

Committee on the Application of Standards

CAN/PV.7

Commission de l'application des normes

05.06.25

Comisión de Aplicación de Normas

113th Session, Geneva, 2025

113^e session, Genève, 2025113.^a reunión, Ginebra, 2025

Warning: this document is a draft and may contain omissions or errors. It is made available solely for the purpose of verification and correction. Persons referred to in this document are not to be regarded as bound by statements attributed to them. The ILO declines all responsibility for any errors or omissions which this document may contain, or for any use which may be made of it by third parties.

Avertissement: ce document est un projet, qui peut comporter des omissions ou des erreurs et n'est rendu public qu'à des fins de vérification et de rectification. Les mentions contenues dans ce document provisoire n'engagent pas les personnes dont les propos sont rapportés. La responsabilité du BIT ne saurait être engagée à raison des éventuelles erreurs et omissions entachant ce document, ou de l'utilisation qui pourrait en être faite par des tiers.

Advertencia: el presente documento es un proyecto y puede contener omisiones o errores. Solo se publica a efectos de comprobación y rectificación. Las declaraciones que se atribuyen en el presente documento provisional a las personas citadas en él no comprometen su responsabilidad. La OIT queda exenta de toda responsabilidad respecto de cualquier error u omisión que pudiera figurar en el presente documento o que pudiera derivarse del uso del documento por terceros.

Neuvième séance, 5 juin 2025, 16 h 45**Ninth sitting, 5 June 2025, 4.45 p.m.****Novena sesión, 5 de junio de 2025, 16.45 horas**

Président: M. Tabai
Chairperson: Mr Tabai
Presidente: Sr. Tabai

Discussion des cas individuels (*suite*)**Discussion of individual cases (*cont.*)****Discusión de los casos individuales (*cont.*)****Zambia (ratification: 1964)**

Convention (n° 29) sur le travail forcé, 1930

Forced Labour Convention, 1930 (No. 29)

Convenio sobre el trabajo forzoso, 1930 (núm. 29)

Président – Avant de commencer l'examen de ce cas, je vous informe que la période d'amendements aux procès-verbaux concernant la séance d'ouverture, la discussion générale,

les deux procès-verbaux de la discussion de l'Étude d'ensemble et le procès-verbal de la discussion des cas de manquements graves est terminée.

Travaux de la Commission

La commission a adopté, tels qu'amendés, les PV relatifs à la séance d'ouverture, à la discussion générale, à la discussion de l'Étude d'ensemble et à la discussion des cas de manquements graves.

Work of the Committee

PV – Opening Sitting, PV – General Discussion, PV – Discussion of the General Survey, PV – Discussion of cases of serious failure were adopted, as amended.

Trabajos de la Comisión

Las actas relativas a la sesión de apertura, a la discusión general, a la discusión sobre el Estudio General, y a la discusión sobre los casos de incumplimiento grave se adoptaron, en su tenor modificado.

Nous allons commencer l'examen du quatrième cas individuel à l'ordre du jour. Il s'agit de l'examen du cas concernant la Zambie sur l'application de la convention (n° 29) sur le travail forcé, 1930.

J'informe la commission que nous avons 25 délégués inscrits pour prendre la parole.

À cet égard, je voudrais informer tous les délégués que le bureau de la commission a décidé de réduire le temps de parole des délégués gouvernementaux individuels de 5 à 3 minutes pour la discussion de ce cas.

J'ai l'honneur d'inviter l'honorable représentant du gouvernement de la Zambie, M. Zechariah Luhanga, secrétaire permanent, ministère du Travail et de la Sécurité sociale, à prendre la parole.

Government representative (Mr LUHANGA) – The Government of the Republic of Zambia acknowledges receipt of the request issued by the Committee of Experts concerning the implementation of our National Policy on Human Trafficking and Smuggling of Migrants and the provision of compulsory national service under the Zambian National Service (ZNS) Act.

We appreciate the role of the supervisory system in supporting Member States to strengthen the application of international labour standards. In this regard, we welcome the opportunity to provide the information requested in the observation and offer the following responses:

(1) measures taken to implement the National Policy on Human Trafficking and Smuggling of Migrants and achieve its objectives.

