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Regulating the Unregulated: Advancing Corporate Accountability for Child Labour in Zambia's Informal Economy through Mandatory Corporate Social Responsibility

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Abstract

Child labour remains a persistent challenge in Zambia, particularly within the agricultural sector where informal, household-based production systems predominate, despite the existence of a comparatively comprehensive legal and policy framework aligned with international standards and obligations. This paper adopts a qualitative research design grounded in doctrinal legal analysis and interpretive policy review, complemented by secondary empirical evidence, to examine the effectiveness of existing regulatory mechanisms. The study finds that the persistence of child labour reflects a structural gap in Zambia's legal and enforcement framework, which is predominantly oriented toward formal employment relationships and therefore, fails to address the informal sector where a significant proportion of child labour is reported to occur. Enforcement institutions exhibit similar limitations, with inspection systems concentrated in registered enterprises and weak coordination across agencies. These gaps are further compounded by socio-economic pressures, including poverty and post-pandemic economic shocks, which likely render existing estimates conservative. The paper argues that mandatory Corporate Social Responsibility (CSR), particularly through supply chain due diligence, offers a viable mechanism for extending accountability beyond formal employment and addressing child labour within agricultural value chains.

1. Introduction

Child labour remains one of the most persistent and complex challenges confronting contemporary labour administration, particularly within developing economies where structural inequalities and informal economic systems continue to shape patterns of production and livelihood. Despite decades of international commitment to the protection of children's rights, nearly 138 million children across the globe remain in child labour, with 54 million engaged in hazardous work that directly undermine their education, health, safety, and moral development (ILO & UNICEF, 2024). While normative frameworks at both international and domestic levels have evolved significantly, the persistence of child labour raises fundamental questions about the effectiveness of existing regulatory approaches and their capacity to respond to the realities of modern economic systems. In the Zambian context, this challenge is particularly pronounced within the agricultural sector, which constitutes a central pillar of the national economy and a primary source of livelihood for a majority of the population. Recent empirical evidence indicates that a significant number of children are engaged in child labour, with nearly 80% working on farms or at home (Zamstats, 2023), and hazardous forms of work are a concern. These patterns are not merely incidental but reflect deeper structural dynamics, including rural poverty and the labour-intensive nature of agricultural production. The predominance of child labour within informal and family-based production systems further complicates regulatory efforts, as such arrangements often fall outside the scope of traditional labour and employment law.

Zambia has, over time, undertaken significant efforts to strengthen its legal and policy framework on child labour. Through the domestication of international labour standards and the enactment of key legislative instruments such as the Employment Code Act and the Children's Code Act, the country has established a comprehensive normative regime aimed at protecting children from economic exploitation. However, the persistence of child labour despite these efforts suggests that the problem is not simply one of legal deficiency but of structural misalignment between regulatory frameworks and the socio-economic contexts in which they operate. In particular, the orientation of existing laws toward formal employment relationships limits their applicability in an economy where informality predominates, thereby leaving a substantial proportion of child labour effectively unregulated.

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This limitation is further reflected in the institutional architecture responsible for enforcement. Labour inspection systems are largely concentrated within formal enterprises, while the majority of child labour occurs in discrete and informal settings that are difficult to monitor. At the same time, the fragmentation of enforcement responsibilities across multiple agencies reduces the overall coherence and effectiveness of interventions. These challenges are further compounded by broader macroeconomic pressures that intensify household vulnerability and drive increased reliance on child labour as a coping mechanism.

Against this backdrop, this paper advances the argument that the persistence of child labour in Zambia is rooted in a structural gap within the current regulatory paradigm, one that is characterized by an over-reliance on state-centric enforcement mechanisms and a narrow focus on formal employment relationships. In an era of increasingly complex and interconnected production systems, particularly within agricultural value chains, such an approach is insufficient to address the diffuse and often hidden nature of child labour. There is, therefore, a need to reconceptualise labour administration in a manner that extends beyond traditional legal frameworks and incorporates the role of non-state actors, particularly corporations. The paper proposes that mandatory Corporate Social Responsibility (CSR), operationalized through enforceable supply chain due diligence obligations, offers a viable mechanism for addressing this gap. By imposing legal responsibilities on corporate actors to monitor and mitigate labour risks within their supply chains, mandatory CSR has the potential to extend accountability into informal and household-based production systems that are currently beyond the reach of conventional regulation. In doing so, it aligns corporate practices with labour standards while complementing existing state-based enforcement mechanisms.

