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Child Marriage: A Violation

End it NOW

*A Community Booklet on
Protecting Girls from the
Harm of Child Marriage in
Zambia*



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Panos Institute Southern Africa (PSAf)

December 2018

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Executive Summary

Panos Institute Southern Africa (PSAf), with funding from the German Embassy in Lusaka, implemented the ***Protecting Girls from the Harm of Child Marriages in Zambia*** project. The project is aimed at deepening the involvement of parents, guardians and girls in efforts to end child marriage in Mpongwe, Masaiti and Lufwanyama districts in the Copperbelt Province of Zambia. This project is responding to the fact that child marriage remains a major development challenge in Zambia, with the country having one of the highest rates of child marriages in Africa.

As part of the project, PSAf Commissioned a study to identify gaps in addressing the drivers of child marriage in the three districts. The study conducted a desk review of various literature including laws, policies and international conventions that are related to child marriage, statistical reports, and other documentations. Further, in-depth interviews and focus group discussions were held with key informants such as traditional leaders, parents, guardians, school teachers, boys and girls.

The report confirms that the drivers of child marriage such as poverty, limited access to education (out of school children), teenage pregnancies, living in rural areas, orphanhood and inadequate supervision still persist on the Copperbelt. Stakeholders such as the government, cooperating partners, civil society and the private sector have implemented various interventions to address the causes and consequences of child marriage. The interventions put in place to address child marriage include:

- i. **Ratification of International conventions that protect children:** Zambia ascribes to and has ratified various international and regional human rights instruments that are directly related to child marriage. These include the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the African Charter on Human and People's Rights; and the African Charter on the Rights and Welfare of the Child. After assenting to the international human rights instruments, Zambia has the responsibility of domesticating the rights into national statutes. The provisions of the international human rights instruments have however not been adequately mainstreamed into national laws and policies, resulting in lack of synergy.

- ii. **Enactment of laws, statutory provisions that protect children, address child marriage:** Zambia has put in place a number of statutes and legal provisions aimed at protecting the children from abuse and harm, in line with key international human rights principles and standards. These include the Constitution (Amendment) Act No.2 of 2016 which clearly defines a child as someone below the age of 18 years, the Marriage Act Chapter 50 of the Laws of Zambia which sets 21 years as the minimum age of marriage, the Education Act, No. 23 of 2011 which prohibits learners who are children from entering into marriage, the Anti-Gender-Based violence Act No. 1 of 2011 which recognizes child marriage as a form of abuse, the Penal Code (Amendment) Act, No. 1 of 2012 which criminalises any acts to force a child into marriage , and the Matrimonial Causes Act, No. 20 of 2007 which provides relief to a child on case of divorce. However, the different pieces of legislation and statutes have inconsistencies in their provisions, which creates gaps or limitations in their effective enforcement.
- iii. **Policy Framework:** Zambia has in place a policy framework to address child marriage. This includes the National Strategy on Ending Child marriage in which the country envisions a country free from child marriage by 2030. The country also has three key policy instruments that specifically provide guidance on addressing forced, early and child marriage. These are the National Child Policy, the National Gender Policy, and the National Strategy on Ending Child Marriage which provides strategic direction for child marriage interventions for 2016-2021. While the policies are in place, there are gaps in their implementation, resulting in them failing to adequately address child marriage.

The study showed that despite these interventions, child marriage has persisted. The most recent statistics released in 2014 show that the prevalence of child marriage in Zambia is still high at 31.4% despite the figure having reduced from 42% recorded in 2007. The study identified the following as some of the underlying factors that remain unaddressed, causing gaps in the responses to child marriage:

- i. **Harmful cultural practices:** There are a number of negative practices, beliefs and attitudes surrounding adolescent sexuality, education and assertiveness that perpetuate gender inequalities. Practices such as initiation rites, which are entrenched in traditions, tend to advance the scourge of child marriage.
- ii. **Economic vulnerability:** Poverty in the Copperbelt Province is high at 30.8%, with extreme poverty at 18%. The Province also has the highest rate of unemployment in the country at 26.5%. This economic vulnerability leaves poor households with little coping strategies, and they resort to giving their girl children into marriages.
- iii. **Gaps in the legal framework:** While Zambia has laws and policies, and ascribes to various international conventions, the report identifies gaps and inconsistencies in the content or application of the legal and policy provisions. For example, the definition of the child varies from 16, 18 or 21, depending on the legal instruments. This disharmony,

and lack of adherence to the provisions of international conventions, limits the extent to which the country can effectively implement the legal framework to address child marriage. The report acknowledges that steps have been taken to address some of these gaps, through the drafting of progressive bills. These include the Children's Code Bill which proposes to consolidate all laws that address the rights and welfare of children, and harmonise legal provisions such as the definition of a child; and the Marriage Bill which provides for equal legal status to civil, religious and customary marriages, and subjects all these marriages to one piece of legislation. The bills are still in draft form and have not been presented in Parliament yet, and there is no indication of when this will happen. This raises a need for advocacy for the enactment of the bills, as in their current status they cannot be used to address the gaps in the legal framework.

A number of recommendations have been made, a major one being the overarching role of community leaders to foster coordination of all stakeholders that have an interest in child marriage, through existing community structures. The need to keep girls and boys in school until they complete higher education is also as a way of shielding them from harmful practices.

The report also makes a number of recommendations for Promotion of Peer Empowerment for Girls to contribute to the Elimination of Child marriage.

This booklet has been presented in a manner that will enable community to use it as a reference, to ensure that their advocacy to end child marriage is based on and backed by evidence.

CHAPTER 1 | INTRODUCTION

1.1 Background: Laying the context to the problem

Zambia has one of the highest rates of child marriages in Africa with the scourge disproportionately affecting the girls. There are a number of factors seen to be the major causes of this, notable among them the high poverty levels as well as limited choices and services including education, sexual and reproductive health, employment, recreation, to mention but a few. Child marriage eludes children from enjoying their childhood, increases health risks for the girls and truncates them into the trap of cyclical poverty that is passed from generation to generation.

The threat to realization of children's rights and development that child marriage predicates has led to a global attention where the United Nations has passed a number of resolutions for the elimination of forced, early and child marriage. The African Union has also passed resolutions reaffirming the continent's commitment to ending child marriage. Currently the African Union is implementing a continental campaign to end child marriage, supporting member states to develop and implement national strategies for ending the scourge.

To this effect, Zambia has developed and currently is implementing a National Strategy on Ending Child Marriage in which the country envisions a country free from child marriage by 2030.

Panos Institute Southern Africa (PSAf), a Communication for Development organization, through funding from the Republic of German Embassy in Zambia, is implementing a project in Mpongwe, Masaiti and Lufwanyama districts in the Copperbelt Province of Zambia termed Protecting Girls from the Harm of Child Marriages in Zambia. The project is aimed at deepening the involvement of parents and guardians and girls in efforts to end child marriages. The project is intended to improve the full enjoyment of human rights and protection of girls' dignity and security. While there are active interventions around child marriage bordering on law and policy reform, as well as advocacy for enforcement, one key underlying factor remains unaddressed. This is the low appreciation and value among parents, girls the girls themselves and the community at large of girls' rights to dignity, non-discrimination, education, health, and quality of life.

Emphasis is on targeting parents, girls and other opinion leaders in the communities such as traditional leaders, religious leaders and political leaders and building their appreciation

of the right to dignity for the girl child and mobilizing them to actively defend girls from child marriages.

PSAf uses social behavior change communication as an effective strategy for sensitization, awareness creation and behavior change towards social change against child marriage. As part of awareness raising to influence behavior change, PSAf commissioned a study to develop the community booklet to inform the peer influence and interventions at the community level

1.2 The magnitude of the problem in the Copperbelt Province

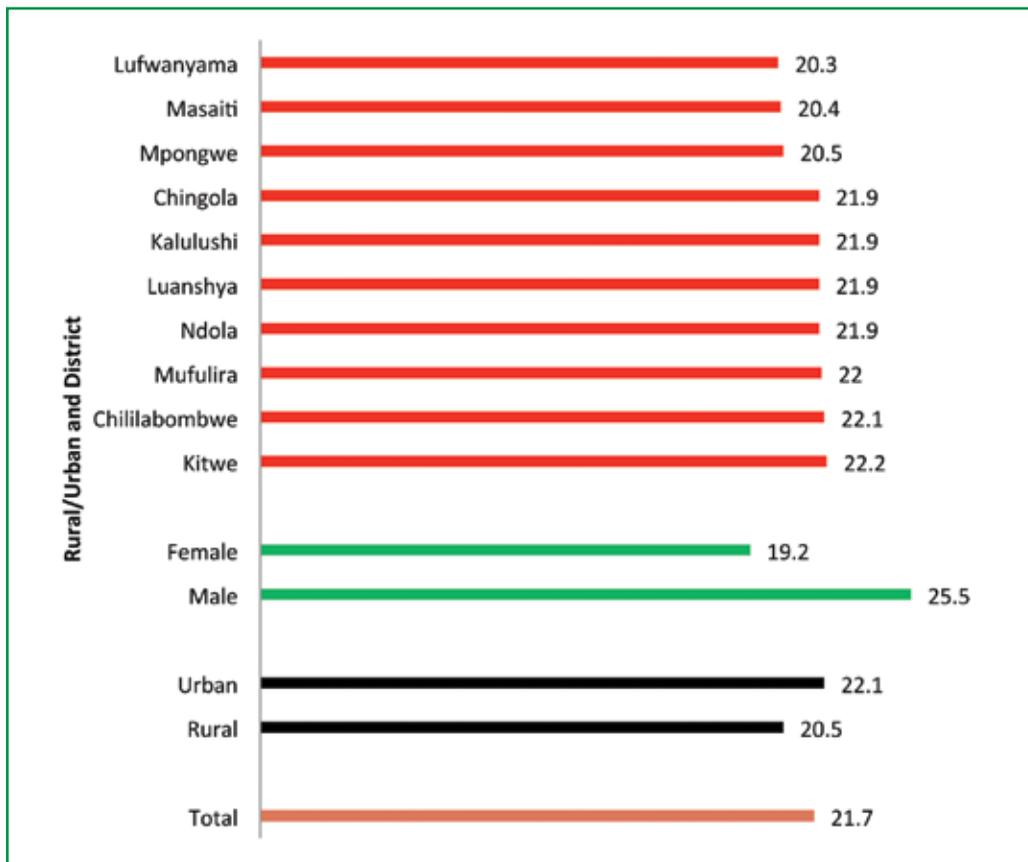
The scourge of child marriage has not spared Zambia as its social and economic ramifications continue to alienate girls and boys from realizing their potential. Despite scoring commendable progress, the prevalence of child marriage in Zambia is still high at 31.4% (CSO, 2014), a reduction of 25% from the recorded prevalence of 42% in 2007 (CSO, 2007). Comparatively, only 2.2 percent of men 20-24 age group got married by age of 18.