Zambia has taken extensive steps to implement the policy, which include:

1.1 development of a comprehensive national implementation plan for the National Policy on Human Trafficking and Smuggling of Migrants to guide operationalization.

1.2 amendment of the Anti-Human Trafficking Act No. 11 of 2008, which resulted in the following:

(a) the establishment of the Anti-Human Trafficking Department which is mandated to coordinate all institutions involved in matters relating to human trafficking;

(b) operationalization of the Anti-Human Trafficking Department;

- (c) enhancement of legal provisions through the inclusion of a specific section in the Act criminalizing child trafficking;
- (d) revision of the composition and functions of the National Committee on Human Trafficking;
- (e) introduction of a provision for the certification of victims;
- (f) expansion of the scope of authorized officers empowered to handle trafficking cases which now includes officers from the Anti-Corruption Commission, Anti-Human Trafficking Department, Drug Enforcement Commission and Immigration Department.

- 1.3 a fourth pillar, "*Partnerships*" was introduced to foster a multi-sector response to human trafficking. This has enabled wide ranging engagement from institutions and stakeholders at the national level. The Anti-Human Trafficking Department also actively participates in meetings, workshops and training sessions on human trafficking at national, regional and international levels;
- 1.4 continued engagement with various stakeholders is ensured through the National Committee on Human Trafficking which convenes at least once per quarter to deliberate on human trafficking matters;
- 1.5 a dedicated budget line has been created and funded for the Anti-Human Trafficking Department to support the implementation of anti-trafficking activities;
- 1.6 the Victim Fund has been established and guidelines for its disbursement are currently under development;
- 1.7 a Partnership Agreement has been signed between the Government and the Government of the United States of America to combat human trafficking. Under

this agreement, the United States Government has committed to providing a total of US\$12 million over a five-year period to support Zambia's anti-human trafficking efforts.

(2) Victim Identification and Assistance: from 1 January to 31 December 2024, 186 victims were identified, out of which 73 received various forms of assistance such as shelter, food, clothing, psychosocial counselling, translation and interpretation services, legal services and repatriation support.

(3) Efforts to strengthen the capacity of law enforcement officials for them to effectively identify, promptly investigate and prosecute cases of trafficking with emphasis given to the sectors where women are victims of trafficking.

3.1 During the same period, 41 cases were investigated, 22 prosecuted and 5 convictions secured.

3.2 Of the five convictions secured, one of the penalties imposed was a sentence of 13 years imprisonment with hard labour for attempted human trafficking.

(4) To promote greater awareness and effective implementation of the Anti-Human Trafficking Act, the Government undertook a series of targeted interventions during the reporting period. These include:

4.1 Public Awareness and Education: A range of public sensitization activities were conducted nationwide using television, radio broadcasts and community meetings. These platforms were employed to disseminate information on the provisions of the Anti-Human Trafficking Act, the rights of individuals and available channels for reporting suspected cases of trafficking in persons.

4.2 Capacity-Building and Institutional Strengthening: A total of 2,204 officers from various law enforcement institutions received specialized training on trafficking in persons between 1 January and 31 December 2024. The purpose of the training was to enhance the ability to identify, investigate and prosecute trafficking cases, with particular attention to sectors where women are especially vulnerable.

4.3 Development of Supporting Instruments: I wish to submit that the following instruments have been developed or are undergoing development:

- (a) regulations to guide procedures on victim identification, reporting and certification;
- (b) a revised National Referral Mechanism for coordinated support and case management;
- (c) a National Data and Case Management System on Human Trafficking;
- (d) guidelines for the administration of the Victim Fund;
- (e) a National Communication Strategy on Human Trafficking;
- (f) a standard training curriculum on trafficking in persons; and
- (g) a Judicial Desk Guide to assist judicial officers in handling trafficking-related cases.

Additionally, the Cabinet has approved the Children's Code (Probation Committee) Regulations 2025, in May this year, in order to enhance oversight, support and guidance to children placed on probation. Cabinet has further approved the Children's Code (National Coordinating Committee for Children) Regulations 2025, in order to formalize and ensure the proper functioning of the Committee which will oversee the implementation of child protection policies and programmes in Zambia.