2 Review of Literature

2.1 Conceptual and Definitional Perspectives on Child Labour

The phenomenon of child labour has attracted sustained scholarly attention across multiple disciplines, reflecting its complex and multifaceted nature. The literature reveals a lack of consensus on a universally accepted definition of child labour, a challenge that has significant implications for both policy formulation and enforcement. This definitional ambiguity stems from the broad spectrum of activities that may be categorised as child labour, ranging from exploitative wage employment to unpaid household work that nonetheless interferes with a child's development. As observed in existing studies, the absence of a consistent definitional framework complicates both the measurement and regulation of child labour, often resulting in fragmented or inadequate responses. Early attempts to define child labour tended to emphasise observable working conditions. While this perspective captures critical aspects of exploitation, it is limited in scope as it implicitly suggests that improved wages or reduced working hours may legitimise children's participation in labour. Such an interpretation overlooks the inherent vulnerability of children and fails to account for the nature of the work itself. In contrast, more expansive definitions seek to incorporate both the conditions and consequences of work. Further refinement of the concept is evident in attempts to incorporate age-based criteria. Hesketh and colleagues (2006), argued a definition that focuses on economic activities undertaken by children below the age of fifteen, excluding household work within parental homes. Although this approach introduces an important demographic dimension, it has been criticised for its narrow focus on economic activity and its exclusion of non-market forms of labour. Such limitations are particularly problematic in contexts like Zambia, where children's work often occurs within household and community settings that may not be formally recognised as economic activity but nonetheless impose significant developmental constraints.

The most widely accepted and comprehensive definition is that advanced by the International Labour Organization, which conceptualises child labour as work that deprives children of their childhood, dignity, and potential, and that is harmful to their physical and mental development (ILO,2013). This formulation integrates multiple dimensions, including the nature of the work, the age of the child, and the impact of work on education and development. It is reinforced by international legal instruments such as Convention No.138 on Minimum Age and Convention No. 182 on the Worst Forms of Child Labour, which establish minimum age thresholds and prohibit the worst forms of child labour (Busse & Braun, 2004). The strength of this approach lies in its holistic nature, as it recognises that child labour cannot be understood solely in terms of economic activity but must be assessed in relation to its broader developmental implications.

2.2 Structural Drivers of Child Labour

Beyond definitional debates, the literature also provides extensive insights into the structural drivers of child labour. A consistent theme across studies is the central role of poverty in shaping household decisions regarding children's participation in labour (Badji, 2016; Islam & Hoque, 2022). In many developing economies, children's work is not merely a choice but a necessity driven by economic survival (Badji, 2016). This is particularly evident in rural agricultural contexts, where households rely on family labour to sustain production (Badji, 2016). The agricultural sector, in this regard, emerges as the dominant site of child labour globally (Carter, 2017; Chan et al., 2022; ILO & UNICEF, 2024). As the literature indicates, farming constitutes the primary avenue for children's economic engagement across diverse geographical regions, with smallholder family farms accounting for the majority of child labour cases (Carter, 2017; Chan et al., 2022).

The prevalence of child labour in agriculture is further reinforced by the sector's structural characteristics. Agricultural production is inherently labour-intensive, seasonal, and often characterised by informality (Krauß, 2016; Rambe, 2018). These features create conditions in which the use of child labour becomes both economically advantageous and difficult to regulate. Moreover, the literature highlights significant variations in the incidence of child labour across and within countries, reflecting differences in socio-economic conditions, institutional capacity, and cultural norms (Abdullah et al., 2022; Webbink et al., 2011). In many cases, children begin working at a very early age, often between ten and eleven years, with boys and girls experiencing different forms of labour (Boyden et al., 2020; Putnick & Bornstein, 2016). While boys are more likely to be engaged in hazardous tasks, girls frequently combine agricultural work with domestic responsibilities, resulting in a double burden that is less visible but equally detrimental (Mensch et al., 1998; Putnick & Bornstein, 2016).

