



# THE UPR PROJECT AT BCU

## **Submitted by:**

The UPR Project at BCU  
Centre for Human Rights, School of Law  
Birmingham City University

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## **About the UPR Project at BCU:**

Birmingham City University's Centre for Human Rights was created in 2014 to promote human rights, ensure access to justice, and enhance the rule of law around the world. We seek to achieve this through leading research, education, and consultancy. We submit expert reports to international human rights regions, provide advisory services to governments and nongovernmental organisations, and draft legal opinions and file legal briefs in domestic courts and international human rights courts.

The Centre for Human Rights established the UPR Project in 2018 as part of our consultancy service. We engage with the Human Rights Council's review process in offering support to the UPR Pre-sessions, providing capacity building for UPR stakeholders and National Human Rights Institutions, and the filing of stakeholder reports in selected sessions. The UPR Project is designed to help meet the challenges facing the safeguarding of human rights around the world, and to help ensure that UPR recommendations are translated into domestic legal change in member state parliaments. We fully support the UPR ethos of encouraging the sharing of best practice globally to protect everyone's human rights. The UPR Project at BCU engages with the UPR regularly as a stakeholder and is frequently cited by the OHCHR. You can read more about the UPR Project here: [www.bcu.ac.uk/law/research/centre-for-human-rights/projects-and-consultancy/upr-project-at-bcu](http://www.bcu.ac.uk/law/research/centre-for-human-rights/projects-and-consultancy/upr-project-at-bcu)

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## INTRODUCTION

1. Zambia is party to eight of the nine core international human rights treaties for which it should be commended.<sup>1</sup> This includes the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and in line with the Covenants' protection of minors, this Stakeholder Report focuses upon children's rights.
2. We make recommendations to the Government of Zambia on this key issue, implementation of which would see Zambia move towards achieving Sustainable Development Goals 4 and 5 which aim for "gender equality and empowering all women and girls" and "inclusive and equitable quality education and promote lifelong learning opportunities for all."

## CHILD, EARLY AND FORCED MARRIAGE

### A. Zambia and International Law on Child, Early and Forced Marriage (CEFM)

3. Child and early marriage occurs before the age of 18 for one or both of the parties and it manifests in any formal marriage or informal union. Forced marriage can occur at any age when one and/or both parties have not provided their full and free consent to the union. A child marriage is therefore considered to be a form of forced marriage, as one and/or both parties are unable to provide their full, free and informed consent.<sup>2</sup> There are various acronyms to describe this human rights issue, but in this submission we adopt 'Child, Early and Forced Marriage' (CEFM).
4. CEFM is a human rights violation which deprives children of their agency to make decisions about their lives and future. It increases their vulnerability to various ills such as violence, discrimination, abuse, ill-health including sexual and reproductive health problems, and prevents their full participation in the economic, political and social spheres.<sup>3</sup>
5. Current national data indicates that Zambia has one of the highest child marriage prevalence rates globally, with 29% of girls being married before their 18th birthday and 5% before the age of 15. In comparison, 3% of boys are married before 18.<sup>4</sup> According to the 2018 Zambia Demographic and Health Survey, "the median age at first marriage among women aged 25-49 years in urban areas is on average two years higher than in rural areas, and also increases in direct correlation with improved levels of education and wealth."<sup>5</sup>

6. Zambia practices a dual legal system hence there are two types of marriage: customary law marriage and statutory law marriage. Article 7(d) of the Zambia Amended Constitution recognises customary law as long as it is consistent with the Constitution. Whilst Article 17 of the Marriage Act 1964 sets the legal minimum age of marriage at twenty-one years of age, it also allows a minor to marry with parental consent.<sup>6</sup> Article 34 affirms the absence of the minimum age of consent to marry under customary law.<sup>7</sup>
7. The domestic (statutory) legal framework on CEFM has been promoted and informed by Zambia's ratification of relevant international instruments.