The Prevalence of child marriage in Copperbelt Province is 21.2%. Poverty, teenage pregnancies as well as being out of school are contributing factors that drive child marriage in the Province. Poverty in the Copperbelt Province is comparatively low but still remains high at 30.8%, while extreme poverty is at 18.2%. Poverty in the Province is exacerbated by unemployment, among other factors, with unemployment rate of 26.3% which is the highest unemployment rate in Zambia.

While the prevalence of child marriage for Copperbelt Province (21.2%) is lower than the national prevalence (31.4%), it is one of the Provinces that have district hotspots with highest predictable likelihood of girls being married off by age 15. In Lufwanyama, Mpongwe, and Masaiti Districts, about 16% of girls are likely to be married by the age of 15 years. In the remaining Districts of Copperbelt Province, an average of 8% of girls in the same age group is likely to be married (Population Council Zambia, 2016).

The likelihood of girls being married off by age 15 has a glaring ramification on the fight to end child marriage. A focus on the age range before 15 is, therefore, critical in child marriage interventions. For the children who would survive marriage by this age range, the factors that predicated their high probability of being married off would still be imminent and likely to be married off when they are still young (Population Council Zambia, 2016). The average age at first marriage in Copperbelt Province is 21.7, with urban and rural median age at first marriage being 22.1 and 20.5 respectively (Central Statistics Office, 2014). Lufwanyama, Masaiti and Mpongwe have the lowest median age at first marriage at 20.3, 20.4 and 20.5 respectively; while Kitwe has the highest at 22.2.

Figure 1. Copperbelt Province Median Age at First Marriage



Girls that are from poorest households are more vulnerable to being married off. Twenty-eight per cent and 33% of the ever married 12-24 years female in the Province are from the first and second 20% poorest households, respectively. These households, among other things, are forced to make difficult choices in order to cope with their household economic hardships, including forcing their girl-children out of formal education in preference for marriage.

Early sex debut further increases vulnerability for both married and unmarried girls. This has health repercussions including complications of childbearing, fistula, HIV and AIDS and maternal deaths. For the school-going girls who get pregnant, only 51% in Copperbelt Province are re-admitted into formal education, leaving the other half susceptible to being married off. This curtails their opportunities for reaching their full life potential.

Child marriage is a violation of the rights of the child, disproportionately affecting the girls. It robs the children's potential of successfully completing their education, puts their health in jeopardy to the extent of threatening their lives, robs them of their childhood and encapsulates

them in the cycle of poverty. It is for these reasons that the United Nations Human Rights Council (2013) adopted the first ever resolution on Child, Early and Forced Marriage in September 2013, in which the member states resolved to include the scourge in the post-2015 international development agenda. A number of Resolutions have since been adopted by the United Nations General Assembly to solidify the global commitment to ending child marriages.

The country has progressively domesticated a number of international human rights instruments though a huge task still remains in providing a legislative and policy environment that provides laws and policies that are in the best interest of the child.

As child marriage is a multi-pronged problem, interventions beyond legislation and policy are required for effectively eliminating the scourge. Interventions that are tailored on key stakeholders including girls and boys, their parents and guardians as well as community leaders can effectively delay marriages in preference to keeping girls and boys in school.

CHAPTER 2

Causes and Consequences of Child Marriage

Child marriage has been recognized by the United Nations as a form of gender-based violence that violates an array of children's rights (UNGAS, 2016). Child marriage has negative consequences on children's development as it curtails their prospects of prosperity whilst denying them the opportunity to enjoy their childhood. Child marriage puts children at risk of dying during child birth, contraction of infections such as HIV and AIDS; having vaginal fistula as well as contributing to child mortality for children born from child mothers.

2.1 Causes of child marriage

The 2015 Qualitative Research on Child Marriage (Ministry of Chiefs and Traditional Affairs, 2015) identified seven key drivers of child marriage in Zambia, namely:

- Poverty;
- Out of school children;
- Teenage pregnancies;
- Living in the rural areas;
- Orphanhood;
- 'hard to manage children; and
- Children with inadequate supervision.

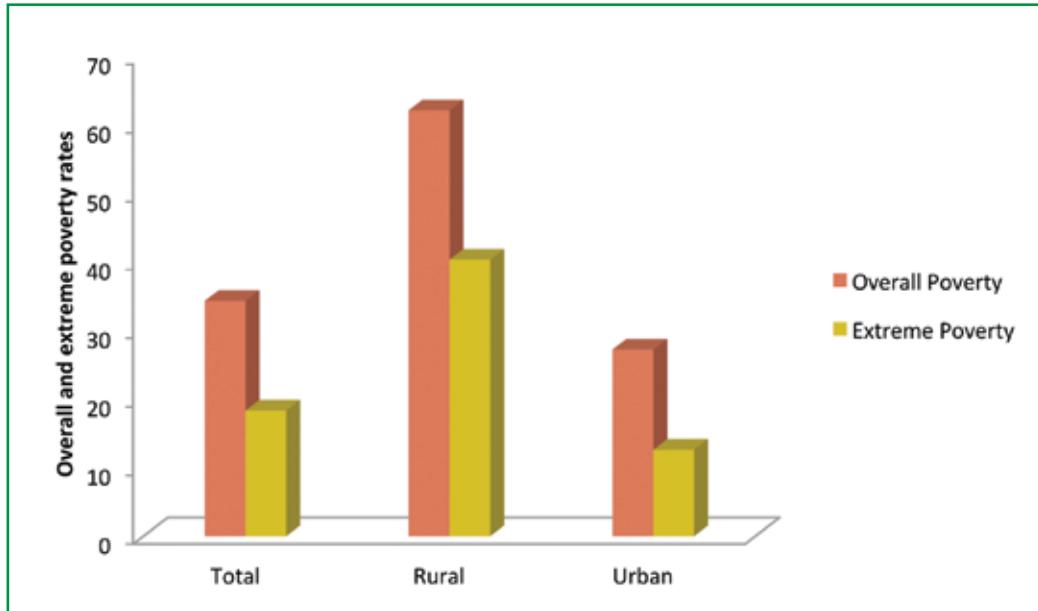
2.1.1 Poverty as a cause of child marriage

A number of poor households marry off their children in order to have economic relief. They find marriage as an avenue to escape responsibilities of educating their girl children and meeting their general needs (Ministry of Chiefs and Traditional Affairs, 2015). Parents make difficult choices of marrying off their children as a short-term coping strategy to ease the strain on their limited household resources. In cases where children themselves (especially girls) induce a marriage, they do so in order to escape difficult economic circumstances, and, in other cases, as a means for meeting their own basic needs.

Poverty in the Copperbelt Province is comparatively low but still remains high. According to the 2015 Living Conditions Monitoring Survey (2015: 105), the incidence of poverty for Copperbelt Province is at 30.8%, while extreme poverty is at 18.2%. This records a reduction from the incidence of poverty and extreme poverty recorded in the 2010 Census of Population

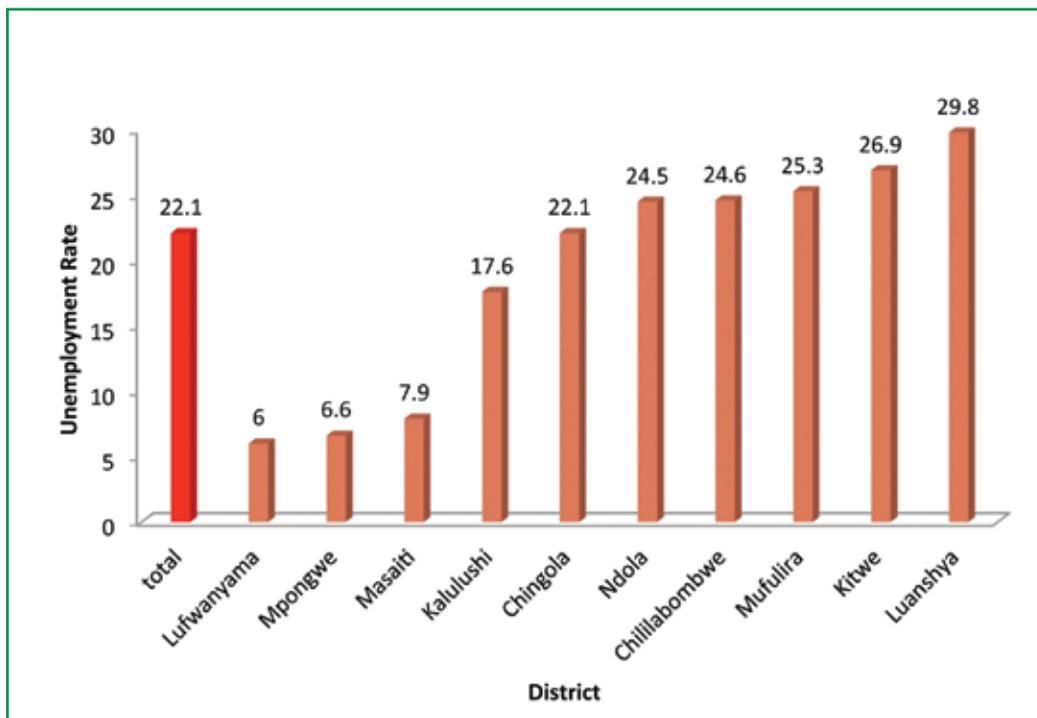
and Housing which reported the incidence of poverty and extreme poverty at 34.3% and 18.3%, respectively. Poverty in the rural areas, as a case for all the other Provinces of Zambia, is very high at 62% while extreme poverty is at 40.3%. Comparatively, poverty and extreme poverty for urban areas is lower at 27.2% and 12.6% respectively.