2.3 Child Labour in Zambia: Prevalence and Sectoral Dynamics

The Zambian context reflects many of the prevailing global patterns of child labour, albeit with distinct national characteristics shaped by demographic structure and the predominance of informal economic activity. With children constituting a significant proportion of the population, the scale of child labour is considerable. Data from national surveys indicate that approximately 3,656,444 children are engaged in work-related activities, the vast majority of which are unpaid and concentrated in the agricultural sector (ZamStats, 2023). Estimates further reveal that child labour remains pervasive, with about 610,105 children engaged in child labour as of 2023, of whom 58.5 per cent are female and 41.5 per cent male. The phenomenon is disproportionately concentrated in rural areas, which account for 60.3 per cent of cases compared to 39.7 per cent in urban settings, reflecting the structural dominance of informal, household-based production systems in rural livelihoods (ZamStats, 2023).

Of particular concern is the prevalence of hazardous work, involving approximately 272,432 children, with 51.3 per cent being female and a significant 59.4 per cent located in rural areas, thereby underscoring pronounced gendered and spatial vulnerabilities within the child labour landscape (ZamStats, 2023). The evidence indicates that child labour in Zambia is largely embedded in unpaid, home-based economic activities, especially within agriculture, where regulatory oversight remains limited. This predominance of unpaid family labour exposes the limitations of legal and regulatory frameworks that are primarily oriented toward formal employment relationships. At the same time, the rural–urban distribution of child labour reveals a marked rural bias, with agricultural work dominating in rural areas while service-oriented activities are more prevalent in urban contexts. These dynamics are further compounded by educational constraints, as limited accessibility and affordability of schooling contribute to elevated dropout rates and reduced literacy outcomes, thereby reinforcing cycles of vulnerability and intergenerational poverty (ZamStats, 2023). Collectively, these patterns underscore the need for context-specific policy and regulatory interventions that address the structural realities of Zambia's rural and informal economies.

2.4 International Legal and Institutional Frameworks

The literature also emphasises the role of international legal frameworks in shaping national responses to child labour. Instruments such as the ILO Conventions 138 and 182 establish binding obligations on states to eliminate child labour and protect children from exploitation. These conventions are complemented by recommendations and policy frameworks that provide guidance on implementation. The establishment of the International Programme on the Elimination of Child Labour (IPEC) represents a significant institutional response, aimed at supporting governments and stakeholders in addressing the problem through technical assistance, advocacy, and programme implementation. Notably, the literature points to an increasing recognition of the role of non-state actors, particularly corporations, in addressing child labour. Through initiatives such as IPEC, efforts have been made to integrate Corporate Social Responsibility (CSR) into strategies for combating child labour, particularly within the agricultural sector. This reflects an understanding that the problem extends beyond the capacity of governments alone and requires a collaborative approach involving multiple stakeholders. However, while CSR initiatives have shown potential, their voluntary nature has limited their effectiveness, particularly in contexts characterised by weak regulatory enforcement and fragmented institutional frameworks.

Scholarly discussions on CSR further reveal a shift towards more structured and accountable approaches (Bani-Khalid & Ahmed, 2017). Codes of conduct, certification systems, and supply chain monitoring mechanisms have emerged as key tools for promoting responsible business practices (Midttun, 2021; Zorzini et al., 2015). The effectiveness of these mechanisms, however, depends on their scope, enforceability, and alignment with local legal frameworks (Baikakedi, 2023; Kocher, 2021). As the literature suggests, codes of conduct that extend to suppliers and subcontractors are more likely to improve compliance across supply chains, while certification systems can enhance transparency and consumer awareness (Boström et al., 2014; Zorzini et al., 2015). Nevertheless, challenges such as weak coordination, limited stakeholder engagement, and "volunteer fatigue" continue to constrain the impact of CSR initiatives (Hauser et al., 2023; Malik & Sharma, 2023; Santos & Fernández, 2017).