### *International Law Prohibiting Child Marriage*

8. The United Nations' framework for addressing CEFM comprises a corpus of international human rights law and jurisprudence. Of particular relevance are Article 16 of the Universal Declaration of Human Rights,<sup>8</sup> Articles 1, 2, and 24 of CRC,<sup>9</sup> Article 16 of CEDAW,<sup>10</sup> the Report of the Secretary General on CEFM,<sup>11</sup> and the Human Rights Committee decisions.<sup>12</sup>
9. Endorsing the worldwide legal age of marriage as 18-years-old, the Committee in its General Comment No. 20 (2016), on the implementation of the rights of the child during adolescence, reminds States parties of "the obligation to recognize that persons up to the age of 18 years are entitled to continuing protection from all forms of exploitation and abuse. It reaffirms that the minimum age limit should be 18 years for marriage."<sup>13</sup>
10. Furthermore, a number of UN initiatives have identified CEFM as a human rights violation and that such practice should be outlawed worldwide. The Human Rights Council adopted the first UN resolution on CEFM in 2013,<sup>14</sup> and in 2015, it adopted its first substantive resolution on the issue wherein it requested the High Commissioner to organise an expert workshop on the impact of the existing strategies and initiatives.<sup>15</sup> This led to a further Human Rights Council resolution being adopted in 2017,<sup>16</sup> with the most recent iteration taking place on 7th October 2021.<sup>17</sup> In 2020, the latest Report of the Secretary General on the issue of child, early and forced marriage was presented to the General Assembly.<sup>18</sup>
11. Considerable effort has also been made to address CEFM in regional treaties and charters in Africa. This includes Article 21 of the African Charter on the Rights and Welfare of the Child 1990,<sup>19</sup> Article 6 of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa 2003,<sup>20</sup> and the Commonwealth Kigali Declaration to prevent and eliminate child, early and forced marriage adopted in May 2015.<sup>21</sup>

### **B. Implementation of Recommendations from Cycle Three in 2017**

12. Zambia received 212 recommendations in the Third Cycle of which 184 were accepted and 19 were noted.<sup>22</sup> A total of 62 recommendations were issued on rights of the child of which 13 focused on child, early and forced marriage.<sup>23</sup> These were all supported by Zambia, bar one, which is commendable and indicates its commitment to curb child marriage. **Slovenia's** (para 131.93) recommendation to “ensure country-wide implementation of the Marriage Act establishing the legal age for marriage as 21 years of age” was noted, most likely due to it being already in force.

*Recommendations Concerning Zambia's National Strategy and Legislative Change*

13. Zambia's existing initiatives to combat CEFM, including its National Strategy to End Child Marriage by 2021, was raised by **Namibia** (para 129.84) which called for the strategy's full implementation. In 2016, the Ministry of Gender, together with a coalition of CSOs, developed the ‘National Strategy to End Child Marriage 2016-2021’, for which a National Action Plan (NAP) was launched in December 2017. The Strategy aims to “accelerate national efforts to end child marriage by 2030 by providing an operational framework that reflects the current national and global trends and efforts.”<sup>24</sup> This has been **partially implemented**.
14. Due to COVID-19, the implementation and coordination of the NAP on ending child marriage has been slower than expected. However, we welcome the Ministry of Gender's continued advocacy with the Global Programme to End Child Marriage (GPECM) to hold an annual review of child marriage in Zambia, an initiative led by the government. For the first time, in 2020, national, provincial and district-level actors from the two GPECM-targeted districts of Katete and Senanga were involved, alongside representatives from the ministries of education, health, agriculture, chiefs and traditional affairs, and provincial planners, among others.<sup>25</sup>
15. The NAP was further reinforced with the Ministry of Health's launch of the Adolescent Health Strategy 2017–2021. The strategy provides policy guidelines detailing how the government and partners should collaborate to ensure the health status of adolescents.<sup>26</sup> Furthermore, Zambia's seventh National Development Plan (2017-2021) includes interventions addressing child marriage and has helped institutionalise efforts to deal with the issue across ministries and budgets.<sup>27</sup>
16. Other states focused on Zambia's national laws and recommended necessary amendments and implementation of its legislative framework for the prevention and elimination of CEFM. These included the **United Kingdom** (para 129.81), **Sierra Leone** (para 131.9), **Canada** (para 131.1), and **Uruguay** (para 131.102).
17. **Slovakia** (paras 131.91 and 131.92) advocated for “set[ting] a minimum age for marriage under customary law, to be in line with the legal age of marriage determined by statutory law” with **Argentina** (para 131.99) also urging for strict compliance with the legal age of

marriage as well as the “prevent[ion] and investigat[ion] [of] cases of forced marriage, prosecuting the perpetrators and ensuring assistance to victims.”