- 4.4 Nature of National Service in Zambia: Zambia takes note of the observations of the Committee of Experts. However, concerning the reintroduced national service training, we wish to state that Zambia did not impose a compulsory national service but instead reintroduced a voluntary citizen empowerment programme.
5. To that end and I want to emphasize that the ZNS Act has undergone a consultative process of its amendment and Cabinet approved in principle this Act. The amendment includes the merging of the ZNS and the Defence Acts into one consolidated Act. The draft amendment Bill was submitted to the Minister of Justice. However, the process awaits the conclusion of the defence policy which is under the Minister of Defence. These amendments take into account the provision which seemingly contravenes the Convention, that is to do with compulsory training.
6. On the other hand, it is important to emphasize that, while the ZNS operates under the mandate of the National Service Act, Cap 121 of the Laws of Zambia (specifically, section 3 of the Act permits compulsory national service of a non-military character), Zambia does not conduct compulsory military training for citizens. The ZNS youth programmes offered to the youth are designed to equip school leavers and non-school leavers with essential skills that are beneficial for their personal and professional development, thereby contributing to national development.

The said training is entirely voluntary. Zambia recognizes the importance of providing young individuals with opportunities to develop skills that will enhance employability and contribute positively to society. The programmes focus on various life support skills, including leadership, teamwork and vocational training, which are crucial for fostering self-reliance and resilience among our youth.

Zambia is committed to ensuring that participation in the training programme is based on the individual's choice and the voluntary aspect is promoted to all potential participants. Zambia's goal is to empower young people and not to impose any form of compulsory service.

Zambia is dedicated to aligning its programmes with the international labour standards and the principles adopted by the Conference. Training initiatives are continually reviewed to ensure they meet the evolving needs of our society while respecting the rights and freedoms of all individuals.

The reintroduction of the National Service Training resonates with the Act which provides for a voluntary enlisting for citizens after which those trained can undergo a period of apprenticeship in any business, trade, profession or vocation.

The ZNS programme contributes to a broader national and international objective in addressing youth unemployment, skills gap, under-skilling and decent work deficits.

These efforts are aligned with Zambia's commitment to the ILO Resolution on Skills and Lifelong Learning 2030 adopted at the 109th Session of the Conference in 2021.

In furtherance of these commitments, Zambia launched the four-year Skills Development for Employability Programme in 2023, with support from the ILO and the European Union, with the aim of enhancing the relevance, quality and governance of our TEVET system.

As I conclude, the Government remains committed to upholding its obligations under international labour standards and ensuring the effective implementation of relevant legislation and policies.

The measures outlined in this statement reflect ongoing efforts to strengthen institutional capacity, enhance coordination among stakeholders and promote rights-based approaches across all areas of concern raised by the Committee of Experts.

The Government will continue to engage constructively with the Committee and stands ready to provide further information and clarification where required.

Zambia is open to technical and financial assistance from the ILO to accelerate our efforts towards achieving decent work.

Président – J'invite maintenant les deux porte-paroles à faire leurs déclarations.

Je donne la parole à M^{me} Zingiswa Losi, porte-parole des travailleurs, pour sa déclaration.

Worker members – We are examining Zambia's application of Convention No. 29, a fundamental Convention ratified by Zambia in 1964.

This is the first time Zambia's application of the Convention, in law and in practice, is being discussed in our Committee.

The Committee of Experts has issued three observations between 2016 and 2024.

Let me begin with the issue of trafficking in persons.

We would like to acknowledge the steps taken by the Government of Zambia. As noted by the Committee of Experts, the adoption in 2022 of the National Policy on Human Trafficking and Smuggling of Migrants along with its implementation plan represents a notable step in combating trafficking as a form of forced labour.

We note that the plan recognizes Zambia as a source, transit and destination country for victims of trafficking. It also highlights an increase in reported cases. We commend the Government for candidly acknowledging the scale of the challenge. Transparency is the first step towards effective action to suppress forced labour.

However, we are concerned that, without effective measures and political will, the implementation of this policy may remain a paper commitment.

Clearly, without the necessary expertise, institutional coordination and financial support, the plan's objectives will remain unfulfilled and the situation could deteriorate further.

We therefore join the Committee of Experts in requesting the Government to provide detailed information on:

- the measures taken to implement the National Policy;
- any assessments conducted on its implementation and effectiveness; and
- the results achieved so far.