The Zambian regulatory framework does not impose a binding obligation on companies to undertake Corporate Social Responsibility, leaving most CSR initiatives voluntary, fragmented, and often peripheral to core business operations. While statutes such as the Employment Code Act No. 3 of 2019 and the Companies Act No. 10 of 2017 provide for labour standards, corporate governance, and limited disclosure requirements, they do not mandate comprehensive social or environmental due diligence across business operations and supply chains. As a result, corporate engagement with issues such as child labour is largely discretionary and frequently driven by reputational considerations rather than enforceable legal duties. This voluntary approach is particularly inadequate in the context of Zambia's predominantly informal economy, where child labour is most prevalent and where regulatory oversight is weakest. In the absence of mandatory CSR frameworks, especially those requiring supply chain accountability, there is little incentive for firms to systematically identify, prevent, and remediate child labour within their production networks. Consequently, the lack of enforceable CSR obligations represents a significant regulatory gap, undermining efforts to address child labour in a holistic and sustainable manner.

Overall, the literature underscores the complexity of child labour as a socio-economic and legal issue (Goyal, 2025; Hanafi et al., 2024). It highlights the limitations of traditional regulatory approaches and points to the need for more integrated and innovative solutions (Boersma, 2017; Foua & Diriwari, 2019). In particular, the growing emphasis on corporate responsibility and supply chain accountability provides a compelling basis for exploring mandatory CSR as a mechanism for addressing child labour in sectors such as agriculture (Boersma, 2017; LeClercq, 2021).

2.5 National Legal and Policy Frameworks on child labour in Zambia

Zambia possesses an extensive legal framework for labour protection, which includes fundamental rights outlined in the country's constitution, and further legal instruments such as the Employment Code Act, the Children's Code Act, and the Factories Act (Gadzala, 2010). These laws collectively form the legal foundation for employment relationships and employee welfare (Gadzala, 2010). Furthermore, Zambia is a signatory to conventions of the International Labour Organisation, indicating alignment with international standards on child labour (Vambe & Saurombe, 2018). This alignment is commonly illustrated in the literature through patterns of treaty ratification and domestication, as summarised below.

Table 1: Status Matrix on Ratification of International Conventions on Child Labour (Zambia)

International Instrument	Ratification Status
✅ ILO Convention No. 138 on Minimum Age	Ratified
✅ ILO Convention No. 182 on the Worst Forms of Child Labour	Ratified
✅ United Nations Convention on the Rights of the Child (CRC)	Ratified
✅ CRC Optional Protocol on the Involvement of Children in Armed Conflict	Ratified
❌ CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	Not Ratified
✅ Palermo Protocol on Trafficking in Persons	Ratified

Source: Compiled from ILO treaty database, United Nations treaty collection, and Government of Zambia reports.

Table 2: Compliance with International Standards on Child Labour Regulations (Zambia)

Area of Compliance	International Standard	Status	Minimum Age	Principal Domestic Legislation
Employment	Minimum age for admission to employment	Compliant	15 years	Constitution (Art. 24); Employment Code Act, Section 16
	Minimum age for hazardous work	Compliant	18 years	Employment Code Act; Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order
	Identification of hazardous occupations prohibited for children	Compliant	–	Hazardous Labour Order; Children's Code Act No. 12 of 2022, Section 13
Protection from Exploitation	Prohibition of forced labour	Compliant	–	Constitution (Arts. 14 & 24); Penal Code (Sections 143 & 263); Anti-Human Trafficking Act, 2008
	Prohibition of commercial sexual exploitation of children	Compliant	–	Penal Code, Section 144; Hazardous Labour Order (2013); Children's Code Act No. 12 of 2022, Section 17
	Prohibition of the use of children in illicit activities	Compliant	–	Hazardous Labour Order (2013), Section 2
Armed Conflict	Minimum age for voluntary military recruitment	Compliant	18 years	Defence Act, Section 14
	Prohibition of recruitment by non-state armed groups	Compliant	–	Anti-Human Trafficking Act, 2008, Section 3
Education	Compulsory education	Compliant	–	Education Act, 2011, Section 16
	Free public education	Compliant	–	Education Act, 2011, Section 15

Source: Compiled from Government of Zambia legislation and international labour standards.