18. This has **not been implemented**. Whilst customary law is an important aspect of Zambia’s legal framework, given that it defines how traditional cultural heritage is shared and developed which is central to the identity of indigenous peoples and local communities, it must also be consistent with statutory law to safeguard human rights in the country. Therefore, to ensure that customary marriage is consistent with the statutory law marriage, we call upon the Government to adopt the ‘Southern African Development Community (SADC) Model Law to End Child Marriage’,<sup>28</sup> amend the Marriage Act, and adopt policy that clearly defines marriage and prohibits child marriage.
19. Nonetheless, the government should be commended for making progress in reviewing the policy and law that bears considerable influence on child marriages. For example, the Children’s Code Bill has been drafted to bring together all the laws regulating children’s welfare and aims to harmonize the definition of a child. Furthermore, if passed, the Bill will align customary and statutory law on the minimum age of marriage thereby ensuring its cuts across all forms of marriages in Zambia.
20. We welcome the news that in November 2021, Community Development and Social Services Minister, Doreen Mwamba, promised to ensure the Children’s Code Bill is tabled and enacted before parliament in its first session next year.<sup>29</sup> Minister Mwamba announced that the “government is determined to improve the lives of children by eliminating vices such as early marriages and child pregnancies.”<sup>30</sup>

*Recommendations Concerning National Efforts and Awareness-Raising Campaigns to Eliminate CEFM*

21. **Maldives** (para 129.82) recommended Zambia “continue and strengthen efforts to prevent and eliminate child marriage” and this was echoed in similar recommendations made by **Morocco** (para 129.83) and **Tunisia** (para 131.85). Whilst such recommendations are welcomed, it is crucial that they remain specific and measurable in order to assess the level of implementation. Broad recommendations, whilst easy to accept, lack any impetus to bring about real change.<sup>31</sup> It is recommended that States adopt a SMART approach to recommendations as recognised by UPRinfo.<sup>32</sup> This would help Zambia initiate an incremental approach to the elimination of CEFM.
22. In 2020, Zambia’s Ministry of Gender hosted the First Steering Committee meeting of the India, Brazil, South Africa (IBSA) Programme with the objective of analysing the progress, results and challenges in implementing the program to end child marriage and to provide a second chance education for girls in Malawi and Zambia. In partnership with other stakeholders, the Ministry has adopted a multi-pronged approach to address CEFM

through capacity building, advocacy, awareness and awarding of scholarships for around 1800 child marriage survivors to promote a second chance at education.<sup>33</sup>

23. **Spain** (para 129.21) encouraged “awareness-raising campaigns and trying to bring in local authorities and traditional leaders into the process” as an effective measure to combat CEFM. This has been **implemented** and we encourage the State to continue its efforts in this respect. A ‘National Advocacy and Communication Strategy on Ending Child Marriage in Zambia (2018-2021)’ has also been developed to support objective 3 of the NAP- “to improve knowledge and facilitate positive change in prevailing, attitudes, beliefs and practices of parents, children, communities” towards reducing CEFM and also strengthen the capacity of local stakeholders to act as change agents.<sup>34</sup>
24. In 2018, the National Assembly of Zambia organised a Parliamentary Seminar, in collaboration with the Inter-Parliamentary Union, titled ‘Parliamentarians Take Action to End Child, Early, and Forced Marriage.’ Participants comprised various MPs and stakeholders who recognised that CEFM is a human rights violation widespread in Zambia and discussed effective parliamentary responses to curb the practice.<sup>35</sup>
25. On 10 February 2019, then President Edgar Lungu hosted a high-level event, within the framework of the African Union Campaign to End Child Marriage, where he launched the Council of Traditional Leaders of Africa (COTLA). The aim of COTLA is to recognise the key role traditional leaders can play as catalysts in the efforts to end CEFM.<sup>36</sup>
26. We urge the State to continue its efforts in addressing CEFM through full implementation of its NAP and legislative change, and we make specific recommendations for this in Section D.