Figure 2. Poverty Rates for Copperbelt Province



Poverty is exacerbated by unemployment among, other factors. Unemployment levels as well as limited participation in the informal self-employment sector are among the key factors hindering poverty alleviation and decent work in Zambia. The rate of poverty in Copperbelt Province as recorded in the 2015 Living Conditions Monitoring Survey (2015) is 26.3%. This is an increase from the 22.1% recorded in the 2010 Census of Population and Housing (Central Statistics Office (CSO) 2014). The analysis of the Census data is however more comprehensive in terms of population reach in all the districts and hence is used below to analyze the state of unemployment in Copperbelt Province.

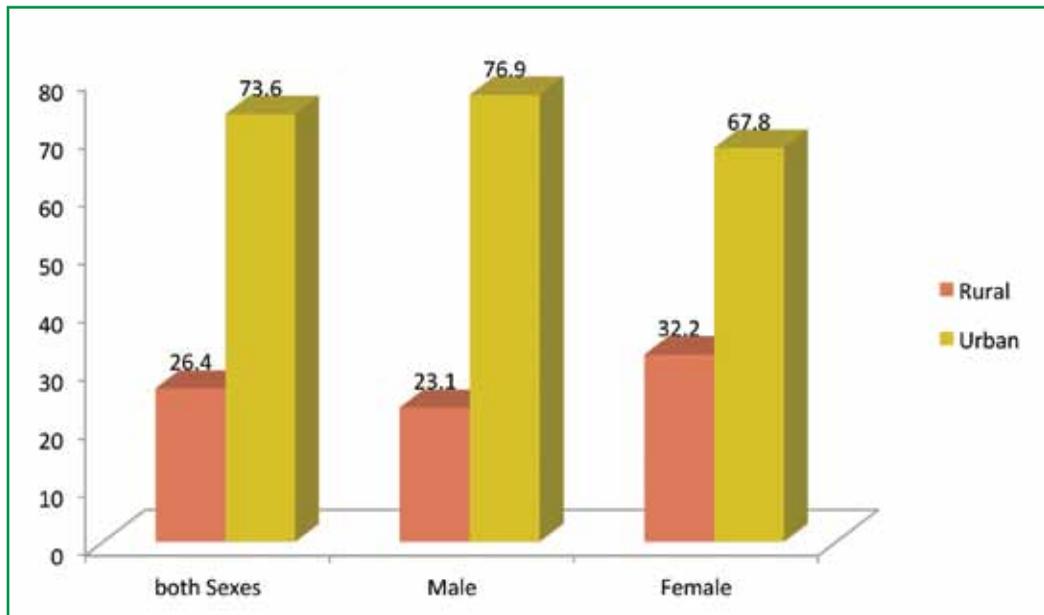
Figure 3. Unemployment Rates for Copperbelt province



About 35.2% of the labour force in Copperbelt Province is in formal sector employment while 64.8% are employed in the informal sector (CSO, 2015). This is the second lowest rate of informal sector employment in Zambia.

The majority of the employed population is in the urban areas (73.6%) while only 26.4% is employed in the rural areas. The percent of employed men in the urban areas is higher than that of women at 76.9% and 67.8%, respectively. Conversely, the employment rate for women in the rural areas is higher than that of men at 32.2% and 23.1%, respectively. Most of the population (80.6%) employed in the rural areas are employed as skilled agricultural, forestry and fisheries workers, while in urban areas the working population is distributed mainly in the service and sales industries (37.9), elementary occupations (14.2), professionals (14.1), skilled agricultural, forestry and trade workers (12.7) and crafts and related trades workers (4.9) (CSO,2014).

Figure 4. Percentage of Employed Population by Sex, Rural/Urban in Copperbelt Province



The state of being unemployed has a bearing on the household incomes, especially for households that do not engage in any significant income generation initiatives. Although Copperbelt Province has the highest average household income at ZMW 3,228, this may not be a reality for most poor households as it is an average positively affected by a small workforce employed mostly in the mines and associated businesses and industries (CSO, 2015).

From the 2010 Census of Population and Housing, the country had 40% ever married 12-24 years females in the first poorest quintiles. Western Province was the highest at 64% and Copperbelt Province at 28%. The statistics for Copperbelt Province for the 1st poorest quintiles are higher than the overall child marriage prevalence of 21.2% for the Province (Population Council Zambia, 2016).

Both the national and Copperbelt statistics above show a strong link between economic status and child marriage, signifying that the majority cases of child marriage are from the households in the 1st poorest quintiles. In comparison, the overall child marriage prevalence countrywide that was recorded in 2007 (CSO,2007) was nearly the same as the prevalence of child marriage from the 1st poorest quintile recorded in the 2010 Census of Population and Housing at 42% and 40% respectively (Population Council Zambia, 2016). The Country, however, has since achieved a steady reduction in the prevalence of child marriage to 31.4%

(CSO, 2014) which is yet to be analyzed in view of wealth indices of the awaited Census of Population and Housing.

The girls who are not married by 18 years from the 1st and 2nd poorest quintiles are at greater risk of being married, especially coupled with the other vulnerability characteristics including being out of school, orphanhood and living in rural areas.

The national percent distribution of girls between 10-17 years that were not married from the 1st and 2nd poorest quintiles was 18% and 18.7%, respectively. Copperbelt Province was below the national average at 3.5% and 5.1% from the 1st and 2nd quintiles respectively, which was low, compared to Western Province at 47.6% and 21.6% of the never married girls (10-17 years) from the 1st and 2nd poorest quintiles (CSO,2014).

The statistics for Copperbelt Province in terms of the married and not married adolescents from the poorest 1st and 2nd quintiles show a significant difference that may indicate positive changes in the factors that contribute to child marriage among the poorest households in the Province.

2.1.2 Teenage Pregnancy as a cause of Child Marriage

There is a significant relationship between child marriage and teenage pregnancy, as the country has 31.4% prevalence of child marriage against 28% rate for teenage pregnancy (Population Council Zambia, 2016). Countrywide, 16% and 12% of young men and women aged 15-24 years respectively have had sex before 15 years. The debut is even high for young women and men aged from 18-24 years who had sex before age 18 at 57% and 50% respectively (CSO, 2014).

Copperbelt Province has the lowest rate of teenage pregnancy at 16% compared with its child marriage prevalence of 21.2%. Comparatively, this is far much lower than the highest predicted probability for Western and North Western Provinces at more than 0.45. Out of the five Districts with the lowest predicted probability of ever pregnant adolescents 15-19 years, four are found in Copperbelt, namely, Chingola, Kitwe, Mufulira and Luanshya Districts, further amplifying the low rates of teen pregnancies (Population Council Zambia, 2016).

The behavior of having sex earlier than 18 years is further exacerbated by such factors as living in the rural areas, having had no education or having had only primary education. About 65% of Young women aged 18-24 and living in the rural areas had started having sex before the age of 18, while sex debut before age 18 for young men in the same age range was at 42%. Sex debut for young women aged 18-24 with only primary level education is 72% while

for young men in the same age range is 59%. This reduces with progression into secondary and tertiary education.

Unprotected sex increases the chance of contracting sexually transmitted infections including HIV. It further increases motherhood among adolescents. Copperbelt Province has the highest HIV prevalence rate at 18%, compared with the country's prevalence rate of 13%. The prevalence rate for adolescents aged 15-19 is 4.4%. The prevalence does not change much within the characteristics of education as it ranges from 13-15% with progression from 'no education' through to tertiary education. This is inversely different from the residency characteristics as the prevalence rate in urban areas is twice as much as that of the rural areas at 18% and 9%, respectively.

2.1.3 Limited access to education as a cause of child marriage

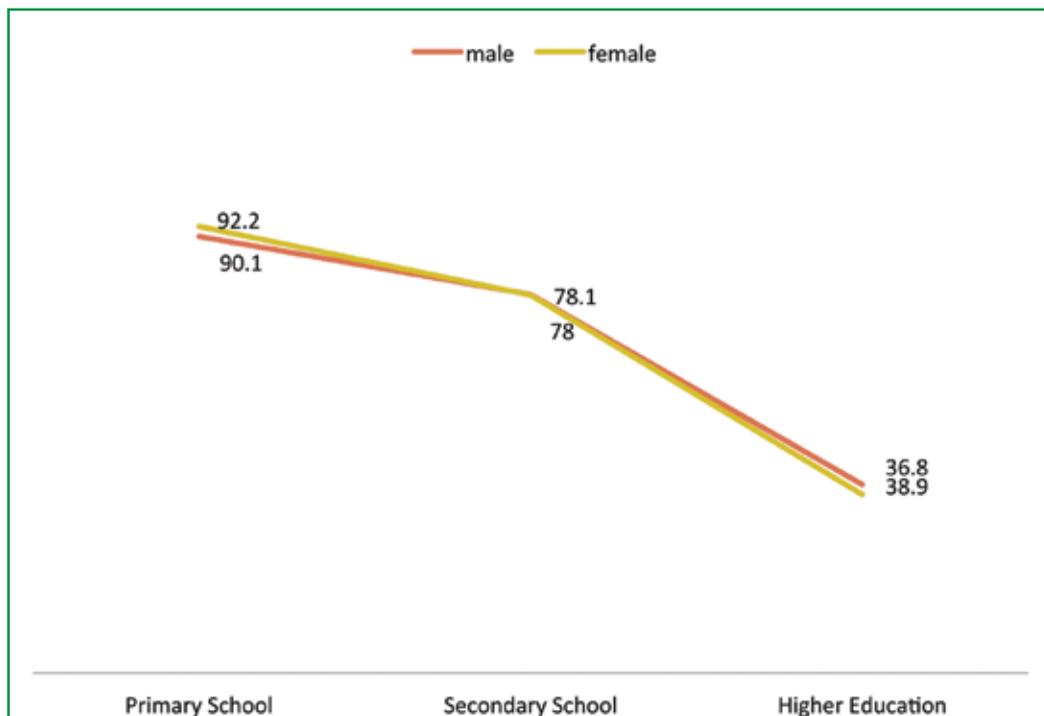
Being out of school in Zambia is among the key drivers of child marriage. There are two categories of factors that cause children not to be in school: the demand side, including socio-cultural factors as well as the economic factors; and the supply side that includes factors such as education facilities and services, school health and nutrition interventions, and capacities of education institutions (Ministry of General Education, 2014). The social cultural factors carry a gender dimension including inequalities, discrimination as well as abuse as they disproportionately affect girls. Other factors categorized as socio-economic include violence in homes, community and school, parent's level of education, substance abuse, disability and overage. Economic vulnerability including household poverty, poor health and lack of adequate nutrition, cost of education, rural residency as well as child labour have been identified as economic demand side factors that cause children to be out of school. In terms of the supply side, such factors as education facilities and services, school health and nutrition, as well as capacities of education institutions have been identified as contributing to children not being in school (Ministry of General Education, 2014).