Notwithstanding this formal adequacy, a growing strand of literature highlights significant internal inconsistencies within the legal framework, particularly in relation to definitional clarity. Scholars have noted a lack of coherence in the treatment of key legal categories such as “child,” “young person,” and “young child” across the Constitution, the Employment Code Act, the Education Act, and the Children’s Code Act. This inconsistency has significant implications for both interpretation and enforcement in the fight against child labour and its worst forms. At the constitutional level, a “child” is defined broadly as any person below the age of eighteen years, thereby aligning with international standards such as the Convention on the Rights of the Child. However, the Constitution introduces complexity through its dual definition of a “young person.” In Article 24, a young person is defined as any person under the age of fifteen, whereas Article 266 defines a young person as a person who has attained the age of fifteen but is below nineteen. These internally inconsistent definitions generate immediate interpretive uncertainty, particularly where legislation relies on constitutional definitions without contextual clarification, or where multiple contexts are conflated within a single statutory framework, as is the case in Part V of the Employment Code Act.

The Employment Code Act compounds this ambiguity by adopting constitutional definitions without specifying which version applies. It provides that a “child” and a “young person” bear the meanings assigned in the Constitution, yet simultaneously introduces the term “young child,” defined as a person below the age of fifteen. Which is exactly the same definition assigned to a young person in Article 24 of the Constitution. This layering of terminology: child, young child, and young person, without clear hierarchical or contextual distinction creates overlapping categories that are difficult to reconcile in practice. As a result, enforcement officers may struggle to determine which category applies in a given situation, particularly when assessing whether certain forms of work are permissible or prohibited. This ambiguity is especially problematic in the regulation of hazardous and worst forms of child labour, where precise age thresholds are critical (Edmonds & Shrestha, 2012).

The Children’s Code Act adopts a more straightforward and internationally consistent approach by defining a child as a person below the age of eighteen years. This clarity supports a rights-based framework for child protection. However, its effectiveness is undermined when read alongside other statutes that employ divergent terminology. Similarly, the Education Act reinforces compulsory education obligations but does not fully harmonise its age-related provisions with labour legislation, particularly in relation to children who are out of school (Vambe & Saurombe, 2018). This disconnect creates a regulatory gap that allows children who fall outside the education system to be legally engaged in work under certain conditions, thereby weakening protections against exploitation.

The cumulative effect of these inconsistencies is a fragmented legal regime in which different statutes adopt varying and sometimes conflicting definitions of key categories. This fragmentation undermines the principle of legal certainty, making it difficult for both regulators and duty bearers to interpret and apply the law consistently. In enforcement terms, the ambiguity creates opportunities for evasion and weakens accountability, particularly in informal sectors such as agriculture where child labour is most prevalent. For instance, uncertainty over whether an individual aged 15 – 17 qualifies as a child or a young person may affect the classification of work as hazardous or permissible, thereby complicating prosecution and compliance efforts. Moreover, the definitional inconsistencies dilute the effectiveness of Zambia’s alignment with international standards, particularly those requiring the prohibition of the worst forms of child labour for all persons under eighteen.

The literature further indicates that Zambia has developed a comprehensive policy architecture aimed at addressing child labour. National policy documents, including the National Child Labour Policy and related development frameworks, emphasise access to education, poverty reduction, and multi-sectoral coordination. These policies are generally viewed as reflecting strong alignment with international commitments and a clear recognition of the multi-dimensional nature of child labour (Vambe & Saurombe, 2018). However, scholarly analyses consistently highlight a disconnect between policy design and implementation. Evidence drawn from institutional studies points to significant constraints, including limited financial resources, inadequate human capacity, logistical challenges such as lack of transport for labour inspections, and weak inter-agency coordination. As a result, enforcement efforts tend to be concentrated within the formal sector, leaving the informal agricultural economy, where child labour is most prevalent, largely outside effective regulatory reach.