### **C. Further Points for Zambia to Consider**

#### *COVID-19 and the Increased Risk of CEFM*

27. The UNFPA-UNICEF Global Programme to End Child Marriage (GPECM) was launched in 2016 and indicated 12 countries as high-prevalence or high-burden countries, this included Zambia.<sup>37</sup> Phase I, aimed at “strengthening institutions and systems...to deliver quality services and opportunities for a significant number of adolescent girls”<sup>38</sup> completed in 2019 and Phase II (2020-2023) of the project aims to “accelerate actions to end child marriage”.<sup>39</sup> It has also identified the implications of CEFM in the COVID-19 pandemic.<sup>40</sup>
28. As a result of the pandemic, a further 10 million child marriages are projected globally before the end of the decade; unions that otherwise might have been prevented.<sup>41</sup> COVID-19 has exacerbated the risk of CEFM through five main routes:

- (1) interrupted education;
- (2) economic and food insecurity;
- (3) disruptions to programmes and services;
- (4) adolescent pregnancy; and,
- (5) death of a parent or primary caretaker.

29. Furthermore, families tend to make decisions about education and marriage in parallel hence school closures and suspension of educational services increase vulnerability to discontinue education and promote marriage instead. The pandemic has widened educational inequalities for vulnerable children and adolescents living in poor and/or remote rural areas as well as girls, refugees, those with disabilities, and those who are forcibly displaced.<sup>42</sup>
30. Sexual and reproductive health services have also been disrupted which has a direct impact on adolescent pregnancy and marriage. A dangerous vacuum has been created as a result of curtailing awareness campaigns and community dialogues on the negative consequences of CEFM.<sup>43</sup>

#### *Impact of COVID-19 on Adolescent Girls and Gender Equality*

31. Humanitarian crises and the deleterious impact of COVID-19 amplify and compound gender norms that hinder girls' school attendance, risk of child marriage, early pregnancy, gender-based violence, sexual exploitation and child labour. A girl is at risk of encountering violence in every sphere, including in the classroom, no matter where she may live.
32. Global figures indicate that in comparison to boys their age, girls between 5 and 14 years old spend 40 per cent more time on unpaid household chores and care work, which compromises their education and learning. As a result of COVID-19 school closures, girls may have increased exposure to sexual activity, sexual violence and unwanted pregnancy as they may spend more time at home and unsupervised. The loss of school time may also lead families to view girls' education as a less worthwhile investment. Unfortunately, a disproportionate number of girls will simply not return to education.<sup>44</sup>
33. Economic fragility, loss of livelihood and an increase in household poverty may limit the ability of families to provide for their children. Economic and food insecurity tend to produce two reactions: reducing expenditure (such as education costs) and reducing the household size. Both can lead to child marriage. In addition, child marriage can benefit a household's income where the groom's family has to pay a form of bride wealth (known as 'lobola' in Southern Africa) to the bride's family.<sup>45</sup>
34. According to UNFPA-UNICEF,

“The impact of the pandemic is likely to be felt for at least another decade, also raising the risk of child marriage for girls who are now young. Because marriage fundamentally alters the course of a girl’s life, the full effect of the pandemic on human development will play out over a generation.”<sup>46</sup>

*The Universal Periodic Review Recommendations and the Contribution to the Sustainable Development Goals*

35. Zambia should consider adopting the UPR recommendations as an expression of mutual reinforcement of the government’s commitment to promoting the Sustainable Development Goals.<sup>47</sup> The human rights values expressed in both the UPR and the SDGs can be woven together to promote policy coherence.
36. SDG 5 provides for “gender equality and empower[ing] all women and girls” but the practice of CEFM is inconsistent with this goal. Specifically, SDG Target 5.3 aims to eliminate all harmful practices such as child, early and forced marriages.<sup>48</sup>
37. The Special Rapporteur on the sale and sexual exploitation of children has noted in her 2022 annual report that “child marriage is rooted in gender inequality and in the relatively low value accorded to girls, and is exacerbated by poverty, insecurity and conflict.”<sup>49</sup> CEFM is therefore antithetical to female empowerment, gender equality and the fostering of human dignity of the people of Zambia.

