addressing strategic issues relating to employment and labour. This momentum has mostly been in the formal economy. Nevertheless, the increase in the number of strikes and industrial disputes highlights existing deficits and inadequacies in the social dialogue mechanisms. In the informal economy, most workers do not benefit from

the processes of social dialogue, as its mechanisms and structures are largely tailored for the formal sector. The absence of formal worker and employer representative bodies in the informal economy hinders the use of social dialogue to resolve disputes. The workers' and employers' organizations require additional capacities to enable them to effectively participate in and contribute to the implementation of all aspects of the DWCP, particularly when it comes to supporting the designated target groups and reaching out to the vast number of workers in the informal economy. .

2.2 Government policies and programmes

In recognition of the importance of employment creation as an effective and sustainable solution to the country's fight against poverty, the government has put in place pro-employment policies and programmes. The MLSS has developed the National Employment and Labour Market Policy (NELMP) and contributed to the formulation of this DWCP for Zambia. Some of the government's more prominent pro-employment policies and programmes are indicated below.

2.2.1 The Private Sector Development (PSD) programme

The government-led the process of creating a Private Sector Development (PSD) Action Plan that it considers as its road map to creating the right environment for investment, infrastructure development and private sector-led economic growth. The Action Plan proposes rapid improvements and specific reforms to the investment climate, particularly targeted at high potential sectors such as non-traditional/gemstone mining, tourism, agriculture and resource-based manufacturing. Employment creation is an objective of this programme, given government's recognition of the potential that a thriving private sector will have on the demand for labour. The ILO participates in the Working Group, chaired by MLSS, on "wider labour law reform for Private Sector Development".

2.2.2 National Employment and Labour Market Policy (NELMP)

In 2005 the government adopted the National Employment and Labour Market Policy (NELMP), following ILO's technical support to MLSS. The development of the NELMP involved extensive consultations with the social partners. The Policy provides a major focus for pro-employment strategies in the country. It highlights a range of key government priorities on which to concentrate its efforts to create more and better quality employment, including the promotion and support to MSMEs; identification and support for job and business opportunities for men and women, as well as young people; the prevention and mitigation of HIV and AIDS; promotion of Social Dialogue and strengthening of social partners; and creation of effective Labour Market Information (LMI) systems.

2.2.3 Fifth National Development Plan (FNDP) (2007-2010)

With the ending of the Poverty Reduction Strategy Programme (PRSP) in 2004 and the Transitional National Development Plan in December 2005, in 2006 the government prepared the Fifth National Development Plan, launched in January 2007, which will run up to 2011. The Plan, whose theme is "*Achieving broad-based wealth and job creation through technological advancement and citizenry participation*", is comprised of a number of chapters or sectors. Although almost all "sectors" include themes and topics of potential ILO concern, the five most relevant were: Macro-economics, within which "employment" fell; Basic Social Protection; Private Sector Development; HIV and AIDS, and Education, to which the ILO's work on child labour contributes significantly. The addition of a new chapter—and as a consequence a new "sector"—on "Employment and Labour", which came about as a result of lobbying by the ILO and the MLSS, provides a clearer focus for ILO's mandate. Furthermore, the new chapter on Employment and Labour refers to the contribution that the NELMP can make to national development. With the creation of the chapter on Employment and Labour, the ILO is expected to take the lead, on behalf of the UN system, with the cooperating partners, in mobilizing resources for priority employment and labour issues. The implementation of the DWCP in Zambia will be an important vehicle in this endeavour.

2.2.4 Vision 2030 – “A prosperous middle income country by 2030”

This Vision, launched in January 2007, outlines the desirable long-term paths of the socio-economic indicators to satisfy people’s aspirations, and articulates possible long-term alternative development policy scenarios at different points through the target year 2030. The Vision will be operationalized through the implementation of five National Development Plans, beginning with the Fifth NDP covering the period 2006-2010. Among its aspirations, the Vision includes “Decent work opportunities that ensure respect for fundamental human rights and principles”.

2.2.5 Related policies

There are other policies which impact on employment and where employment is seen as a solution to addressing the challenges of the poverty as experienced by identified and vulnerable segments of the population, such as women and youths. Examples include the Youth Policy, with its objectives on youth employment and youth entrepreneurship; the National Gender Policy, which identifies employment as a means of empowering women both economically and socially, and proposed new policies on Local Economic Development and Micro and Small Enterprise Development, being spearheaded by the Ministry of Commerce, Trade and Industry. In addition, the passing of the Citizens’ Economic Empowerment Act (September 2006), the creation of the Citizens’ Economic Empowerment Commission, and the policy on Decentralization all provide opportunities for ILO to link and promote decent work at the local level throughout Zambia. To complement the implementation of the NELMP, government produced a draft Strategy on Social Security.

Decent work for all can only be achieved within a policy and regulatory context where policies and laws consistently and coherently support pro-employment approaches and the application of International Labour Standards. To this end, exploratory work is being carried out by ILO’s Policy Integration Department (in the context of a broader initiative with the World Bank and IMF) to review the extent of policy coherence in the Zambian context, thus contributing to the greater effectiveness of DWCP implementation.

2.3 Donor Policies and Programmes

2.3.1 United Nations Development Assistance Framework (UNDAF) 2007-2010

Following government’s pronouncement in 2005 to formulate a National Development Plan, the United Nations System in Zambia discontinued its Common Country Assessment (CCA) process and concentrated on identifying the key development challenges to be addressed by the UN System through its UN Development Assistance Framework (UNDAF). The UNDAF responds to the national development priorities as articulated in the FNDP. The UNDAF is focussed around four thematic areas, namely: Governance; HIV and AIDS; Food Security, and Basic Social Services. As a specialized agency of the UN System, the ILO has ensured that the NELMP is integrated into the UNDAF as a way of assuring UN System support for its implementation. The ILO has aligned several components of the DWCP Outcomes to the pillars of the UNDAF, particularly in accordance with the ILO’s areas of technical competence and with agreed national priorities. The ILO has the major task of enhancing the role of the social partners in UNDAF implementation, and ensuring that they obtain much-needed capacity building support.