A substantial body of literature emphasises the existence of a structural misalignment between Zambia’s legal and policy frameworks and the socio-economic realities of its agricultural sector. Studies consistently show that child labour in agriculture is predominantly informal, unpaid, and embedded within household-based production systems. Consequently, it falls outside the regulatory scope of legal frameworks designed for formal employer–employee relationships (Vambe & Saurombe, 2018). This structural gap explains the persistence of child labour despite the existence of comprehensive legal and policy frameworks, highlighting a fundamental issue of regulatory design rather than merely enforcement failure (Vambe & Saurombe, 2018).

2.6 Socio-Economic Drivers of Child Labour in Zambia

Empirical and theoretical studies consistently identify poverty as the primary driver of child labour in Zambia, particularly in rural and agricultural contexts. Households facing economic hardship often rely on children's labour as a coping mechanism, a dynamic that is closely linked to food insecurity, limited livelihood opportunities, and broader socio-economic vulnerabilities (Jensen & Nielsen, 1996; Phiri, 2016). In addition, cultural norms are frequently identified as reinforcing child labour practices. In many rural communities, children's participation in agricultural work is perceived as part of socialisation and skill acquisition. While not inherently exploitative, such practices often extend into forms of labour that interfere with education and pose risks to children's health and development. This dual character of child work complicates regulatory interventions and underscores the need for context-sensitive approaches (Phiri, 2016).

The literature further identifies demand-side dynamics as a critical driver of the persistence of child labour globally (Fatima, 2017), a pattern that is equally evident in the Zambian context. The agricultural sector's reliance on cheap and unskilled labour creates incentives for the use of children, particularly within fragmented value chains (Corcione, 2022; Kissi & Herzig, 2024). Both small-scale producers and larger commercial actors are implicated in this dynamic (Boersma, 2017). Of particular significance is the role of indirect employment arrangements, such as piecework and out-grower schemes, which enable companies to benefit from child labour without establishing direct employment relationships (Barrientos, 2013). Scholars argue that existing legal frameworks are largely ineffective in addressing such indirect forms of labour exploitation, thereby exposing a significant gap in corporate accountability (Boersma, 2018; Enneking, 2019).

The effectiveness of child labour regulation is further constrained by institutional limitations, as widely documented in the literature (Doepke & Krueger, 2008; Gusti, 2025). In Zambia, although legal mandates are generally well-defined across multiple agencies, enforcement is usually hindered by resource constraints, including insufficient funding, limited personnel, and logistical challenges. These constraints contribute to enforcement patterns that are largely reactive and urban-centred, leaving rural and informal sectors inadequately monitored.

3 Methodology

The study adopted a qualitative research design anchored in doctrinal legal analysis and interpretive policy evaluation, complemented by the use of secondary empirical data. The choice of methodology was informed by the nature of the research problem, which was concerned not merely with measuring the incidence of child labour, but with interrogating the adequacy of existing legal and policy frameworks and their responsiveness to the socio-economic realities of Zambia's agricultural sector. In this regard, a qualitative approach provided the necessary analytical depth to examine the relationship between law, policy, and practice, and to identify structural gaps that might not have been readily apparent through quantitative techniques alone.

The doctrinal component of the study involved a systematic examination of primary legal sources governing child labour in Zambia. This included constitutional provisions, labour legislation, child protection statutes, and subsidiary regulations, as well as international legal instruments that Zambia had ratified, particularly those developed under the auspices of the International Labour Organization and the United Nations. Through this analysis, the study assessed the extent to which domestic law aligned with international standards, with particular attention to provisions relating to minimum age, hazardous work, and the prohibition of the worst forms of child labour. The doctrinal analysis further explored the scope and limitations of these legal instruments, especially in relation to their applicability to informal labour arrangements and agricultural production systems. In addition to legal texts, the study undertook an interpretive review of policy documents, including national action plans, labour policies, and child protection strategies. This policy analysis was designed to evaluate the coherence, implementation mechanisms, and institutional arrangements underpinning Zambia's efforts to combat child labour. By examining how policy objectives were translated into practice, the study was able to identify discrepancies between formal commitments and actual outcomes. The study placed particular emphasis on the extent to which policy frameworks addressed the realities of rural economies, where child labour was most prevalent.