Children that are out of school have more "idle time" to laze about and hence predispose themselves to sexual relationships. School going children are better supervised in a formal school system than their non-schooling peers who have less adult supervision (Ministry of Chiefs and Traditional Affairs, 2015). Inversely it is also common in Zambia to have school-going children who live in boarding houses and hence are less supervised. In some cases of children from poor households, schooling far from school exposes them to high risk behaviors such as sexual relationships where sex is transacted to meet their basic needs for transport, food, cosmetics and clothing. For some girls, therefore, being in school can have less positive outcomes for reducing teenage pregnancies and child marriage.

Completion of schooling for girls is inhibited when they get pregnant and don't return into the school system. Though the country has the School Re-entry Policy, about half of the girls who fall pregnant never return into the school system. As at 2017 country wide, out of 15,222 girls who fell pregnant only 7,653 were re-admitted. Copperbelt Province had 764 girls re-admitted from 1,499 who got pregnant, representing about a 51% re-admission rate (Ministry of General Education, 2017).

Copperbelt Province has the highest school attendance rate in the country with 92% of children aged 7-13 being enrolled in primary school. This is above the national average of 83% attendance at primary school for children in the same age range. School attendance reduces with progression into secondary school, as only 78% of children aged 14-18 years attend school at secondary level. Attendance reduces even further for higher education for the province at only 38% (CSO, 2015).

Figure 5. Copperbelt Province School Attendance Rates



From the chart above, attendance regression rates are almost the same for boys and girls. This indicates that the reasons behind the regression are not very different, and hence relegating teenage pregnancy as a leading cause of child marriage in the Province. The financial cost of sending children to secondary and tertiary schools are a more universal deterrent as it affects both girls and boys. A number of factors as noted above influence the regression for school

attendance, with the financial cost of secondary and tertiary education being at the core. The financial cost of educating children in Zambia at secondary level has been very high for most households. The revised boarding fees from 2016 for secondary school education at public schools, as directed by the Ministry of Education is between ZMW 700.00 and ZMW 1000.00 per term, and day school fees are between ZMW 250.00 and ZMW 500 per term, minus PTA fees that are still a preserve of respective PTAs. Most average families cannot afford these school fees owing to their low household incomes. For Copperbelt Province, whose average household income is ZMW 3,228.00 (CSO, 2015), the cost for educating a child at a boarding secondary school is 9% of the average household income per month. This is too high especially for households that have to educate more than one child through secondary education.

Copperbelt Province has the lowest rate of never married girls aged 10-17 that are not attending school at 10.7%, below the national average of 17.7%. These girls remain vulnerable to child marriage if they remain out of school.

2.1.4 Orphanhood as a cause of child marriage

Orphanhood in Zambia has been identified as one of the key drivers of child marriage. A number of households that look after orphans would prioritize educating their biological children, given the hard choices of managing the use of their limited household resources. Moreover, the ill-treatment that step-children receive makes marriage an easy escape from intolerable living situations (Ministry of Chiefs and Traditional Affairs, 2015).

The percentage of orphans in the country has been reducing from 17% recorded in 2006, to 13.6% recorded in 2015, with 11.6% of orphans residing in the rural areas and 16.7% in the urban areas. Copperbelt has the highest percent of orphans at 16.7%, with Orphanhood by both parents at 22%, father alone at 59% and Orphanhood by mother only at 19%.

2.1.5 Difficult or 'hard-to-manage' children as a cause of child marriage

In some cases, parents and guardians see marrying off difficult and 'hard-to-manage' children as a form of family relief from behaviors that are condemned in communities, including such behaviors as prostitution, patronizing bars and being disrespectful to parents (Ministry of Chiefs and Traditional Affairs, 2015). Parents view marrying off their girls as an escape from anticipated shame if the child were to get pregnant outside marriage or contract infections such as HIV and AIDS.

Girls engage in sexual relationships in order to satisfy their material needs including transportation, cosmetics, clothes and other related materials. This urge in some instances

predicates their desire for marriage through having unprotected sex that ends up in pregnancies (Ministry of Chiefs and Traditional Affairs, 2015).

2.1.6 Children without adequate supervision or social support

Traditional family structures that implied adequate supervision of children seem to be weakening as a result of several factors including migration that leads to family separation. Copperbelt and Lusaka Provinces have the highest rates of migration at 19% and 21% respectively, with an average of 89% of such migrations taking place within the same dwelling (CSO, 2015). Parents spend longer hours to meet their household's needs, thereby having lesser time to supervise their children. In urban areas, the situation is worsened as a result of the absence of extended family networks. This leaves older children with more unsupervised time to engage in sexual relationships that end up in pregnancies.

2.1.7 Traditional Practices of Initiation passage

Traditional initiation or passage of females from girls to adulthood has implications on child marriage to the extent that girls are taught on matters of sexuality and male supremacy. Initiation rites are considered to be part of a society's socialization process and are passed from generations orally and in some cases through simulations, imitations, use of symbols, singing and dancing.

The teachings in an initiation passage ceremony include matters of sex life, marriage, procreation and family responsibilities. Sexual rituals, caring for the husband and his family members, childbearing and childcare are all part of the lessons that the girls are initiated to. Girls are further initiated into the belief of male supremacy, relegating them into submission as well as subjugating their freedoms and sense of identity.

This is true for the Chisungu initiation ceremony that is practiced by the Lamba people of Copperbelt Province (Kangwa, 2011). While lessons of sexuality and motherhood are predominant in the teachings, social roles that are expected of the girls as they advance into adulthood are also taught. These lessons during initiation already prescribe to the initiate an adult life that they are ready to encounter and, therefore, already feel inclined towards a marriage life.

2.2 Consequences of Child Marriage

Child marriage has a number of consequences on the girl child, all of which manifest in violation of children's rights. The 2015 Qualitative Study on Child Marriage in Zambia identified the following as major consequences of child marriage:

- i. early pregnancy and related health complications;
- ii. voluntary or forced end to formal education;
- iii. entrenched cycle of poverty;
- iv. child single mothers; and
- v. domestic violence.

2.2.1 Health

Child marriage does not only violate the child's human rights; it has harmful consequences as well. Some of the consequences are health related as discussed below.

2.2.1.1 Child Mortality

The age of a mother at first birth is cardinal in that it plays a vital role in the survival of the child. Adolescents in the age range of 15-19 years are more likely to have children who die before they attain the age of five years. Child mortality is high in the age group 15-19 at 60%, while the number of early neo-natal deaths (within 7 days of life) is common and accounts for 70% in women who are less than 20 years old (CSO, 2014).

2.2.1.2 Obstetric Fistula

Moreover, girls may die during childbearing from haemorrhaging and obstructed labour. Girls who survive childbearing risk developing obstetric fistula, a condition that develops when there is damage to the tissues of the vagina in the case of prolonged obstructed labour, causing incontinence which may lead to social isolation and abandonment by husbands.

2.2.1.3 Decision-making on Family Planning

Young girls who are married do not have the decision-making leverage on family planning. For the married women aged 15-19, only 38% reported using any method of contraception. The statistics are significantly low for sexually active unmarried women of the same age range as only 18.6% have been using any method of contraception (CSO, 2014).

2.2.2 Social

There are a number of social consequences associated with child marriage. These are as follows:

2.2.2.1 Voluntary or forced end to formal education

As noted earlier, most girls who get married before the age of 18 drop out of the formal education system voluntarily, by choice or forced by their husbands. For adolescents, child marriage means the end of formal education as they have to take up their motherly roles of procreation and nurturing their children. With no formal education, the girls cannot aspire for better employment prospects hence remain trapped into the cycle of low or no incomes.

2.2.2.2 Child single mothers

Most marriages in Zambia that involve children do not last beyond two years in marriage. They result into divorces, which may disadvantage the girls in cases of dissolution of a marriage that was instituted under customary law. Customary law is not covered under the Matrimonial Causes Act which provides for property sharing, spousal support and child custody at dissolution of a marriage. Child mothers end up back under the custody of their parents, overburdening them with responsibilities of looking after them and their babies.

2.2.2.3 Domestic violence

The 2015 Qualitative Research on Child Married revealed that most cases of domestic violence at the Victim Support Units and at the Children's Helpline were related to child marriage. Violence often occurred when the man felt that the wife was not effectively fulfilling her marital responsibilities. In other cases, due to the unexpected frustrations of marital responsibilities in a peer marriage, either party resorted to promiscuity and substance abuse for relief (CSO, 2015).

2.2.3 Economic

2.2.3.1 Entrenchment into the cycle of poverty

As noted earlier, most of the girls who get married are from poor households in the 1st and 2nd poverty quintiles. As a result of not completing their education, they will have no skills for increasing their employment prospects and hence will remain with low incomes to fend for their families. Chances that their children will be married earlier are high as their children will find themselves in the same conditions of vulnerability that caused their mother or parents to get married, therefore continuing the frustrating cycle of "poverty-early marriage-poverty-early marriage".

CHAPTER 3

Existing laws and Policies that protect the rights of children

Forced, early and child marriage violates a number of rights of children that are provided within the international human rights framework to which Zambia ascribes. By assenting to the United Nations human rights instruments, the country has the responsibility of domesticating the rights into national statutes. Among the key human rights concerns that are directly related to child marriage include the minimum age of marriage, full and informed consent of parties to a marriage, equality and non-discrimination, freedom of choice, freedom of expression as well as the right to form a family.

3.1 International Human Rights Framework

The key international human rights instruments that inform the children's rights standards as relates to child marriage include the United Nations Universal Declaration on Human Rights (UNUDHR); the International Covenant on Civil and Political Rights (ICCPR); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as well as the Convention on the Rights of the Child (CRC). The international instruments also include the African Charter on Human and People's Rights, and the African Charter on the Rights and Welfare of the Child, both of which are particular to the needs of the African continent.