Turning now to the identification and protection of victims of trafficking and forced labour, the Convention requires that governments must put in place effective mechanisms for the identification, release, protection, recovery and rehabilitation of all victims. It also mandates the provision of comprehensive assistance and support.

We are therefore concerned by two ongoing challenges:

- the Anti-Human Trafficking Fund, intended to support the rehabilitation and integration of victims, is still not operational; and
- identification of trafficked persons remains a significant difficulty in practice.

We urge the Government to:

- enhance efforts to identify victims of both sexual and labour exploitation;
- ensure victims receive adequate protection, including shelter, counselling, legal aid and rehabilitation services; and
- provide data on the number of identified victims and the types of assistance provided.

Effective prosecution and the imposition of dissuasive penalties are core obligations under the Convention.

We note the information provided by the Government concerning the number of trafficking cases handled by the Ministry of Community and Social Services. It is essential that this work be strengthened, with greater resourcing and more coordinated efforts.

We also take note of the Government's steps to:

- build the capacity of prosecutors and the investigators under the National Prosecution Authority (NPA);
- enhance collaboration between prosecutors, police investigators and the judiciary; and
- operationalize the Witness Management Fund, which supports victims and witnesses who testify.

These are all welcome developments.

However, we also take seriously the concern raised by the United Nations Human Rights Committee in its 2023 concluding observations, which pointed to a low number of investigations, convictions and sanctions imposed on perpetrators of trafficking.

We therefore urge the Government to adopt a system-wide and institutionalized coherent approach, ensuring that:

- no institution is left behind;
- all relevant actors – from police to prosecutors to the judiciary – are properly resourced and effectively coordinated; and
- investigations, prosecutions and penalties are adequately documented and enforced.

The Government should provide updated data on:

- the number of investigations, prosecutions, convictions and penalties imposed; and
- challenges encountered in the enforcement of existing laws.

We now turn to the issue of recruitment for national service.

Since 1994, the Committee of Experts has repeatedly requested the Government of Zambia to amend or repeal the National Services Act, 1971, which permits compulsory non-military national service. In 2021, the Government committed to repealing the Act. However, this commitment remains unfulfilled.

We strongly urge the Government to take the necessary legislative measures to bring the Act into full conformity with the Convention, ensuring that any work required under the national service is purely military in nature and not a form of forced or compulsory labour.

Clearly, the Government is putting in efforts to address the issue of forced labour which is an intolerable violation of human dignity. But much more needs to be done.

Président – Je donne la parole à M. Michael Congiu, porte-parole des employeurs, pour sa déclaration.

Employer members – We have noted with interest the information shared by the Government. We wish to encourage Zambia to take further concrete steps to better investigate and remediate the issues raised by the Committee of Experts regarding trafficking of persons as well as its National Service Act.

This case has never been discussed in the Committee. There have been three observations issued by the Committee of Experts for Zambia in 2016, 2019 and 2024.

We note that this case centres on Zambia's recently adopted National Policy on Human Trafficking and Smuggling of Migrants, along with its accompanying implementation plan in 2022. The Committee of Experts has asked for details on these instruments – with a sharp focus on capacity-building for robust investigatory and prosecutorial processes.

In addition, and despite the Government's provision of information on the number of trafficking cases handled by the Zambian Ministry of Community Development and Social Services, the Committee of Experts noted that the Anti-Human Trafficking Fund – which is designed for the rehabilitation and reintegration of victims – remains non-operational and that identifying trafficking victims remains a challenge.

Finally, and as a more discrete issue, we note the Committee of Experts' request to amend or repeal the National Service Act, which, according to the Committee of Experts, permits compulsory national service of a non-military character.

To be very clear, the Employer members wish to stress their deep commitment towards the eradication of forced labour, trafficking in persons and any related abuses. We stand united in our belief that there should be no place for these abuses in our world of work. We further stand ready in our commitment to exercise any authority we may have as a social partner to assist in the eradication of these abuses, whether in Zambia or anywhere else in the world.

We now turn to the issues raised by the Committee of Experts along with the Government's response in greater detail.