To complement the doctrinal and policy analysis, the study drew on secondary empirical data derived from existing literature, national surveys, and international reports. Sources such as labour force surveys, reports by international organisations, and prior academic studies provided insights into the prevalence, distribution, and nature of child labour in Zambia. These empirical materials were not treated as ends in themselves, but rather as contextual evidence that informed the legal and policy analysis. By integrating empirical observations with normative evaluation, the study was able to ground its arguments in the lived realities of affected populations while maintaining a critical focus on regulatory frameworks.

The analytical approach adopted in the study was interpretive and problem-oriented. Rather than simply describing existing laws and policies, the analysis sought to uncover the underlying structural factors that contributed to the persistence of child labour. This involved examining the assumptions embedded within legal frameworks, particularly the emphasis on formal employment relationships, and assessing their suitability in contexts characterised by informality and fragmented production systems. The methodology thus allowed for a critical interrogation of the regulatory paradigm itself, rather than its mere application. The analysis also incorporated a comparative dimension, drawing on developments in other jurisdictions that had adopted mandatory Corporate Social Responsibility frameworks, particularly in the form of human rights due diligence obligations. While the study did not undertake a full comparative legal analysis, it selectively engaged with these experiences to illustrate how corporate accountability could be extended across supply chains. This comparative perspective served to inform the normative argument advanced in the paper, namely that similar approaches could be adapted to the Zambian context to address existing regulatory gaps.

Through this integrated methodological approach, the study arrived at its central finding: that the persistence of child labour in Zambia's agricultural sector was not solely a function of weak enforcement, but was rooted in a structural misalignment between legal frameworks and economic realities. By combining doctrinal analysis, policy evaluation, and empirical contextualisation, the methodology provided a robust foundation for advancing the argument that mandatory Corporate Social Responsibility offered a viable mechanism for enhancing accountability and addressing child labour within agricultural value chains.

4 Findings and Discussion

The findings of this study reveal a complex interplay between legal adequacy, institutional limitations, and socio-economic realities that collectively explain the persistence of child labour in Zambia's agricultural sector. Consistent with the methodological approach adopted, the analysis integrates doctrinal legal evaluation, interpretive policy review, and empirical contextualisation to demonstrate that the challenge of child labour is not merely a function of weak enforcement, but rather reflects a deeper structural misalignment between regulatory frameworks and the lived realities of informal rural economies.

At the normative level, the study establishes that both the international and domestic legal frameworks governing child labour are, in principle, comprehensive and well-developed. International instruments, including the International Labour Organization conventions on minimum age and the worst forms of child labour, as well as broader human rights treaties, provide a robust foundation for the protection of children against economic exploitation. These standards impose clear obligations on states to prohibit hazardous work, regulate minimum age thresholds, and eliminate the worst forms of child labour. Similarly, Zambia has demonstrated substantial formal compliance through the ratification of key international instruments and the domestication of these standards into its constitutional and statutory framework. The Constitution, the Employment Code Act, and related legislation collectively establish minimum age requirements, prohibit hazardous and exploitative labour, and criminalise practices such as trafficking and forced labour.

However, notwithstanding this apparent legal sufficiency, the findings reveal significant limitations in the scope, coherence, and applicability of these frameworks. A central weakness lies in the conceptual orientation of labour regulation, which is predominantly structured around formal employer–employee relationships. This orientation renders the legal framework ill-suited to address child labour in the agricultural sector, where work is largely informal, unpaid, and embedded within family-based production systems. As a result, a substantial proportion of child labour falls outside the effective reach of existing laws. Furthermore, inconsistencies, such as ambiguities in the definition of "Child," "young child" and "young person," gaps in the categorisation of hazardous and worst forms of labour, and exemptions that permit the employment of out-of-school children, undermine the clarity and enforceability of legal provisions. These findings support the argument that legal adequacy at a formal level does not necessarily translate into regulatory effectiveness in practice.