2.3.2 Joint Assistance Strategy for Zambia (JASZ)

In response to the priorities in the Fifth National Development Plan, multilateral and bilateral donors/cooperating partners have been preparing a joint assistance strategy (JASZ) that outlines their responses in terms of the assistance that they will provide to the country. This will be largely in the form of Direct Budget Support (DBS), a move away from project funding. This strategy will endeavour to harmonize the different donor initiatives and programmes into one coherent approach within commonly defined “sectors”—those same sectors identified as “chapters” in the FNDP. The JASZ will not only reduce

transaction costs for both the donors and government, but also ensure greater aid coherence and effectiveness. In terms of local resource mobilization, this will pose new challenges to the ILO in terms of technical cooperation programmes and projects. The inclusion of the Employment and Labour chapter in the FNDP, and the references to the NELMP, should be significant for attracting additional support for MLSS, for the social partners, for labour issues in general, and for the ILO's work in Zambia. The DWCP for Zambia is the mechanism by which the ILO and its tripartite constituents will work to ensure the relevance and coherence of ILO priorities in Zambia with the national priorities, as articulated in the FNDP and NELMP, as supported by the UNDAF, and as consolidated in the JASZ.

2.3.3 The Zambian Government Aid Policy

The Aid Policy creates a framework for the Zambian Government to solicit for, acquire, utilize, manage, report, monitor and evaluate assistance from cooperating partners. The Aid Policy will provide donors with information pertaining to the country's objectives, as well as the intended use of external resources.

2.4 Follow-up to Africa Union Extraordinary Summit on Employment and Poverty Alleviation (2004)

Zambia is engaged in the process of implementing the Plan of Action and Follow-up Mechanism subsequent to the Africa Union Extraordinary Summit in 2004. This Plan gives attention to youth employment as well as the empowerment—particularly economic empowerment—of women, and highlights support for people with disabilities. At the country level, the Zambian Government through the MLSS, has established a national advocacy group chaired by the Permanent Secretary, involving the social partners and other stakeholders. The group's objective is to oversee the coordination and implementation of the Ouagadougou Plan of Action, and provide regular status reports as required. Aspects of the follow-up Plan of Action for Zambia are highlighted within this DWCP.

2.5 ILO Technical Support for Zambia and Lessons learnt to date

Since joining the ILO in 1964, Zambia has benefited from ILO assistance in a wide range of technical cooperation projects. These projects can be seen below in terms of the four core strategic objectives.

Sector/Strategic Objective	No. of Projects	Projects (%)
1. Fundamental Rights and Principles at Work	9	15
2. Employment	46	76
3. Social Protection	4	7
4. Social Dialogue	2	2
Total	61	100%

The ILO's assistance to Zambia has largely been in the area of Employment (Sector 2), followed by Rights (Sector 1), Social Protection (Sector 3) and Social Dialogue (Sector 4). This reflects those areas in which the Zambian Government has sought the help of the ILO over the years. (Some projects are summarized in Annex 2.)

Traditionally, the ILO's programmes and projects in Zambia have been stand-alone, time-bound projects, dependent on external funding. Similarly, the ILO's engagement with and support for the constituents has been somewhat disjointed and dependent on donor and/or ILO funding cycles. More recently, the Zambian Government and cooperating partners alike, based on the UN Reform processes and the Paris Declaration, have been moving away from bilateral funding of individual projects, and insisting on integrated packages/programmes of support for national priorities.

The new NELMP provides both the government and the ILO in Zambia with a more inclusive and comprehensive framework for working together with the social partners on employment and labour issues, thus avoiding the earlier piecemeal approaches. Since 2006 the ILO has been using the new Policy framework to inform its ongoing project activities, as well as new project proposals, thus ensuring greater cohesiveness in supporting the NELMP in a comprehensive manner. This strategy also aims at scaling up ILO interventions to reach out to larger numbers of beneficiaries. Furthermore, given the DWCP's emphasis on building the capacity of the constituents, this should contribute to the longer term sustainability of areas supported by the ILO. In addition, the ILO has ensured that the DWCP is connected to the UNDAF, and through it to the FNDP and the national MDG priorities and targets.

Given the importance of creating sustainable and decent jobs within Zambia, and the potential benefits that employment has in terms of poverty alleviation, it is highly significant that labour and employment issues are being taken seriously by the government. Allied to this is the importance of promoting industrial harmony and ensuring safe and healthy working environments. The revised FNDP and the chapter on Employment and Labour, should ensure that Decent Work is placed at centre stage, and the prospects for the success of this national DWCP enhanced accordingly.

3.0 DWCP COUNTRY PROGRAMMING PRIORITIES

Consultations to identify DWCP priorities were held between the Government, social partners and the ILO from 2005 to 2007. During 2005 these consultations ran in parallel with the government finalizing its National Employment and Labour Market Policy—into which the constituents provided substantial inputs. In late 2005, the government adopted the NELMP, followed by the formulation of the Fifth National Development Plan which was launched in January 2007.

The ILO's consultations with its constituents led to employment and labour issues being identified as priorities for the DWCP. These are:

- I. More and better employment for the youth, women and people with disabilities, supported by enhanced labour market information (LMI) systems;
- II. Responding to HIV and AIDS challenges in the world of work;
- III. Eliminating child labour, particularly in its worst forms.