Zambia is a destination and transit country for trafficking victims. The Government has, to its credit, acknowledged this reality and taken concrete and material steps to investigate and prosecute these abuses. The Committee of Experts' concern is the reportedly low number of investigations, convictions and sanctioning of perpetrators. To that end, the Government has reported both in written submissions and today that:

- The NPA, which is now part of the National Committee on Human Trafficking, is pursuing activities to build the capacity of prosecutors and investigators in relation to transnational crime, including trafficking in persons.
- The NPA is also working to strengthen coordination and cooperation with key stakeholders.

- It has now operationalized the Witness Management Fund to provide logistical support to witnesses and victims that are called to testify.
- A dedicated budget has been authorized and funded for the Anti-Human Trafficking Department to support the implementation of anti-trafficking activities.
- The provision of specific resources to this work is particularly significant and wise.

The Employer members' view is that the Government should continue in these material efforts and request technical or other assistance as necessary and appropriate.

Moreover, and with respect to the concern of victim identification and assistance, the Government has noted that, from 1 January to 31 December 2024, 186 victims were identified, of whom 73 received various forms of assistance such as shelter, food, clothing or psychosocial counselling and that it has trained over 2,000 law enforcement officers in 2024 to enhance the capacity to identify and investigate and enforce laws against human trafficking.

During that same period, 41 cases were investigated, 22 were prosecuted and 5 convictions were secured.

We are of the mind that more can always be done, but we appreciate these material and detailed steps as well as the reporting.

The Government has further identified other material steps that has been taken to strengthen awareness and achieve broader implementation.

For example, the Government has noted that the following instruments have been developed or are under development: Regulations to guide procedures on victim identification, reporting and certification; a revised National Referral Mechanism; a national data and case management system on human trafficking; guidelines for the administration of the Victim

Fund; a national communication strategy; a standard training curriculum on trafficking in persons; and a judicial desk guide to assist judicial officers in handling trafficking-related cases.

Again, the Employer members applaud this work but asks that the Government continue in these efforts and ensure that these pieces be properly and effectively implemented.

As just several examples, we would be interested to learn about the consultation process that led to these instruments and whether there are sufficient resources available, whether from the specifically budgeted monies or otherwise, to ensure effective implementation.

More can be done and we stand ready to assist in any way that we can.

Lastly, we note that with respect to the National Service Act there appears to be contrasting views. According to the Committee of Experts, the Act is in conflict with Article 2 (2)(a) of the Convention, which states that work or service exacted in virtue of compulsory military service is excluded from the scope of the Convention only when it is of a purely military character. According to the Committee of Experts, compulsory work under this Act has taken non-military forms, and the Committee of Experts has requested information on the number of citizens who have been called to perform compulsory national service as well as the nature of that work.

The Government for its part appears to deny that compulsory work pursuant to this act is of a non-military character and further notes that any such work is part of a voluntary citizen empowerment programme aimed at equipping citizens, especially youth and women, with practical skills. All of which, according to the Government, is consistent with the ILO's resolution on skills and lifelong learning 2030 adopted at the 109th Session of the Conference in 2021. We cannot divine from the Government's submission and its presentation today whether the Committee of Experts' concerns here remain founded.

We urge the Government to engage in meaningful consultations with the ILO and independent social partners on this issue and comply with the Committee of Experts' request for information.

We look forward to hearing the views of other groups in this case.

Président – Je donne la parole au distingué délégué travailleur de la Zambie, M. Derrick Ntalasha.

Worker member, Zambia (Mr NTALASHA) – I would like to extend my sincere gratitude to the Committee of Experts for its observations concerning my country, Zambia's compliance with the Convention. The workers acknowledge the effort made by the Committee in highlighting critical issues and legal gaps that potentially expose citizens to forced labour.

The Committee of Experts' observations are focused on the following key areas:

- National Action Plan and implementation: the adoption of the National Policy on Human Trafficking and Smuggling of Migrants was noted, emphasizing the need for implementation, monitoring and impact assessment, based on four strategic pillars: Prevention, protection, prosecution and partnerships.
- Identification and protection of victims: Although 2,782 trafficking cases were handled between January 2020 and June 2023, the observation noted that the identification of victims remained challenging. The National Referral Mechanism and related Guidelines are in place but lack comprehensiveness. The Anti-Human Trafficking Fund remains non-operational.
- Prosecution and penalties: the Government has enhanced training and coordination efforts by the NPA, but the observation highlights a low rate of prosecutions and convictions, especially regarding trafficking for forced domestic work and sexual exploitation. The Anti-Human Trafficking (Amendment) Act of 2022 was acknowledged.