The policy framework, while similarly comprehensive in design, exhibits parallel implementation challenges. National policies and action plan articulate clear commitments to the elimination of child labour and emphasise interventions such as improved access to education, community engagement, and social protection. However, the study identifies a disconnect between policy intent and operational realities. Institutional coordination mechanisms exist, but their effectiveness is constrained by resource limitations, including inadequate funding, insufficient personnel, and logistical challenges such as lack of transport for labour inspections. Consequently, enforcement efforts remain largely concentrated in the formal sector, leaving the informal agricultural economy, where child labour is most prevalent, relatively unregulated. This reinforces the structural gap identified in the doctrinal analysis.

Findings further illuminate the socio-economic drivers underpinning the persistence of child labour. Poverty emerges as a primary and pervasive factor, compelling households to rely on children's labour as a survival strategy. This economic pressure is closely intertwined with limited access to education, food insecurity, and broader vulnerabilities within rural livelihoods. Cultural norms also play a significant role, particularly in agrarian communities where children's participation in farming activities is often perceived as part of socialisation and skill transmission. While such practices may not inherently constitute exploitative labour, the findings indicate that they frequently blur into forms of work that are detrimental to children's education, health, and development. In addition, the demand for cheap and unskilled labour within agricultural value chains creates further incentives for the use of child labour. Both small-scale farmers and larger commercial actors are implicated in this dynamic, often through indirect arrangements such as piecework and out-grower schemes. These arrangements enable companies to benefit from child labour without assuming direct legal responsibility, thereby exposing a critical regulatory gap. Existing laws are largely ineffective in holding corporate actors accountable for labour practices within their supply chains. This finding is particularly significant, as it underscores the limitations of a regulatory approach that focuses narrowly on direct employment relationships while neglecting broader economic linkages.

A significant normative finding of the study is the potential of Corporate Social Responsibility (CSR) to address the limitations of existing regulatory frameworks. This conclusion was informed by both the doctrinal analysis of international CSR-related instruments and the empirical examination of practical initiatives within Zambia. While international frameworks, such as the United Nations Guiding Principles on Business and Human Rights, recognise the role of businesses in respecting human rights, they remain largely non-binding. Nevertheless, evidence from practice demonstrates that CSR can serve as an effective mechanism for addressing child labour, particularly when applied across supply chains. To illustrate the structural gap between legal frameworks and economic realities, Table 1 provides a simplified analytical summary.

Table 3: Structural Alignment Between Legal Framework and Agricultural Reality

Dimension	Formal Legal Framework	Agricultural Sector Reality
Labour Relationship	Employer–employee based	Family-based, informal, unpaid
Regulatory Coverage	High (formal sector)	Low (informal sector)
Enforcement Mechanisms	Institutionalised inspections	Limited scope in rural areas
Corporate Accountability	Weak (no mandatory CSR)	Indirect influence via supply chains
Socio-economic Consideration	Limited integration	Central (poverty-driven labour decisions)

5 Conclusion

The evidence presented in this study therefore supports the central argument that the persistence of child labour in Zambia's agricultural sector is structurally embedded rather than merely a consequence of weak enforcement. The misalignment between formal legal frameworks and the realities of informal economic activity creates regulatory blind spots that allow child labour to persist. In this context, the integration of mandatory CSR, particularly through supply chain due diligence, emerges as a viable and necessary extension of existing regulatory approaches. By shifting the focus from direct employment to broader economic relationships, such an approach has the potential to enhance accountability, address underlying socio-economic drivers, and contribute to the sustainable elimination of child labour.

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Ethical considerations

The article followed all ethical standards appropriate for this kind of research.

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