Overall support for NELMP implementation by the MLSS, constituents, cooperating partners and the ILO should effectively ensure that the three DWCP priorities are addressed within the coherent framework of the national policy. Taking into account the national policy and planning processes (i.e. FNDP and NELMP), it was deemed necessary to imbed support for NELMP implementation and resource mobilization into the DWCP priorities for Zambia. This is particularly important, given the comprehensiveness of the NELMP and the extent to which it articulates the aspirations of the social partners. The ILO formulated the DWCP priorities in order to reflect the constituents' priorities, as well as to ensure consistency with national development priorities. The DWCP for Zambia provides specific focus to these three agreed priority areas, while at the same time taking into account other elements of the ILO's Decent Work Agenda as they relate to the problems, issues, needs and Decent Work deficits in Zambia. This includes *inter alia* important dimensions of the ILO's rights-based Decent Work agenda: the promotion of rights at work and the contribution of International Labour Standards to development; the promotion of employment opportunities for all; extending social protection for all, including to those in the informal economy, as well as improving occupational health and safety; the wider application of social dialogue, and promoting gender equality in the world of work. DWCP implementation will also need to strive for a balance between development, employment and care for the environment.

The three DWCP priorities will contribute towards Zambia's efforts to achieve Millennium Development Goals (MDGs) #1: Eradicate extreme poverty and hunger; #2: Achieve universal primary education; #3:

Promote gender equality; #6: Combat HIV and AIDS, and #8 on strategies for decent and productive work for youth. By addressing the three DWCP priorities, every effort will be made to contribute to the NELMP implementation, and to the actionable areas of the Employment and Labour chapter in the FNDP.

One major challenge facing DWCP implementation is the lack of capacity and resources among the social partners. To this end, considerable emphasis will be given to mobilizing resources – particularly through joint approaches by ILO, Government and Social Partners – for DWCP implementation through a number of channels: (i) applying and aligning existing and pipeline technical cooperation project resources; (ii) ILO’s own resources; (iii) new engagements with cooperating partners in Zambia; and (iv) cost-sharing with MLSS and other key government ministries/units with respect to their budgetary allocations.

The DWCP for Zambia will ensure that the following cross-cutting concerns are addressed throughout the planning, implementation, monitoring and evaluation processes:

- a. Promotion of gender equality and equity;
- b. Capacity building support for the MLSS, ZFE, ZCTU, FFTUZ and other key partner organizations;
- c. Promoting good governance among implementing partners (such as the proposed Code of Ethics for Labour Inspectors);
- d. Mainstreaming issues on HIV and AIDS in the world of work (in addition to Country Priority II);
- e. Working towards the elimination of child labour (in addition to Country Priority III).

Zambia’s Decent Work Country Programme has received the support of MLSS and the social partners. Following validation, it will be launched in the presence of key line ministries, sister UN agencies, cooperating partners, and lead agencies from the private sector and civil society. The DWCP implementation will include exploratory work on a policy coherence initiative (in line with the World Bank and IMF) to promote pro-employment and Decent Work approaches in macro policies.

3.1 DWCP Goal and Outcomes for Zambia

The goal of the Decent Work Country Programme for Zambia is:

More and better jobs for women and men in Zambia, resulting from the National Employment and Labour Market Policy (NELMP) implemented under the MLSS, supported by the social partners, connected to the FNDP, the UNDAF and the JASZ, and with national and international budgetary support (in the next 4-6 years).

Indicators

- Evidence of NELMP included in FNDP, UNDAF, JASZ documents, and government planning and implementation frameworks
- National budgetary support for NELMP implementation
- Donor support effected for MLSS and social partners’ roles in NELMP implementation
- NELMP steering committee operational, with cooperating partners active, exchanging information, and participating in policy implementation
- Evidence of ILO mobilizing increased resources in support of DWCP and NELMP implementation
- Evidence of the DWCP’s priorities and outcomes impacting on NELMP implementation
- Increased promotion, ratification and domestication of ILS in line with NELMP implementation (e.g. Labour Inspections; Occupational Health and Safety; Maternity Protection, Workers with Family Responsibilities, and Recommendation 198 on Employment Relationship)
- Evidence of functioning DWCP Advisory Committee, with participation from key line ministries from government, employers’ and workers’ organizations, UN agencies and cooperating partners

3.2 Country Programme Priorities and Outcomes

3.2.1 Country Priority I and Outcomes

Priority I. More and better employment for the youth, women and people with disabilities, supported by enhanced labour market information (LMI) systems.

(This Priority and Outcomes contribute to the ILO's Mainstreamed Strategies on Working out of Poverty, Advancing Gender Equality, and expanding the influence of social partners, social dialogue and tripartism.)

Strategies:

In the context of the NELMP implementation and related resource mobilization, prepare action plans to review the policy and regulatory environment as it relates to Priority I and seek greater policy coherence in support of Decent Work (e.g. under ILO, WB and IMF Policy Coherence Initiative); advocate for the removal of discriminatory laws and policies that constrain the participation of youth, women and people with disabilities in all aspects of employment; mainstream their respective employment interests in policies, laws and programmes relating to business and employment [including the Citizen's Empowerment Act (2006), the National Gender Policy (2001), the National Youth Policy (2006), National Strategy on Children, Youth and Sports Development (2006), and Local Economic Development (LED) and Micro and Small Enterprise (MSE) Development policies being prepared by Ministry of Commerce, Trade and Industry], and identify significant gaps in policy provision and implementation. Enhance the capacity of associations and organizations for women (e.g. YWCA, NGOCC), women and men entrepreneurs (e.g. WEDAZ, ZFAWIB, ZCSMBA), young women and men, and people with disabilities (e.g. ZAPD, ZAFOD, Cheshire Homes), as well as the capacities of business service providers and skills training centres, and the target groups, to ensure greater access to employment and self-employment opportunities, skills training, employment intensive investment programmes, Start and Improve your Business (SIYB) including promoting creative/culture enterprises, business support, advocacy and career guidance. This includes greater integration of people with and without disabilities. Promote gender-sensitive policies and legislation, as well as gender mainstreamed action plans and related strategies. Promote and support the establishment of effective linkages between financing and micro-finance institutions and the designated target groups, both as individuals and through their representative associations (e.g. following on lessons from ILO's Social Finance Programme and Turin Centre in Zambia). Support the active participation and engagement of MLSS, ZCTU, FFTUZ and ZFE in policy formulation and implementation—including provision of capacity building—with special emphasis on extending social protection (including micro-insurance) to the target groups, improving working conditions, promoting rights and voice at work, and progression from informality to formalization, with particular emphasis on improving outreach and coverage to the designated target groups including those in the informal economy, in accordance with International Labour Standards and ILC tripartite conclusions. Support the establishment of a dedicated and self-sustainable LMIS unit in the Ministry of Labour and Social Security (MLSS) with a network of information producers that provides easy access to up-to-date labour market information for government, social partners and other key stakeholders, builds the capacity of MLSS staff accordingly, and supports web-based dissemination of LMI (through MLSS and ILO websites), and facilitate the development of the required policy and legislative framework necessary for the effective operation of an LMIS.

Outcome I.1

Policies, legislation, action plans, strategies, programmes and resources facilitating the creation of decent employment for the youth, women and people with disabilities in place and implemented in accordance with the NELMP (within 4-6 years).

Indicators:

- Take-up of DWCP recommendations in employment-related policy/regulatory frameworks
- MLSS implementing action plans in conjunction with workers' and employers' organizations
- Number of action plans to facilitate the creation of decent employment opportunities for the targeted groups prepared and implemented
- Functional labour market information system in place, with required legal framework, and inputs provided by government, social partners and other key stakeholders
- Creation of NELMP Policy Implementation Unit within MLSS

Outputs:

- Action plans in place detailing required steps, responsibilities, budgets and resource mobilization targets, timelines, and monitoring and impact indicators.

- NELMP Policy Implementation Unit (PIU) established and supported by cooperating partners within MLSS, with active engagement of ZFE, ZCTU and FFTUZ.
- Employment policies and labour laws assessed, gaps identified, coherence improved, reports produced and necessary amendments undertaken to promote Decent Work and equitably meet the concerns and interests of women, youth and people with disabilities.
- Government officials' capacity in data collection and dissemination enhanced through training; gaps in labour market indicators identified; missing indicators in place, updated and disseminated.
- Decent Work concerns incorporated in related laws and policies, and highlighted in implementation.

Outcome I.2

The target groups have enhanced employment and self-employment opportunities, assisted by improved access to business development services, management and technical skills, and financing mechanisms, and supported by national Budget and cooperating partners.

Indicators:

- Evidence of programmes on more and better jobs for the target groups in place and funded (by both government and cooperating partners)
- Percentage increase in accessing business development services amongst the target groups
- Percentage increase in uptake of micro-finance and financing mechanisms by the target groups
- Percentage increase in number of target beneficiaries accessing appropriate skills training and employment/career guidance
- Evidence of budgetary support for employment creation initiatives
- Potential areas for employment creation identified and exploited

Outputs

- Women have more and better access to business support, advocacy and career guidance, skills training, and benefiting from effective linkages with employers' and workers' organizations.
- Young women and men have more and better access to skills training, business support, advocacy and career guidance, and benefit from effective linkages with employers' and workers' organizations.
- Women and men with disabilities have more and better access to skills training, business support, advocacy and career guidance, and benefit from effective linkages with employers' and workers' organizations.
- Micro-finance and other appropriate financing mechanisms available and utilized by women, youth and people with disabilities, both as individual entrepreneurs and through their representative associations.

Outcome I.3

Reduced risks, vulnerabilities and Decent Work deficits facing the target groups in seeking and maintaining decent employment, and graduating from informal to formal employment and enterprises.

Indicators:

- Evidence of an increase the number of young people, women and people with disabilities running their own enterprises and in decent employment
- Increase in the number of people in the target groups covered by social security
- Evidence of improvements in occupational health in safety in workplaces owned and/or managed by the target groups

Output

- Active involvement, engagement and commitment of constituents to programmes, projects and supportive actions in relation to employment promotion; social protection; improved working conditions; rights and voice at work, and progression from informality to formality.

Resources secured and/or available in support of Priority I:

- Application of resources from the following ongoing and pipeline projects:
- ILO-Irish Aid Partnership Programme in relation to women entrepreneurs and people with disabilities (2006-07), and with prospects for Phase 3 (2008-2011);

- Sida-funded ILO Business Development Services BDS-Zambia project in support of micro, small and medium-sized enterprises (MSMEs) (2006-07);
- USDOL support for employment law reform process (through ILSSA project) (2006-07);
- Support from ILO on Youth Employment (2006-07);
- Zambian Government resources under NELMP, Employment and Labour chapter of FNDP, Local Economic Development (LED) and MSE Development policy initiatives; Youth Development Fund, and the provisions of the Citizens' Empowerment Act (2006);
- Financial inputs from ILO-DFID Partnership Programme for social protection (2006-2009);
- Support from ILO's INTEGRATION for policy coherence (possibly with IMF & WB);
- Support from ILO's SECTOR for decent work in specified sectors;
- Support from ILO technical and regional units; resources/inputs from MLSS, including MLSS website; application of specified project resources from IPEC and other TC projects; support from USDOL (ILSSA Project).
- Support from EU-funded ILO/UNESCO/UNCTAD project on promoting Decent Work in culture-based industries (2007-08).