3.1.1 United Nations Universal Declaration on Human Rights

The United Nations Universal Declaration on Human Rights is the fundamental international human rights instrument. It provides for equality of both parties to a marriage during marriage and divorce (UN General Assembly, 1948). UN member states, including Zambia, therefore, have the duty to ensure that all domestic laws guarantees equal rights in marriage and during dissolution of marriage.

3.1.2 International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights (ICCPR) reemphasizes the importance of equality in all human life. The covenant in Article 23 (UN General Assembly, 1966) recognizes free and full consent of parties intending to marry. It further guides state parties to ensure equality of rights and responsibilities of spouses to marriage, during marriage and at its dissolution, including protection of children.

3.1.3 Convention on the Elimination of All Forms of Discrimination Against Women

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) provides detailed guidance in terms of equality of both men and women as parties to a marriage. It provides for non-discrimination including in marriage and its dissolution. The Convention in Article 16(2) (UN General Assembly, 1979) guarantees “the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration”.

3.1.4 The Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC) is a fundamental international instrument that provides for the rights of children. The Convention, among other things, provides for the definition of the child as any person below the age of 18 years, unless majority is attained earlier. The convention provides a caveat on the definition of the child which might be exploited by member states as they would claim majority being attained before 18 as in legal provisions of early marriages among others. The Convention provides for non-discrimination of a child on any account. It further provides for the best interest of the child, which provision is eluded by the Zambian customary marriages where at the dissolution of a marriage the lineage system of ethnic groups take precedence in relationship to child custody. The principle of the best interest of the child is further not adhered to in the provisions of the Marriage Act as it provides for marriage of persons below the age of 21 years either with parental consent or for children less than 16 years, at the discretion of a High Court Judge (UN General Assembly, 1989).

The Convention further provides for protection of children from all forms of abuse including sexual exploitation. To this extent, it provides for rehabilitation of children that are victims of abuse and exploitation.

Table 1. International Human Rights Instruments: Provisions, Strengths and Gaps

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
Universal Declaration of Human Rights	-Provides that marriage shall be entered into only with free and full consent of the intending spouses	-Provides the international human rights principles and standards to guide all countries in domestication of laws that guarantee the protection of children from harm and abuse associated to child marriage	-it doesn't have power to be legally enforced, but its political weight influenced the adoption of legally binding treaties like the ICCPR and the ICESCR

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
<p>International Covenant on Civil and Political Rights</p>	<ul style="list-style-type: none"> -Provides that marriage shall be entered into only with free and full consent of the intending spouses -provides for equality of both parties to a marriage, during marriage and divorce 	<p>The treaty is legally binding and hence all states are obliged to ensure all marriages are entered into only with free and full consent of the parties intending to marry</p>	<p>It has general provisions as regards children and child marriage. However, its limitation is covered by the CRC and the CEDAW</p>
<p>Convention on the Elimination of All Forms of Discrimination Against Women</p>	<ul style="list-style-type: none"> -provides for voidable betrothal and marriage of a child - Provides that marriage shall be entered into only with free and full consent of the intending spouses -provides for equality of both parties to a marriage, during marriage and divorce -provides for modification of social and cultural patterns, behavior and thought in order to remove gender stereotypes in education, family life, etc 	<p>The Treaty is legally binding and hence all states are obliged to guarantee equality and non-discrimination of women and girls</p>	<p>The Convention allows for reservations to Articles that are considered core provisions, as the case of Article 16 (2) (which makes betrothal and child marriage void). This provision has seen an alarming 34 UN member countries making reservations to this Article, and thus not conforming to international principles of protecting children from child marriage.</p>
<p>Convention on the Rights of the Child</p>	<ul style="list-style-type: none"> - provides for the definition of the child as any person below the age of 18 years -provides for non-discrimination of children -provides for the best interest of the children in decisions that affect them -provides for protection of children from all forms of abuse -provides for the rights to health and education -provides for protection from all forms of sexual exploitation and abuse -provides for rehabilitation of child victims 	<ul style="list-style-type: none"> -The treaty is legally binding and obligates states to protect children from all forms of abuse and sexual exploitation as relates to child marriage. -It is a holistic international instrument that provides guidance on all children's rights including protection, survival, development and participation. -It sets standards and principles for the attainment of children's rights 	<ul style="list-style-type: none"> -The CRC does not explicitly have regulations on child marriage, except indirectly expressed in Article 3, 12, 19 and 34 that provide for the best interest of the child, the child's opinion, protection from abuse and neglect, and protection from sexual exploitation, respectively. -The CRC's definition of a child, which allows for earlier attainment of appropriate age, might be exploited by member states as they would claim majority being attained before 18 as in legal provisions for marriage

3.2 Regional Human Rights Instruments

3.1.5 African Charter on Human and People’s Rights

At regional level, African States have re-iterated the international human rights standards and principles in the African Union Charter, recommitting to the protection of children’s and women’s rights. Notably, the African Charter on Human and People’s Rights (ACHPR) reaffirms the protection of human and people’s rights and freedoms, including non-discrimination of women.

3.1.6 African Charter on the Rights and Welfare of the Child

The African Charter on the Rights and Welfare of the Child re-affirms CRC’s definition of the age of the child as being below the age of 18 years. It further provides for the protection of children from practices and traditions that violate their rights (Organization of African Unity, 1982).

Below is the table summarizing the key international human rights instruments, their provisions, strengths and gaps in addressing child marriage.

Table 2. Regional Human Rights Instruments: Provisions, Strengths and Gaps

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
African Charter on Human and People’s Rights	- reaffirms the protection of human and people’s rights and freedoms, including non-discrimination of women	It provides for individual duties by stating that the enjoyment of rights and freedoms also implies the performances of duties on the part of everyone. This entails that in enjoying their rights and freedoms, children have a duty and responsibility too.	The extended provision on the right to education in Article 17 that, “the state has the duty to promote and protect the morals and traditional African values recognized by the community”, may be subject to abuse by states that may promote negative traditional values in their education system; or may refrain from certain educational information that they may deem repugnant to African traditions and values; as is the case with teaching sexual and reproductive health in schools, including distribution of materials

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
African Charter on the Rights and Welfare of the Child	<ul style="list-style-type: none"> -it reaffirms all the provisions of the CRC -it prohibits marriages or betrothals involving children 	Unlike the CRC, it adds a provision for the protection of children from practices and traditions that violate their rights	Unlike the UNCRC, it omits the provision that obliges states to fully commit and use their resources to ensure realization of children's rights

3.3 National Statutes addressing Child Marriage

In its efforts to domesticate the key international human rights principles and standards, Zambia has a number of statutes that are related to child marriage aimed at protecting the children from abuse and harm. Non-the-less, a number of them still fall far-short of meeting the international human rights standards for the protection of children.

Zambia's legal system is dualistic, providing for both statutory and customary law. All laws in Zambia, statute or customary must be consistent with the Constitution lest they be void to the extent of being inconsistent with the supreme law. Key pieces of legislation regulating marriage are discussed below.

3.3.1 The Constitution (Amendment) Act No.2 of 2016

In establishing the understanding of child marriage, the Constitution provides that a child means a person who has attained or is below the age of 18 years (Constitution (Amendment) Act, 2016). This provision goes beyond the international standard of the age of a child, which is below 18 years. To the extent of the provisions of the Constitution, all legislation that have different definitions of the child are subjected to that of the Constitution for consistency.

3.3.2 The Marriage Act Chapter 50 of the Laws of Zambia

The Marriage Act provides 21 years as the minimum age of marriage. It however allows for marriage below 21 years subject to written consent by the father, mother or guardian. Where a party to the marriage is below 16 years, a high Court judge can consent to the marriage if it is deemed to be in public interest.

In addition to the Marriage Act, the Education Act also provides for the minimum age of marriage by providing that a learner who is a child (under this Act, a child being a person who has not attained the age of sixteen) shall not contract any form of marriage, subject to the Constitution and any other written law. The Education Act further provides for re-admission

into school for learners who get pregnant after delivery of the baby (Education Act, 2011)). This ensures equal access to education for all children regardless of their status.

3.3.3 Education Act No. 23 of 2011

The Education Act defines a child as a person who has not attained the age of sixteen years. This does not conform to the Constitutional provision. It further provides that a learner who is a child shall not contract any form of marriage. It, however, subjects this provision to the constitution and any other written law. Such subjection limits the enforceability of the provision in cases of customary marriages as customary law is legally recognized by the Constitution.

3.3.4 The Anti-Gender-Based violence Act No. 1 of 2011

The Anti-Gender-Based violence Act recognizes child marriage as a form of abuse, recognizing the best interest of the child in any remedy for rescue, rehabilitation or reintegration. The Act provides remedies for victims of abuse including shelters where child victims must undergo counseling and rehabilitation.

The Act's definition of a child as a person below the age of 16 years, however does not conform to the Constitution as well as to the international human rights stands. It is also argued by a number of gender rights campaigners that the Act should have gone beyond protecting victims of abuse, to punishing the perpetrators. The Act only makes reference to the Criminal Procedure Code, the Penal Code and other written laws for punishment.

3.3.5 Penal Code (Amendment) Act, No. 1 of 2012

A felony is also established under the Penal Code for any person who with intent to marry or carnally knows a woman of any age, or to cause her to be married or carnally known by any other person, takes her away, or detains her against her will (Penal Code (Amendment) Act, 2012).

3.3.6 Customary law

Customary law does not define transition from childhood to adulthood based on attainment of a prescribed age. A girl who attains puberty is considered to come of age and an adult ready for marriage. As noted above, all the provisions in customary law are subject to the Constitution and must be consistent with it for legitimacy. The Tonga custom of abducting a woman in order to force her into marriage, for instance, is criminalized under the Penal Code (Penal Code (Amendment) Act, 2012). The Penal Code provides that "any person who unlawfully takes an unmarried girl under the age of 16 years out of the custody or protection

of her father or mother or other person having the lawful care or charge of her, and against the will of such father or mother or other person, is guilty of a misdemeanor” (Penal Code (Amendment) Act, 2012).

A marriage under customary law can still be instituted provided that such a marriage is not forced on either party to the marriage and is not repugnant to natural justice (Subordinate Courts Act). A marriage, therefore, involving a girl under the age of 16 can still be legitimate provided that the prescribed procedure for customary marriage was followed and thus there would be no crime of defilement. This is a lacuna in the laws and does not conform to the human rights principle of upholding the best interest of the child.