**D. Recommendations**

We recommend the government of Zambia to:

- i. Prioritise passing the Children’s Code Bill into law in order to harmonise statutory laws and customary laws on marriage, and eliminate elements of customary law that are discriminatory against girls and women.
- ii. Adopt the Southern African Development Community Model Law to end CEFM, amend the Marriage Act, and adopt policy that clearly defines marriage as a union between two consenting adults and prohibits child marriage.
- iii. Fully implement the National Action Plan to End Child Marriage in Zambia. This includes regular monitoring and tracking of progress against targets set under the Plan.
- iv. Adopt a COVID-19 response strategy that extends beyond health and prioritises the prevention and elimination of CEFM, paying particular attention to the impact of COVID-19 on vulnerable adolescents, girls, and women.
- v. Empower girls and boys to be better able to prevent and respond to child marriage. For example, supporting existing adolescents’ groups to offer safe spaces to discuss sensitive issues.



- vi. Conduct, in consultation with relevant stakeholders, awareness raising and education programmes aimed at addressing the negative implications of CEFM and how to effectively address the issue. These should be targeted at community and religious leaders.
- vii. Develop a strategy for the dissemination of knowledge on CEFM, including awareness-building and mechanisms for reporting and obtaining assistance, by utilising mass media, community radio, and social media platforms. This is particularly important given the implications of COVID-19 on CEFM.

<sup>1</sup> See <[https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=194&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=194&Lang=EN)>.

<sup>2</sup> provided by the OHCHR which identifies that:

- “child marriage” is a marriage in which at least one of the parties is a child. According to the Convention on the Rights of the Child, a child is “every human being below the age of eighteen unless under the law applicable to the child, majority is attained earlier (CRC art 1).
- “early marriage” is often used interchangeably with “child marriage” and refers to marriages involving a person below 18 in countries where the age of majority is attained earlier or upon marriage. Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options.
- “forced marriage” is any marriage which occurs without the full and free consent of one or both of the parties and/or where one or both of the parties is/are unable to end or leave the marriage, including as a result of duress or intense social or family pressure.

See OHCHR, ‘Preventing and eliminating child, early and forced marriage’, (2 April 2014) UN Doc A/HRC/26/22, paras 4-6. See also ‘Child and forced marriage, including in humanitarian settings: OHCHR and women’s human rights and gender equality’, <[www.ohchr.org/en/issues/women/wrgs/pages/childmarriage.aspx](http://www.ohchr.org/en/issues/women/wrgs/pages/childmarriage.aspx)>.

<sup>3</sup> Child and forced marriage, including in humanitarian settings, OHCHR, Women’s Rights and Gender Section, <[www.ohchr.org/en/issues/women/wrgs/pages/childmarriage.aspx](http://www.ohchr.org/en/issues/women/wrgs/pages/childmarriage.aspx)>.

<sup>4</sup> ‘Country Profile: Zambia’ <[www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/zambia](http://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/zambia)>.

<sup>5</sup> UNICEF, ‘Case study on ending child marriage in the Republic of Zambia’ (April 2021) <[www.unicef.org/esa/media/8941/file/Zambia-Case-Study-Child-Marriage-2021.pdf](http://www.unicef.org/esa/media/8941/file/Zambia-Case-Study-Child-Marriage-2021.pdf)>.

<sup>6</sup> “If either party to an intended marriage, not being a widower or widow, is under twenty-one years of age, the written consent of the father, or...of the mother, or ...of the guardian of such party shall be produced and...no special licence shall be granted or certificate issued without the production of such consent.”

<sup>7</sup> “...nothing in this Act contained shall affect the validity of any marriage contracted under or in accordance with any African customary law, or in any manner apply to marriages so contracted.”

<sup>8</sup> The Universal Declaration of Human Rights (1948) Article 16(1): Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending spouses. (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State. See <[www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights)>.

<sup>9</sup> Convention on the Rights of the Child, UNGA Res 44/25, 20 November 1989. Article 1: For the purposes of the present Convention, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier. Article 2(1): States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Article 2(2): States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians, or family members. Article 24(3): States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

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<sup>10</sup> Convention on the Elimination of All Forms of Discrimination against Women, UNGA Res 34/180, 18 December 1979, UN Doc A/RES/34/180. Article 24(2): The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

<sup>11</sup> See eg ‘Child, early and forced marriage’, UNGA Resolution 73/153 (28 July 2020) UN Doc A/75/262.