Additional resource requirements to achieve these outputs:

- To consolidate and upscale work on women entrepreneurs and people (mainly women) with disabilities into the more comprehensive DWCP for Zambia.
- To introduce micro-insurance as a form of social protection to designated target groups.
- To partner with key government units in formulating and implementing a comprehensive plan and programme of employment for young people.
- To enhance the working conditions of informal economy operators and promote their progression to the formal economy.
- To seek labour-intensive employment creation opportunities.
- To create a DWCP Programme Implementation Unit (PIU) within MLSS.
- To provide technical leadership through a DWCP post concentrating on Priority I.
- To assist government have regular and up-to-date information on the labour market (employment; unemployment; industrial injuries and days lost; industrial disputes and days lost; analytical interpretation of the foregoing; all disaggregated by sex, sector, and other related categories).

3.2.2 Country Priority II and related Outcomes

Priority II. Responding to HIV and AIDS challenges in the world of work in Zambia

(This Priority and its Outcomes contribute to the ILO's Mainstreamed Strategy on expanding the influence of social partners, social dialogue and tripartism.)

Strategies:

Prepare action plans for supporting the MLSS, ZCTU, FFTUZ, ZFE, NAC, ZBCA and other stakeholders, including through public/private partnerships, in the development of national and sector-wide policies and legislation, and the design and management of generic and adapted workplace programmes on HIV and AIDS in the world of work, particularly in the informal economy; and, based on earlier work by ILO (e.g. the Code of Practice; the joint ILO/WHO publication on the Health Sector; the joint ILO/UNESCO publication on the Education sector; pilot activities in the mining and commercial agriculture sectors, the BDS-Zambia project's Handbook, the UNDP-funded rapid assessment on the informal economy, etc.), have HIV and AIDS recognized as a "workplace issue", build the capacity of informal economy and small business associations (including associations of women entrepreneurs and disabled persons' organizations) on the prevention and mitigation of HIV and AIDS in their business environment (with emphasis given to the extreme vulnerability of young women and people with disabilities), promote and disseminate good practices, and determine the socio-economic impacts of HIV and AIDS, as well as of prevention and mitigation programmes, on the workplace and business as a whole.

Outcome II.1

National and sector-wide HIV and AIDS workplace policies for the formal and informal economies based on ILO's Code of Practice adopted by government, the social partners, and other key stakeholders in the private sector and informal economy, with evidence of socio-economic impacts.

Indicators:

- Evidence of the number of HIV and AIDS gender-sensitive workplace policies and programmes prepared, adopted, implemented, and operational in the formal and informal workplace settings
- Social partners having in-house capacities to take the lead in mitigating HIV and AIDS in both the formal and informal workplaces
- Evidence of the engagement of the MLSS, the social partners, National AIDS Council, and other key national and international partners in HIV and AIDS workplace mitigation initiatives
- Number of good practices documented and disseminated

Outputs

- Capacity of social partners and other stakeholders built for developing national and sector-wide policies and legislation on HIV and AIDS, specific to the world of work.
- The design and management of gender-sensitive workplace programmes on HIV and AIDS, based on the ILO Code of Practice, undertaken with and through constituents.
- Public/private partnerships established on HIV and AIDS issues in the world of work.
- Capacity building on prevention and management of HIV and AIDS of informal economy and small business associations developed.
- Good practices on the prevention of HIV and AIDS in the formal and informal economy identified, documented, published and disseminated, with special emphasis on the active engagement of the ILO constituents.
- Studies produced determining the socio-economic impacts of HIV and AIDS on the world of work, and results disseminated.

Outcome II.2

HIV and AIDS workplace concerns are included and mainstreamed in other national projects and programmes of the ILO and its developing partners.

Indicators:

- Number of occasions where HIV and AIDS workplace issues are mainstreamed in ILO projects
- Evidence of ILO's approach to HIV and AIDS workplace issues mainstreamed in the programmes and projects of development partners

Outputs:

- Existing and new ILO project documents, plus other DWCP Priorities, having HIV and AIDS workplace issues effectively mainstreamed;
- Existing and new project documents effectively mainstream ILO's HIV and AIDS workplace issues.

Resources assured and/or available in support of Priority II:

- Resources from Government of Italy project (2006-07); USDOL support for child labour and HIV and AIDS (2006-08); financial inputs from the ILO; collaboration with UNAIDS; inputs from MLSS budgetary allocation; linkages with government's National AIDS Council (NAC).

Additional resource requirements to implement the following outputs:

- To ensure support for the promotion of human rights and elimination of discrimination and stigmatization in laws, policies and their implementation in the world of work.
- To coordinate with key actors to develop effective promotional and awareness campaigns and related training packages for use by employers' and workers' organizations in world of work in Zambia.
- To assure longer-term support for ILO's work on HIV and AIDS in the world of work.
- To ensure wider outreach of ILO's programmes and approaches (including the ILO Code of Practice) to the informal economy and MSME workplaces.

3.2.3 Country Priority III and related Outcomes

Priority III. Elimination of child labour, particularly in its worst forms

(This Country Priority and related Outcome contribute to several of the ILO's Mainstreamed Strategies.)