3.3.7 Matrimonial Causes Act, No. 20 of 2007

Many marriages involving girls under the age of 18 years do not last beyond 2 years (Ministry of Chiefs and Traditional Affairs, 2015). In the case of divorce, therefore, the matrimonial Causes Act prescribes procedures for matrimonial causes in statutory marriages. Such causes include maintenance of a party to a marriage and children, as well as settlement of property. The Act, however, does not cover matrimonial causes for marriages instituted under customary law.

The fact that customary marriages are not regulated under the Matrimonial Causes Act poses a lot of challenges for the courts on cases of matrimonial causes involving customary marriages. Girls who get divorced hence suffer abuse and discrimination especially on causes involving spouse maintenance, child custody and property. In addition, the Local Court system, being part of the Judicial system of Zambia and having jurisdiction over customary law, does not have adequate written law for guiding Local Court Magistrates on matters of customary law marriages apart from the Magistrates’ Handbook. Without adequate guidance, Local Court magistrates rely on their knowledge and understanding of customary law when presiding over cases of customary marriages before them, especially in cases involving parties to a marriage who are from different ethnic groups.

Below is the summary of the key laws related to child marriage, their provisions, strengths and gaps.

Table 3. Laws related to Child Marriage: Provisions, Strengths and Gaps

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
The Constitution	-provides the definition of the child as a person who has attained or is below the age of 18 years	-It raises the definition of the child beyond the international standard of 17 and below	-The Constitution’s definition of the child is still controversial as it does not conform to international standards, although to some extent it may still be seen as progressive as it increases the definition of a child to include children that are 18 years and hence discouraging early marriages as well
Marriage Act	-defines the minimum age of marriage at 21 years	-provides for the minimum age of marriage at 21 years, which is beyond the international standard of 18 years	-a person below the age of 21 years can be married without his/her full consent (with consent of parents or guardians) -provides for High Court Judges to allow marriages of persons ages below 16 -it does not include marriages under customary law and religious doctrines
Anti-Gender-Based Violence Act	- recognizes child marriage as a form of abuse - provides for the best interest of the child in any remedy for rescue, rehabilitation or reintegration	-Provides remedies for victims of abuse including shelters where child victims must be provided with counseling and rehabilitation	-its definition of a child being a person below the age of 16 years, does not conform to international standards -it does not prescribe punishment for perpetrators, but refers such to the Criminal Procedure Code, the Penal Code and other written laws
Penal Code	-provides punishment for sexual offenses including defilement - provides for a felony for any person who with intent to marry or carnally know a woman of any age, or to cause her to be married or carnally known by any other person, takes her away, or detains her, against her will	-It provides measures for protection of girls from forced marriage	-It does not provide protection of a child as some marriages are entered into willingly by the girls. The key principle should not be ‘willingly’, but free, informed and full consent.

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
Matrimonial Causes Act	-it prescribes procedures for matrimonial causes in statutory marriages. Such causes include maintenance of a party to a marriage and children, as well as settlement of property	- It provides relief to a child in case of divorce	-it does not cover settlements for marriages instituted under customary law and religious doctrines
Education Act	-It provides that a learner who is a child shall not contract any form of marriage, subject to the constitution	-It at least provides for the protection of children below 16 years against marriage	<p>-The provision of the Education Act is subject to the Constitution which recognizes customary law. Therefore, a learner can still be married under customary law.</p> <p>-Its definition of a child is limited to children less than 16 years, which is against the international standard and the Constitution</p>
Customary law	-provides for solemnization of marriages under respective ethnic traditions and cultures	-marriages can easily be instituted as majority of people live in rural areas and are mostly guided by customary laws in their day-to-day lives	<p>-minimum age does not define transition to adulthood. Readiness for marriage is by attainment of puberty.</p> <p>-does not take into consideration the best interest of the child as a child who is attending school for instance can still be married</p> <p>- There is no written guidance for matrimonial causes involving spouse maintenance, child custody and property.</p>

3.4 National Policy

Zambia has three key policy instruments that specifically provide guidance on addressing forced, early and child marriage, namely, the National Child Policy; the National Gender Policy; and the National Strategy on Ending Child Marriage.

3.3.1 National Child Policy

The National Child Policy is the key policy in Zambia that guides on protection of children's rights. It recognizes forced, early and child marriage as a violation of children's rights and defines a child as any person below the age of 18 years in conformity with international human rights standards.

3.3.2 National Gender Policy

The National Gender Policy of 2014 recognizes the adversity of child marriage by adding a measure for creating awareness on the effects of the scourge on the girls. It also provides a measure for identifying harmful or negative traditional practices that infringe on women's and girls' rights (Ministry of Gender, 2014).

3.3.1 National Strategy on Ending Child Marriage

The National Strategy on Ending Child Marriage is a key national policy document that details Zambia's strategy on ending child marriage, whose vision is "to have a Zambia free from child marriage by 2030". The goal of the National Strategy is to achieve a 40% reduction in child marriage. In order to achieve this reduction, Zambia seeks:

- i. To strengthen multi-sectoral responses in order to reduce children's vulnerability to marriage;
- ii. To facilitate the development and review of policies and legislation in order to ensure consistent interpretation and application of child related interventions;
- iii. To facilitate positive change in prevailing negative attitudes, behaviors, beliefs and practices in order to reduce the incidence of child marriage;
- iv. To facilitate the provision of child sensitive services in order to reduce children's vulnerability to child marriage; and
- v. To effectively mobilize financial resources in order to enable implementation of programmes aimed at reducing children's vulnerability to marriage.

Table 4. Key National Policies Addressing Child Marriage: Provisions, Strengths and Gaps

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage	Gaps in addressing the drivers of child marriage
National Child Policy	The policy provides guidelines on protection of children’s rights. It recognizes forced, early and child marriage as a violation of children’s rights and defines a child as any person below the age of 18 years, in conformity with international human rights standards.	The policy guides on protection of children’s rights. It recognizes forced, early and child marriage as a violation of children’s rights and defines a child as any person below the age of 18 years, in conforming to international human rights standards.	The National Child Policy was revised in 2015 and is yet to be reviewed in terms of its impact as relates to child marriage
National Gender Policy	The National Gender Policy recognizes the adversity of child marriage by adding a measure for creating awareness on the effects of the scourge on the girls. It also provides a measure for identifying harmful or negative traditional practices that infringe on women’s and girls’ rights	The policy recognizes protection of children from abuse, exploitation and neglect. It provides for care and support of victims of such abuse as child marriage through programming as well as legislation	The National Gender Policy was revised in 2015 and is yet to be reviewed in terms of its impact as relates to child marriage
National Strategy on Ending Child Marriage	Provides strategic direction for child marriage interventions for 2016-2021	It specifies the vision, goal and objectives for programming and thus interventions in terms of outcomes and impact are measurable	The strategy is yet to be reviewed to comprehensively measure its impact

3.5 Progressive Bills that address legislative gaps

In addressing the gaps in the legal framework, Zambia has drafted progressive legislation yet to be submitted for enactment by Parliament.

3.5.1 The Marriage Bill

The Marriage Bill was drafted in 2014 and addresses a number of gaps that continue to negatively affect the girls in relation to child marriages. The Marriage Bill provides equal legal status to civil, religious and customary marriages and, therefore, subjects all these marriages to one piece of legislation (Marriage Bill, 2014).

The objectives of the Marriage Bill are to:

- I. Consolidate the laws relating to marriage, maintenance and divorce; and
- II. Provide for the registration of religious, civil and customary marriages.

3.5.2 Children’s Code Bill

The Children’s Code Bill will comprehensively consolidate all laws that address the rights and welfare of children. The Bill will primarily domesticate the Convention on the Rights of the Child (CRC) and all related international and regional human rights frameworks that address the rights of children.

Table 5. Progressive National Bills that address Gaps in laws related to Child marriage

Framework	What it says about child marriage	Strengths in addressing drivers of child marriage (When enacted)
Children’s Code Bill	The Children’s Code Bill will comprehensively consolidate all laws that address the rights and welfare of children. The Bill will primarily domesticate the Convention on the Rights of the Child (CRC) and all related international and regional human rights frameworks that address the rights of children.	<p>Primarily, the children’s Code Bill will provide a uniform definition of a child in an effort to harmonize all the laws that have different provisions</p> <p>Laws providing protection, care and support will also be included in the children’s Code Act</p>
Marriage Bill	The Marriage Bill provides equal legal status to civil, religious and customary marriages and, therefore, subjects all these marriages to one piece of legislation. It also seeks to merge the current Marriage Act and the matrimonial Causes Act into one piece of legislation	<p>Once enacted will provide for registration of marriages, upon which a marriage certificate will be issued.</p> <p>once enacted, it will provide a criteria for marriage that will conform to international standards:</p> <ul style="list-style-type: none"> -Equal rights of parties to a marriage; -Attainment of age 18; <p>It will also provide for voidable marriages if:</p> <ul style="list-style-type: none"> -Either party is below the minimum age of 18 -The consent of either party has not been freely given -Either party is absent from the ceremony -Consent is not freely given where the party purports to give it is influenced by coercion or fraud. <p>The Bill considers all unregistered marriages under the provision of the Act as void.</p>

CHAPTER 4

The role of girls, boys, parents and community leaders in modifying harmful cultural practices

Girls and boys, their parents and community leaders are key in ending the scourge of child marriage. Poverty reduction, keeping girls and boys in school as well as addressing sexual and reproductive health concerns for adolescents are major strategic areas for ending child marriages in Copperbelt Province. Addressing negative practices and beliefs that perpetuate gender inequalities can further reverse the scourge of child marriage. Gender stereotypes that are entrenched in traditions and customs have shaped norms of male supremacy in hard decisions that families make to cushion their economic hardships, thereby sacrificing their girl children into marriages.

As child marriage is a multi-pronged issue, the overarching role of community leaders is to foster coordination of all stakeholders that have an interest in child marriage through existing community structures. This will enable an effective multisectoral response that strengthens networks, partnerships and synergies for all stakeholders in the communities.

4.1 Economic Vulnerability

Poverty in the Copperbelt Province is high at 30.8%, with extreme poverty at 18%. The Province has the highest rate of unemployment in the country at 26.5% despite having the highest household average monthly income of ZMW 3,228. The economic vulnerability lives poor households with few coping strategies as they give in and allow their girl children into marriages as a means of reducing the income strain on their families.