<sup>12</sup> See eg UN Human Rights Committee, General Comment No. 20 (2016) on the implementation of the rights of the child during adolescence, CCPR/C/GC/20, 6 December 2016.

<sup>13</sup> *ibid* para 40.

<sup>14</sup> ‘Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps’, (27 September 2013) UN Doc A/HRC/RES/24/23.

<sup>15</sup> Strengthening efforts to prevent and eliminate child, early and forced marriage, A/HRC/RES/29/8, 22 July 2015.

<sup>16</sup> ‘Child, early and forced marriage in humanitarian settings’ (22 June 2017) UN Doc A/HRC/RES/35/16.

<sup>17</sup> ‘Child, early and forced marriage in times of crisis, including the COVID-19 pandemic’ (7 October 2021) UN Doc A/HRC/48/L.7Rev.1, para 1 states: “Urges States to respect, protect and fulfil the human rights of all women and girls, including those subject to child, early and forced marriage, which include the right to education and the right to the highest attainable standard of physical and mental health, including the right to sexual and reproductive health, to promote equality in all aspects of marriage and its dissolution...”

<sup>18</sup> ‘Child, early and forced marriage’, UNGA Resolution 73/153 (28 July 2020) UN Doc A/75/262.

<sup>19</sup> African Charter on the Rights and Welfare of the Child 1990, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force Nov. 29, 1999. Article 21(2): Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.

<sup>20</sup> Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa 2003, Adopted by the 2nd Ordinary Session of the Assembly of the Union, 11th July 2003, Entry into Force 25th November 2005. Article 6: States Parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that: a) No marriage shall take place without the free and full consent of both parties; b) The minimum age of marriage for women shall be 18 years.

<sup>21</sup> Kigali Declaration, Moving from aspiration to action to prevent and eliminate child, early and forced marriage in the Commonwealth, May 2015.

<sup>22</sup> UNHRC, ‘Report of the Working Group on the Universal Periodic Review: Zambia- Addendum’ (16 March 2018) UN Doc A/HRC/37/14/Add.1, para 2(d).

<sup>23</sup> See UNHRC, ‘Report of the Working Group on the Universal Periodic Review: Zambia’ (9 January 2018) UN Doc A/HRC/37/14.

<sup>24</sup> Ministry of Gender, ‘National Strategy on Ending Child Marriage in Zambia 2016-2021’ page v available at <[www.girlsnotbrides.org/documents/1073/Zambia-National-Strategy-on-Child-Marriage-2016-2021.compressed.pdf](http://www.girlsnotbrides.org/documents/1073/Zambia-National-Strategy-on-Child-Marriage-2016-2021.compressed.pdf)>.

<sup>25</sup> ‘Accelerating Progress on Ending Child Marriage in Zambia’ (UNFPA, 30 November 2020) <<https://zambia.unfpa.org/en/news/accelerating-progress-ending-child-marriage-zambia>>.

<sup>26</sup> ‘Country Profile: Zambia’ <[www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/zambia](http://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/zambia)>; <[www.nac.org.zm/ccmzambia/download/national-operational-plan-for-the-adolescent-health-strategy-2017-2021/](http://www.nac.org.zm/ccmzambia/download/national-operational-plan-for-the-adolescent-health-strategy-2017-2021/)>.

<sup>27</sup> See ‘Seventh National Development Plan 2017-2021 (7NDP)’ pp. 32, 126 available at <[www.mndp.gov.zm/wp-content/uploads/2018/05/7NDP.pdf](http://www.mndp.gov.zm/wp-content/uploads/2018/05/7NDP.pdf)>.

<sup>28</sup> ‘SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage’ available at <[www.girlsnotbrides.org/documents/484/MODEL-LAW-ON-ERADICATING-CHILD-MARRIAGE-AND-PROTECTING-CHILDREN-ALREADY-IN-MARRIAGE.pdf](http://www.girlsnotbrides.org/documents/484/MODEL-LAW-ON-ERADICATING-CHILD-MARRIAGE-AND-PROTECTING-CHILDREN-ALREADY-IN-MARRIAGE.pdf)>.