Strategies:

In the context of the NELMP, the chapter on Employment and Labour in the FNDP, the draft Child Labour Policy, and the Government's proposed Time Bound Programme, to support the MLSS to formulate a national Action Plan and provincial action plans for the elimination of child labour in close consultation with

other line ministries, social partners and other civil society organisations. Working with government and social partners in supporting the preparation, implementation and enforcement (e.g. with labour inspectors, police officers, etc.) of policies and legislation in line with Convention 182. Creating linkages and networks, mainstreaming and integrating child labour issues with other development initiatives and interventions. In association with MLSS and social partners, to support political advocacy campaigns on Child Labour at national and sub-national (local) level and strengthen national and local level structures (both government and civil society) to tackle child labour.

Outcome III.1

A national Child Labour policy formulated and action plan to combat Child Labour and Trafficking adopted and implementation started within 2-4 years.

Indicators:

- Number of organizations (national and local) with child labour desks /units/focal points
- Number of organizations expressing interest in replicating models of ILO child labour interventions; requesting information or technical advice to replicate models of interventions; and applying ILO's child labour interventions
- Number of children and adult caretakers supported to protect and withdraw children from the WFCL

Outputs:

- Laws and policies in line with Convention 182 prepared, implemented and being enforced.
- National and district policies, plans and programmes supporting the elimination of child labour.

Outcome III.2

Greater awareness of child labour issues among ILO constituents, decision-makers and implementing agents, the media and local communities, and effective advocacy and lobbying mechanisms.

Indicators:

- More and better media coverage of child labour issues, solutions and good practices
- More informed discussion and debate on elimination of child labour
- Number of local communities undertaking child labour initiatives

Outputs:

- Programme of awareness raising and sensitization developed and being implemented.
- Advocacy action plans on specific child labour issues in place and being implemented.

Outcome III.3

Child labour issues and concerns are promoted, included and mainstreamed in other national projects and programmes of the ILO and its developing partners.

Indicator:

- Number of occasions where child labour issues are mainstreamed in ILO projects and programmes
- Evidence of ILO's approach to child labour issues mainstreamed in the programmes and projects of development partners

Outputs:

- Child labour issues addressed in connection with promotion and application of ILS, including the proposal for ratifying the Labour Inspection Convention (No.81)
- Child labour issues mainstreamed into a range of developmental issues and interventions, including the ILSSA/SLASA project and in the other DWCP Country Priorities.

Resources secured and/or available in support of Priority III:

- Funding from USDOL for the Support Project for the National Time Bound Programme (2006-2010) and for the HIV/AIDS induced Child Labour project (2004-08); funding from EU for study on trafficking of children (2006-07); support from MLSS Child Labour Unit and Budget; support from ILSSA/SLASA project; support from ILO global programme (IPEC); support from ILO Declaration on Forced Labour.

Additional resource requirements to implement the following:

- To consolidate lessons learnt from pilot and time bound programmes and support wider application countrywide.

- To demonstrate solutions to child labour through promotion of informal apprenticeships.
- To explore connections between child labour, forced labour, trafficking and migration.
- To reduce poverty (as cause of child labour) through employment and income-generation, and have effective linkages to Priority I above.

In addition to the three DWCP Priorities for Zambia, the ILO will continue its efforts to identify ways in which International Labour Conventions and Recommendations can be promoted, adopted and implemented, and ILO's five mainstreamed strategies⁵ can be advanced, both within the planned DWCP Outcomes, as well as through further resource mobilization and mainstreaming of the Strategies into the broader development agenda of the Zambian Government, the UN System and the Cooperating Partners.

4.0 IMPLEMENTATION AND MANAGEMENT

The implementation of the DWCP for Zambia is the prime responsibility of the ILO Lusaka Office, which will manage and supervise the Programme in collaboration with the government and social partners in Zambia. The ILO will oversee the process of implementation by drawing on the support and expertise from Sub-Regional Office in Harare, and various technical and administrative units and departments so as to ensure the success of the Decent Work Country Programme in Zambia. The ILO is already in the process of aligning existing extrabudgetary and regular budget technical cooperation programmes, projects and activities in Zambia to optimize their contributions towards NELMP implementation, as well as to ensure their consonance with DWCP priorities. In order to facilitate resource mobilization for the DWCP in its entirety, as well as for its component parts, a number of specific summaries of project outlines (SPROUTs) will be prepared for presentation to prospective cooperating partners. In ongoing discussions with several cooperating partners (such as Sweden, Norway, Ireland, Netherlands, USA and Finland), the ILO has been promoting the coherent DWCP approach in its resource mobilization efforts in Zambia. The ILO is also working to ensure maximum synergies with the planning and implementation of the UN System's UNDAF in Zambia.

It is anticipated that a DWCP advisory committee comprising of government, social partners, cooperating partners/donors (both existing and potential), and other stakeholders will be created. Its role will be that of providing policy and strategic guidance in the context of national development priorities (such as the FNDP and the NELMP), as well as monitoring and overseeing the timely delivery of DWCP outputs.

5.0 PERFORMANCE MONITORING AND EVALUATION ARRANGEMENTS

Performance monitoring and evaluation arrangements will be established and will be in line with the ILO's practice requiring bi-annual reports, mid- and end-of-programme evaluations. Monitoring and evaluation procedures will seek to assess the impact of the DWCP in both quantitative and qualitative terms, and will develop indicators that effectively reflect impact on the five cross-cutting concerns elaborated on in Section 3.0 above. The full participation of the social partners in the planning, implementation and monitoring of the process will be assured and, in order to make this more effective, capacity building support will be provided on performance monitoring and evaluation to enhance their full and meaningful engagement.

⁵ The ILO's mainstreamed strategies are: a fair globalization; working out of poverty; advancing gender equality; greater influence of international labour standards in development, and expanding the influence of social partners, social dialogue and tripartism.