4.1.1 Role of girls and boys in addressing economic vulnerability

I. Participation in the Agricultural Sector

Girls and boys of appropriate age can participate in the agricultural sector by forming youth cooperatives. The cooperative will be an important avenue for the adolescents to acquire key agricultural information, as well as acquisition of the necessary materials and other support needed for agricultural productivity. Such a formal involvement in the agricultural sector would assist the adolescents in raising incomes to support their households financially.

II. Participation in savings and village banking

Girls and boys can take part in raising household financial resources through formation and participation in savings groups and village banking. They can form direct linkages to organizations that support formation of savings groups and village banking in order to acquire adequate knowledge and information on the operational requirements. This will help boys and girls to raise money for their school requirements as well as contribute to their household financial resources.

III. Skills training

There is further need for girls and boys who do not proceed through the formal education system to progress into skills training education. This will allow them to gain skills in crafts that they can employ for generating incomes. Access as well as quality of education in such facilities is thus cardinal in youth employment creation.

4.1.2 Role of Parents in addressing economic vulnerability

I. Participation in the Agriculture Sector

Parents can form cooperatives where they can access knowledge and skills in crop production, small livestock production, fish farming, food processing and value addition, as well as in agribusiness and entrepreneurship. The knowledge and skills will help parents to graduate into small scale agri-business and enable them acquire the needed financial household resources.

II. Participation in Savings groups and Village banking

Equally, parents can form and actively participate in savings groups and village banking that can increase their household incomes. Savings groups and village banking are an important source for short-term loans that parents can use for investment as well as for immediate needs including payment of school fees for their children.

III. Reporting Cases of Household Vulnerability

Parents can take a leading role in reporting cases of household vulnerability to community leaders for onward social protection support. Such programmes as the social cash transfer can provide immediate temporal financial relief to vulnerable parents. Conditional social cash transfer can enable children from vulnerable households pay their school fees and thus remain in school until they complete their education.

4.1.3 Role of Community leaders in addressing economic vulnerability

I. Awareness Raising on availability of services

Community leaders can raise awareness on available poverty reduction initiatives and services as well as how to access them. This will enable the communities to identify appropriate programmes and services that will allow them to meet their household financial requirements.

II. Capacity development in capital growth and investment

Community leaders who represent financial institutions can build the capacities of community members to form and manage savings groups and village banks, including providing knowledge on capital growth and investment. They can also build capacities of community members in business management skills so that members of savings groups can increase their funds in business that they can effectively grow for increased income.

Other community leaders including government, civic and traditional leaders can foster linkages between institutions that provide financial learning and the community savings groups, to ensure sustained knowledge sharing.

III. Advocacy for skills training Centers

Community leaders can lobby for establishment of skills training centers targeting youths that are not in school. This will reduce youth unemployment as the benefiting youths will be able to start up small businesses with the skills acquired.

IV. Monitoring of beneficiaries of services

Community leaders can take a leading role in identification and monitoring of beneficiaries of social protection schemes and services. Community leaders can ensure that all the beneficiaries meet the eligibility criteria and ensure that the benefits from the social protection schemes are used for the intended process. Involvement of community leaders will ensure that deserving beneficiaries are chosen and abuse of the schemes is abetted.

Diversification of household income sources is one of the key strategies for increasing household incomes. Community leaders can enhance capacities of vulnerable households in crop production, small livestock production, fish farming, food processing and value addition, as well as in agribusiness and entrepreneurship.

V. Strengthening community support initiatives

Community leaders can play a leading role in enhancing the community support initiatives. Strengthening of the social protection interventions including the social cash transfer programmes for the vulnerable poor households, especially conditioned on girls that

are vulnerable to marriages, can further improve on household incomes for the targeted vulnerable families. The Food Security Pack programme can further be improved on in order to provide agricultural inputs and implements to families that have vulnerable girls.

4.2 Keeping girls and boys in school

Education is one of the key sectors for curbing the incidences of child marriage in the Copperbelt Province. The Province has the highest school attendance rate of 92% at primary level, which regresses to 78% at secondary level and lower to 38% at higher education level. For girls that fall pregnant (at 16% for the province), 51% are re-admitted into the education system, leaving the other half vulnerable to marriage. Vulnerability to marriage is also exacerbated by not attending school. The Province has 10.5% of never married girls 10-17 years that have never attended school hence remain at higher risk of marriage.

A number of strategies should be employed to keep girls and boys in school until they complete higher education. This will keep them from risky behaviors such as sexual relationships and substance abuse and, increase their opportunities for a better future.

4.2.1 Role of Girls and Boys in school retention

I. Participation in school clubs

Girls and boys should actively participate in school clubs that promote children's rights to education. They will have access to materials and information regarding their life opportunities, careers as well as benefits that accrue an educated society. Such groups should have linkages with community mentors that periodically share success stories owing to education.

II. Reporting cases of arrangements for marriage

Girls and boys should report cases of arrangements for marriage of peers to school authorities such as guidance and counseling teachers as well as class teachers. Boys and girls can equally report to peers that are in child protection clubs in order for them to make follow-ups to relevant school and community authorities. This will enhance protection for learners that are vulnerable to marriage.

III. Reporting cases of economic vulnerabilities

Girls and Boys must pro-actively report their economic vulnerability status to guidance and counseling teachers so that alternative means for payment of school fees can be found. The schools can further provide linkages to support mechanisms that can financially support economically vulnerable learners in the communities.

IV. Involvement in recreation

Girls and boys should pro-actively be involved with extracurricular initiatives as well as recreation in the communities. They can take part in such initiatives as 'safe spaces', sports, as well as drama and theatre. In doing so, they will avoid having 'free time' that they otherwise use to engage in risky behaviors such as sexual relationships and substance abuse. Further, extracurricular initiatives can be used to share information on life skills and other information relevant to promoting their education and wellbeing.

4.2.2 Role of Parents in keeping girls and boys in school

I. Participation in community dialogue forums

Parents should actively participate in community dialogue forums addressing education for boys and girls. Such forums would provide information on the benefits of educating the children as well as on support networks for parents who cannot meet the financial requirements of sending their children to school. The community dialogue forums would further provide information on gender stereotypes and the implications on the rights of the girl child. This will help parents to refocus their understanding of the roles of boys and girls that traditionally have been skewed towards infringing the rights of the girl child in preference to educating boys.

II. Reporting cases of economic vulnerability

Parents should play an active role in reporting their economic vulnerability situation to community leaders and organizations for support. They should be aware of the existing community support mechanisms and what support is available for them to meet their immediate and long term financial needs. In this way, parents will not have to give their girl children into marriage as a means of freeing up their household resources.

III. Delaying marriage of girls

Parents should take a leading role in delaying marriage of their girl children until completion of school. Parents should understand the consequences of early marriages on the health of the girls as well as be aware of implications of not completing school. Parents should refuse financial incentives and general proposals of marriage in preference to letting their girl children complete their education. For girls who fall pregnant, parents should take a pro-active caring role and support their children to be re-admitted into school.

IV. Participation in adult literacy classes

Parents who cannot read and write have less appreciation of education in general and thus do not actively promote education of their children, let alone girls. Such parents should thus take a pro-active role in participating in literacy classes in the community.

The effort will be a motivating factor for the girls and boys as their parents would be an immediate model for education, while at the same time they will benefit from a motivated parent who would want them to complete their education.

4.2.3 Role of Community Leaders in keeping girls in school

I. Awareness Raising on importance of education

One of the key roles of community leaders is to raise awareness on the importance of keeping children in school including the re-entry policy. Through community forums such as traditional ceremonies, health outreach, agricultural extension outreach, political campaigns and regular community meetings, community leaders must continuously re-emphasize the benefits of educating their community through their speeches and discussions.

II. Advocacy for skills training centers

Community leaders should lobby government to increase enrolment of adolescents in skills training centers. This will increase the rate of boys and girls who proceed into higher education, thereby increasing their opportunities for employment and entrepreneurship. Community leaders should further lobby for higher standards of learning in such learning centers which provide quality education and employment or business opportunities for the youths once they complete their education.

III. Monitoring compliance to minimum standards in boarding facilities

Community leaders must take a leading role in monitoring compliance to minimum standards in boarding schools and boarding houses. This would cushion the logistical inadequacies of the Ministry of General Education which are partly to blame for the Ministry's limitations in controlling standards for boarding facilities.

IV. Awareness raising on support system for poor households

Community leaders should raise awareness on the community support system for poor households to access educational support for vulnerable children. This will ensure that learners from poor families are retained in school until they complete their secondary education. Capacities of community leaders in understanding the community support network should be enhanced by community organizations as well as external organizations in order for the leaders to increase their know-how regarding the community support network; the processes for accessing services, beneficiary eligibility criteria as well as reporting and monitoring requirements.

V. Mentoring boys and girls

Community leaders, through community structures can take a pro-active role in mentoring girls and boys. Through such community structures as schools, churches, health facilities, and forums such as ‘safe spaces’, community leaders can engage individual role models, both internal and external to the community to provide motivational talks to girls and boys on the importance of education.

VI. Promotion of menstrual hygiene management

Community leaders should promote menstrual hygiene management by building awareness on its importance especially for increased class attendance. Community leaders should further monitor schools to ensure that they provide facilities such as infrastructure for menstrual hygiene management.

4.3 Sexual and Reproductive Health

Teenage pregnancy is one of the key drivers of child marriage in Zambia as parents would marry off their children to avoid the perceived shame that comes with pregnancies outside marriage. There are several ramifications of teenage pregnancies as noted earlier, including the fact that adolescents are having early sex debut, having unprotected sex, entering motherhood before they are ready, increasing fertility as well as ramifications of under-five malnutrition and child mortality.

Copperbelt Province has the lowest rate of teenage pregnancies at 16%, and lowest predicted probability of teenage pregnancies at 0.20. Of the five districts with the lowest predicted probability of ever pregnant 15-19 years, four are found in Copperbelt, namely Chingola, Kitwe, Mufulira and Luanshya Districts. Notwithstanding the low rate of teenage pregnancies, the Province has the highest rate of HIV in the country at 18%.

Girls and boys, parents, community leaders and community organizations therefore can play different roles to reduce teenage pregnancies in Copperbelt Province.