<sup>29</sup> Michael Kaumba, ‘Children’s Code Bill To Be Tabled Before Parliament’ (ZNBC, 20 November 2021) <[www.znbc.co.zm/news/childrens-code-bill-to-be-tabled-before-parliament/](http://www.znbc.co.zm/news/childrens-code-bill-to-be-tabled-before-parliament/)>.

<sup>30</sup> *ibid*.

<sup>31</sup> Amna Nazir, ‘The Universal Periodic Review and the Death Penalty: A Case Study of Pakistan’ (2020) 4(1) RSIL Law Review 126, 153.

<sup>32</sup> See UPRinfo, ‘For impact on the ground the UPR needs SMART recommendations’ (21 October 2015) <<https://www.upr-info.org/en/news/for-impact-on-the-ground-the-upr-needs-smart-recommendations>>.

<sup>33</sup> ‘Zambia Hosts the First Steering Committee Meeting of the IBSA Fund on Ending Child Marriage’ (UN Women – Africa, 29 April 2020) <<https://africa.unwomen.org/en/news-and-events/stories/2020/04/zambia-ibsa-ending-child-marriage>>.

<sup>34</sup> Ministry of Gender, ‘National Advocacy and Communication Strategy on Ending Child Marriage in Zambia (2018-2021): Movers and Models for Change on Ending Child Marriage in Zambia’ available at <[www.unicef.org/zambia/media/1131/file/Zambia-ECM-advocacy\\_comms\\_strategy\\_2018-2019.pdf](http://www.unicef.org/zambia/media/1131/file/Zambia-ECM-advocacy_comms_strategy_2018-2019.pdf)>.

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<sup>35</sup> ‘Zambian MPs take action on child, early and forced marriage’ (*IPU*, 22 March 2018) <[www.ipu.org/news/news-in-brief/2018-03/zambian-mps-take-action-child-early-and-forced-marriage](http://www.ipu.org/news/news-in-brief/2018-03/zambian-mps-take-action-child-early-and-forced-marriage)>.

<sup>36</sup> UN Women Africa, ‘More Resources and Partnerships Essential to Ending Child Marriage and FGM’ (*UN Women*, 11 February 2019) <<https://africa.unwomen.org/en/news-and-events/stories/2019/02/more-resources-and-partnerships-essential-to-ending-child-marriage-and-fgm>>.

<sup>37</sup> UNFPA–UNICEF Global Programme to End Child Marriage, ‘Report: Phase I (2016–2019)’, <[www.unicef.org/media/83516/file/Child-marriage-annual-report-2019.pdf](http://www.unicef.org/media/83516/file/Child-marriage-annual-report-2019.pdf)>. The target countries under Phase I were: Bangladesh, Burkina Faso, Ethiopia, Ghana, India, Mozambique, Nepal, Niger, Sierra Leone, Uganda, Yemen and Zambia.

<sup>38</sup> UNFPA–UNICEF Global Programme to End Child Marriage, ‘Research Strategy for Phase II: The UNFPA–UNICEF Global Programme to End Child Marriage’ (5 November 2021) <<https://reliefweb.int/sites/reliefweb.int/files/resources/Child-marriage-research-strategy-2021.pdf>>.

<sup>39</sup> *ibid.*

<sup>40</sup> UNFPA–UNICEF Global Programme to End Child Marriage, ‘Act Now: Accelerating Gender Equality by Eliminating Child Marriage in a Pandemic’, Annual Report, October 2020, p. 15. <[www.unicef.org/media/108461/file/Act%20now.pdf](http://www.unicef.org/media/108461/file/Act%20now.pdf)>.

<sup>41</sup> *ibid.* 15.

<sup>42</sup> *ibid.*

<sup>43</sup> *ibid.*

<sup>44</sup> *ibid.* 16.

<sup>45</sup> *ibid.*

<sup>46</sup> *ibid.* 15.

<sup>47</sup> See the UN Sustainable Development Goals website, <<https://sustainabledevelopment.un.org/?menu=1300>>.

<sup>48</sup> *ibid.*

<sup>49</sup> Mama Fatima Singhateh, ‘A practical approach to addressing the sale and sexual exploitation of children’ (10 January 2022) UN Doc A/HRC/49/51, para 25.