List of Ratifications of International Labour Conventions

Zambia

Member since 1964

39 Conventions ratified and in force

<u>C. 11</u>	Right of Association (Agriculture) Convention, 1921 (No. 11)	2.12.1964
<u>C. 12</u>	Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)	2.12.1964
<u>C. 17</u>	Workmen's Compensation (Accidents) Convention, 1925 (No. 17)	2.12.1964
<u>C. 18</u>	Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)	22.02.1965
<u>C. 19</u>	Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	2.12.1964
<u>C. 26</u>	Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	2.12.1964
<u>C. 29</u>	Forced Labour Convention, 1930 (No. 29)	2.12.1964
<u>C. 50</u>	Recruiting of Indigenous Workers Convention, 1936 (No. 50)	2.12.1964
<u>C. 64</u>	Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)	2.12.1964
<u>C. 65</u>	Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65)	2.12.1964
<u>C. 86</u>	Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86)	2.12.1964
<u>C. 87</u>	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	2.09.1996
<u>C. 95</u>	Protection of Wages Convention, 1949 (No. 95)	23.10.1979
<u>C. 97</u>	Migration for Employment Convention (Revised), 1949 (No. 97)	2.12.1964
	<i>Has excluded the provisions of Annexes I to III</i>	
<u>C. 98</u>	Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	2.09.1996
<u>C. 99</u>	Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)	20.06.1972
<u>C. 100</u>	Equal Remuneration Convention, 1951 (No. 100)	20.06.1972
<u>C. 103</u>	Maternity Protection Convention (Revised), 1952 (No. 103)	23.10.1979
<u>C. 105</u>	Abolition of Forced Labour Convention, 1957 (No. 105)	22.02.1965
<u>C. 111</u>	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	23.10.1979
<u>C. 117</u>	Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)	2.12.1964
<u>C. 122</u>	Employment Policy Convention, 1964 (No. 122)	23.10.1979

C. 124	Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)	10.03.1967
C. 131	Minimum Wage Fixing Convention, 1970 (No. 131)	20.06.1972
C. 135	Workers' Representatives Convention, 1971 (No. 135)	24.05.1973
C. 136	Benzene Convention, 1971 (No. 136)	24.05.1973
C. 138	Minimum Age Convention, 1973 (No. 138) <i>Minimum age specified: 15 years</i>	9.02.1976
C. 141	Rural Workers' Organisations Convention, 1975 (No. 141)	4.12.1978
C. 144	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	4.12.1978
C. 148	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)	19.08.1980
C. 149	Nursing Personnel Convention, 1977 (No. 149)	19.08.1980
C. 150	Labour Administration Convention, 1978 (No. 150)	19.08.1980
C. 151	Labour Relations (Public Service) Convention, 1978 (No. 151)	19.08.1980
C. 154	Collective Bargaining Convention, 1981 (No. 154)	4.02.1986
C. 158	Termination of Employment Convention, 1982 (No. 158)	9.02.1990
C. 159	Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)	5.01.1989

C. 173	Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173) <i>Has accepted the obligations of Part II</i>	25.05.1998
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C. 176	Safety and Health in Mines Convention, 1995 (No. 176)	4.01.1999
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C. 182	Worst Forms of Child Labour Convention, 1999 (No. 182)	10.12.2001
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Denunciation

C. 45	Underground Work (Women) Convention, 1935 (No. 45) Denounced on 3.03.1998	2.12.1964
C. 89	Night Work (Women) Convention (Revised), 1948 (No. 89) Denounced on 10.09.2001	22.02.1965

Denunciation (as a result of the ratification of Convention No. 138)

C. 5	Minimum Age (Industry) Convention, 1919 (No. 5) Denounced on 19.06.1976	2.12.1964
C. 123	Minimum Age (Underground Work) Convention, 1965 (No. 123) Denounced on 13.10.1999	3.04.1967

ANNEX-2 Examples of ILO Technical Cooperation Projects in Zambia

Sector 1 – Fundamental Rights and Principles at Work:

A number of International Programme for Elimination of Child Labour (IPEC) projects have and continue to be implemented by the ILO in Zambia. These include:

1.1 Capacity Building Programme (CBP): Building the Foundations for Eliminating the Worst Forms of Child Labour in Anglophone Africa (2003-2006)

The project's developmental objective was to contribute to the elimination of the worst forms of child labour in Anglophone countries in Africa, Zambia inclusive. The project has been working with a number of partner organisations through action programmes. To ensure sustainability of the efforts targeted at eliminating child labour, the project has assisted the Ministry and Social Security to set up a dedicated child Labour unit. This unit will oversee government and non-government initiatives. This project and its successor Time Bound Program (TBP) are supported by US Department of Labor (USDOL), and will contribute to DWCP implementation.

1.2 HIV and AIDS induced Child Labour (2004-08)

The project has been working towards building the capacities of policy makers and programme planners in order to ensure that HIV and AIDS and child labour issues are mainstreamed in policy recommendations and good practices used in efforts to mitigate the problems. The project has adopted the use of community-based models for assisting AIDS orphans and vulnerable children affected by AIDS and are at risk of entering child labour. This project is supported by US Department of Labor (USDOL), and will contribute to both the Child Labour and HIV and AIDS components of DWCP implementation.

1.3 Fighting Domestic Child Labour and Promoting educational Opportunities (the CDL Project) (2003-06)

The CDL Project was implemented in four countries in Africa, including Zambia, from 2001-2005. Its aim was to increase the knowledge base and raise awareness on one of the most hidden and unrecognised forms of child labour, child domestic labour. In addition, the project provided support for partners to identify child domestic labourers and at-risk children and provide them with educational support and protection measures to ensure that the children were not abused and exploited in their work situation. This included complete withdrawal of children found in situations where they could not be protected. An important component of the project was support to income generation activities for adult caregivers.