4.3.1 Role of Girls and Boys in promotion of sexual and reproductive health

I. Participation in community initiatives for building life skills

Girls and boys can participate in forums, ‘safe spaces’ and clubs at school, in the community and such institutions as churches that build their knowledge on assertiveness and enhance their life skills. For girls, this will ensure that they solidify the belief that they have the right to refuse unwanted sex. Through such groupings, girls and boys will increase their knowledge about sexual and reproductive health including where to access the related services as well as the rights that they have in accessing such services.

II. Taking lead as agents of change

Girls and boys can take a lead as agents of change through participation as peer educators in health facilities, neighborhood health committees and in schools. Peer-to-peer dialogues enhance understanding and uptake of sexual and reproductive health services as adolescent beneficiaries easily associate themselves with peer-to-peer education.

III. Reporting cases of sexual and reproductive health rights violations

Girls and boys should be aware of the reporting procedures in the communities on violation of their sexual and reproductive health rights. Girls and boys must report cases of violation to authorities at health care facilities or to community leaders for immediate action. This will ensure that health care providers comply with standards of care in addressing adolescent health concerns.

4.3.2 Role of Parents in promotion of sexual and reproductive health

I. Enhancement of parenting skills

Parents can increase their parenting skills by participating in parenting courses in the communities. Such skills will enable parents to advise their adolescent children with confidence on issues of sexual and reproductive health as well as on substance abuse.

II. Delaying initiation rites for girls

Parents should delay initiation rites for the girls until they complete school and/or are about to get married. This will reduce the girls' 'sexual incentives' from the teachings in the initiation process. Teachings on how to satisfy a man in bed act as a 'sexual incentive' for the girls to be involved in sexual relationships that predispose them to unprotected sex and pregnancies.

4.3.3 Role of Community leaders in promotion of sexual and reproductive health

I. Capacity building of health care providers

Building capacities of health care providers on sexual and reproductive health, HIV/AIDS prevention and gender-based violence will ensure that girls and boys are counseled adequately and correctly and are effectively provided with SRH services.

II. Awareness raising of the child protection system

Community leaders should play a leading role in building awareness of the child protection system in the community to the girls and boys. They should raise awareness of the appropriate standards of care as well as procedure in reporting cases of violation of adolescent sexual and reproductive health rights. This will ensure quality of service from

health care providers as well as having an informed cadre of adolescents who freely access and utilize SRH services. Community leaders should further raise awareness on how and where adolescents should report when a marriage is imposed on them against their will.

III. Awareness raising on the community welfare support system

Community leaders should build awareness on the comprehensive and integrated community welfare support system that children and adolescents should easily access should they be in need of other SRH services beyond rights protection. This will ensure an effective response to sexual and reproductive health needs of adolescents is guaranteed. Such a community welfare and support system will provide access for the adolescents to traditional counselors, traditional birth attendants, community health care animators, community institutions providing welfare support to vulnerable households, community groups providing 'safe spaces' to adolescents, and religious groups which can provide counseling to adolescents on such subjects as marriage.

CHAPTER 5

Recommendations for Promotion of Peer Empowerment for Girls to contribute to the Elimination of Child Marriage

Peer empowerment is among the best strategies for effective sharing of knowledge, building capacities as well as reviewing of interventions for lesson sharing and learning of best practices. Girls and boys that have been married before have more relevant experiences and lessons that can significantly influence decisions of children that are susceptible to marriages and those who are already married. Adolescents who endured and completed their education, having been re-admitted into school from a leave-spell due to pregnancy can provide motivation for the pregnant girls as well as those re-admitted but casualties of discrimination at schools and in the communities. Similarly, girls and boys who managed to raise their own incomes to pay school fees from such initiatives as savings groups and village banking can motivate and build capacities of other adolescents facing similar financial situations.

In order to tap into such opportunities for peer empowerment of girls, the following are recommendations that will foster effective engagement of peers, capacity building as well as enhancing knowledge for the ultimate elimination of child marriage. The recommendations are clustered into four categories within which girls and boys, parents and community leaders will play a role in ensuring that peer empowerment of girls and boys is realized.

1. Girls and Boys as Role Models

1. Children and adolescents who have significant success stories associated with a relevant factor that contributes to child marriage in the areas of having been a victim of child marriage; having had no financial resources for supporting education; and having been re-admitted back into school from a pregnancy should be integrated into community structures that provide support to children and adolescents as mentors, educators and motivational speakers.

2. Creating avenues for skills, knowledge and information sharing

1. Children must be recruited and trained as peer educators in structures such as the community health outreach initiatives, adolescent health reproductive centers or corners at health facilities as well as in community-based organizations that address child marriage vulnerabilities. This will enhance information sharing and skills building for children and adolescents in the communities.

- II. In order to continuously build capacities of adolescent educators, community leaders must provide linkages with relevant organizations which must train peer educators and mentors in emerging issues of children's rights, counseling, monitoring and learning as well as child urgency
- III. Children's groups including child rights related clubs, savings groups for children, youth agricultural cooperatives, as well as small-scale businesses run by adolescents should be linked to other similar community groups and structures for sharing of knowledge, skills and best practices. Community leaders can assist in building such strategic linkages and engagements.

3. Participation in the Media

- I. Media institutions at community and district levels should be encouraged to have child and adolescent-centered radio and television programmes which are presented by children and adolescents for peer audience. Live phone-in programmes should be encouraged so that presenters and their audiences can interact on matters that mutually affect them.

4. Coordination

- I. Youth Councils and sub-council mechanisms from communities to district levels must be strengthened in communities and districts where they exist, and established where they do not, in order to increase the voice of the children and adolescents. Adolescents and youths involved at sub-district levels must regularly engage with youths at district levels to share their concerns and discuss alternative strategies that must inform district level development planning processes. Formation and strengthening of such mechanisms must be supported by relevant organizations, both internal and external, to the communities. Community leaders must take a leading role in lobbying for such structures as well as for organizations to support formation and strengthening of the structures.

5. Sustainability of peer involvement

- I. Peer educators and mentors need to be provided with financial and non-financial incentives in order to motivate their work and thus reduce on turnovers, which are costly as new recruits have to continuously undergo training and orientation.

Table 6. Summary of Recommendations for Peer Employment

Challenge	Recommendation	Intervention	By whom
Involvement of girls and boys as role models	Children and adolescents who have significant success stories associated with a relevant factor that contributes to child marriage should be integrated into community structures that provide support to children and adolescents as mentors, educators and motivational speakers.	Identification of girls and boys who should be integrated into community structures as educators, mentors and motivational speakers	Parents and Community leaders
		Institutionalization of involvement of girls and boys as educators, mentors and motivational speakers (including eligibility criteria, developing guidelines and establishing volunteer incentive.)	Community leaders (Internal and external institutions)
Capacity building, learning and sharing best practices	Children’s groups should be linked to other similar community groups and structures for sharing of knowledge, skills and best practices.	Community mapping of all community structures that have vast interests in child rights and development	Community leaders
	Enhance linkages with relevant organizations that must train peer educators and mentors in emerging issues of children’s rights, counseling, monitoring and learning as well as child urgency.	Child-focused engagement forums for building knowledge and sharing of best practices	Community leaders, and girls and boys
		Promotion of exchange visits among children’s groups for sharing knowledge and best practices	Community leaders and girls and boys
	Children must be recruited and trained as peer educators in community interventions such as the community health outreach initiatives, adolescent health reproductive centers and corners at health facilities as well as in community based organizations that address child marriage vulnerabilities.	Mapping of community institutions with relevant capacities	Community leaders (internal and external institutions), and girls and boys
Assessment of capacity gaps of adolescent educators		Community leaders (internal and external institutions)	
Recruitment and training of girls and boys as peer educators	Community leaders(internal and external institutions)		

Challenge	Recommendation	Intervention	By whom
Media participation of girls and boys in interventions that target them	Media institutions at community and district levels should be encouraged to have child and adolescent-centered radio and television programmes that are presented by children and adolescents for peer audience.	Establishing of children's desks in media institutions	Community leaders (Media institutions)
		Institutionalizing of children's programming that ensures participation of children	Community leaders (Media institutions)
Coordination	Formation and strengthening of Youth Councils and sub-council mechanisms from communities to district	Lobbying for such structures as well as for organizations to support formation and strengthening of the structures.	Community leaders (internal and external institutions)
		Regular engagement of youths in the council and sub-council structures	Girls and boys
Retention of community peer volunteers	Peer educators and mentors need to be provided with financial and non-financial incentives in order to motivate their work and thus reduce on turnovers	Strengthening of volunteer management mechanisms including monitoring, records management and incentives	Community leaders (internal and external institutions)

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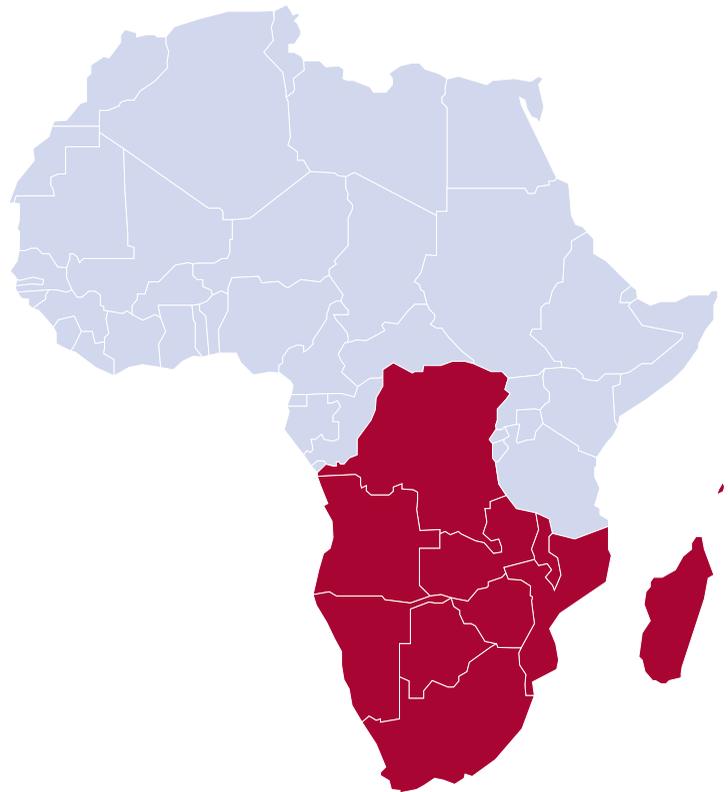
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