1.4 Eliminating the WFCL in Commercial Agriculture (Comagri) (2002-2005)

The Comagri project was implemented in 5 countries in Eastern and Southern Africa, including Zambia between 2001 and 2005. The project supported partners in raising awareness, expanding the knowledge base, mobilising key actors (such as agricultural sector employers), and providing direct support to children and families. The project initiated the development of a Child Labour Monitoring System in the country which was subsequently continued under the Capacity Building Programme (CBP), and will be finalised under the new Time Bound Programme (TBP) support project (2006-2010).

1.5 Time Bound Programme (TBP) Support Project (2006 – 2010)

The TBP Support Project started implementation in 2006 with the aim of supporting the formulation and establishment of a National Time Bound Programme for the elimination of child labour in Zambia. The project will support the strengthening of the knowledge base on child labour, awareness raising activities, formulation of a National Action Plan and provincial action plans and budgets for elimination of child labour, capacity strengthening and mainstreaming of child labour interventions into national and local policies and programmes, and direct support to children and families at risk of or in child labour.

Sector 2 - Employment Promotion

2.1 Women's Entrepreneurship Development and Gender Equality (WEDGE) & SKILLS Employment of People with Disabilities

The ILO's WEDGE Project is contributing to ending discrimination facing women in the business arena in Zambia. WEDGE has provided training in business skills for a large number of women entrepreneurs, including women with disabilities. It has also been supporting and assisting various associations of women entrepreneurs, disabled persons' organizations, as well as employers' and workers' organizations to enable them to better serve the needs of women entrepreneurs. There is a broad-based Project Advisory Committee (PAC) that helps to provide a forum for policy issues, business support and awareness campaigns to assist new and existing women entrepreneurs with and without disabilities. This project has been assisted by Irish Aid, Government of Ireland. The WEDGE Project works closely with the ILO SKILLS Department in providing support for women entrepreneurs with disabilities and building the capacities of disabled persons' organizations (DPOs). In addition, SKILLS Equity team has been reviewing the legislation affecting the employment of persons with disabilities in Zambia. All of this work will contribute to the implementation of the Zambia DWCP.

2.2 Business Development Services – BDS Zambia

The BDS Zambia Project has been working at improving the prospects of small enterprises in Zambia in terms of sustaining their operations and realising their growth potential. It has been doing this by facilitating their access to quality business development services and business information, at an affordable price. The project has in the process engaged both the print and electronic media organizations to design and deliver sustainable and appropriate business development services to small and medium enterprises in both rural and urban areas. This project is assisted by the Swedish International Development Agency (Sida). The BDS Project will be an initial pillar of the DWCP work in support of job creation.

2.3 Employment: Self-employment for youth and school-leavers (SELP Project)

This project was previously implemented by the ILO in Zambia. The SELP Project provided information, guidance and training on business opportunity identification and business start-up, and assisted young entrepreneurs with a loan guarantee scheme. The ILO's earlier work in assisting school-leavers spawned a number of initiatives that have since taken root in Zambia, such as the Entrepreneurship curriculum in skills training centres. The government continues to give a high profile and assign high priority to entrepreneurship and self-employment for young women and men, along side other skills acquisition and employment opportunities in both the formal and informal economies. This project had been funded by the UNDP.

2.4 Employment: Eastern Province Feeder Roads' Project

Covering five districts, in the Eastern Province, the Feeder Road Project (FRP) was designed to build and strengthen capacities in the local authorities and local private sector to rehabilitate and maintain feeder and urban roads through contracting systems. During the project life cycle, a total of 404 km of feeder roads of the targeted 580 km was completed within the project budget. The project achieved 870,000 workdays (97% of target) with 14% participation by women. The project also contributed to income generation within the districts as an amount in excess of ZMK 2,065 billion has been paid in wages. Women were given equal access to work opportunities, reflecting their interest in participation. The project was implemented between 1996 and 2001. This project received support from the Norwegian Government (NORAD).

Sector 3 – Social Protection

3.1 Prevention & Mitigation of HIV & AIDS; Labour and socio-economic impact in the World of Work

The project's objective is to contribute to the reduction of HIV and AIDS in the World of Work and its adverse consequences on social, labour and economic development, through the enhancement of workplace prevention and care interventions. The project has been working with private enterprise in the mining and agricultural sectors in relation to HIV and AIDS policy formulation and implementation, and has also undertaken peer education training for workers in these organizations. This project is funded by Government of Italy, and it provides a valuable platform for DWCP implementation.

Sector 4 – Social Dialogue

4.1 Improving Labour Systems in Southern Africa (ILSSA – formerly SLASA)

Launched in 2004, the project's objectives in Zambia (as in the other five countries that it covers) are to assist with the reform of the national labour laws so as to bring them into line with International Labour Standards, to strengthen the capacity of the Ministry of Labour and Social Security in order for it to effectively carry out its Labour Administration mandate, and to help introduce alternative dispute resolution options such as mediation to help reduce the backlog in the Industrial Relations Court. The project has been working with the Ministry of Labour and Social Security in reviewing the current labour laws. The project has also been undertaking capacity building activities for the Ministry of Labour and Social Security (Labour Department), the Industrial Relations court, and the workers' and employers' Federations. In addition, an initiative aimed at training tripartite partners on mediation as an alternative dispute resolution mechanism will be put in place soon. This project has been funded by US Department of Labor (USDOL), and the DWCP implementation will draw lessons from project implementation.