- National service obligations under the 1971 Act: the Committee of Experts raised concern over the National Service Act of 1971 which mandates non-military compulsory national service contradicting Article 2(2)(a) of the Convention. The law remains under review without conclusive amendments.

The report serves as a timely wake-up call for the labour movement in Zambia to take a more assertive and vigilant role in monitoring the application of this Convention to address all forms of forced labour, including trafficking in persons, abusive recruitment practices and exploitative service conditions.

The labour movement in Zambia will hold both Government and Employers accountable for violations. While on our part we commit to raise awareness among workers, employees and policymakers to eradicate forced labour in all its manifestations.

Coming to the legal framework, I would like to highlight that Zambia has ratified the Convention and enacted several legal instruments to combat forced labour. These include:

- The Constitution of Zambia (Amendment) Act No. 2 of 2016, article 14 which prohibits slavery, servitude and forced labour.
- The Penal Code (Cap. 87), which criminalizes forced labour, trafficking and similar offences.
- The Anti-Human Trafficking Act, 2008 (amended in 2022), which provides a legal framework for the prevention, detection, prosecution and victim protection related to trafficking.
- The Employment Code Act, No. 3 of 2019 which regulates labour contracts, prohibits coercion and abuse in employment relationships.
- The National Policy on Human Trafficking and Smuggling of Migrants (2022), with an operational strategy to address trafficking.

Despite this legal framework, we still face implementation gaps, particularly in victim protection, prosecution of offenders, and amendment of outdated legal frameworks.

Chairperson, our call upon our Government is to swiftly and decisively do the following:

- Operationalize the Anti-Human Trafficking Fund and improve victim support systems.
- Finalize and enact amendments to the National Service Act to comply with the Convention.
- Ratify the Protocol of 2014 to the Forced Labour Convention, 1930, which provides more protection.
- Ensure full implementation of the National Policy on Human Trafficking and Smuggling of Migrants, including robust monitoring and evaluation.
- Strengthen inter-agency coordination and support the work of the Anti-Human Trafficking Department.
- Increase investigations, prosecutions, convictions and deterrent penalties for perpetrators of trafficking and forced labour.
- Strengthen subregion coordination with neighbouring countries who are also suppliers of victims.

In conclusion, we reaffirm our commitment to promoting decent work, human dignity and freedom from forced labour. We thank the Committee of Experts for its continued scrutiny and call on the Government to urgently address all gaps identified in the observation, ensuring that no person in Zambia is subjected to forced labour in any form. We pledge to work alongside the Government, Employers and civil society to make Zambia a model of compliance within international labour standards.

In that respect, I call upon your Committee to request the ILO to provide my country technical assistance to help us address the concerns raised by the Committee of Experts.

Président – Je donne la parole au distingué délégué employeur de la Zambie, M. Harrington Chibanda.

Employer member, Zambia (Mr CHIBANDA) – This statement is made in reference to the fact that the Government has been cited for failure to comply with the provisions of the Convention, which Zambia ratified in 1964.

Under Article 1(1), Article 2((1) and 25 of the Convention, we note that the Committee of Experts has acknowledged the availability of a National Policy on Human Trafficking and Smuggling of Migrants and its implementation plan of 2022, based on four pillars which are prevention, protection of victims, prosecution of offenders and partnerships.

But the Committee of Experts has further noted that the country has reported or recorded an increase in cases of trafficking, including of women and young men.

The Committee of Experts has further requested the Government to provide information on the measures taken to implement the National Policy on Human Trafficking and Smuggling of Migrants that was reported to have been formulated in 2022.

It is regrettable that, while the Government has recorded some success in terms of putting measures in place aimed at implementing the National Policy, the Government had not reported in a timely manner in order for the Committee of Experts to be in the know of the progress so far made.

In our engagement with the Government and through our participation as one of the Government stakeholders in some of the activities that are aimed at curbing human trafficking, we wish to inform this Committee that the Government has put a number of measures in place

that are meant to implement the National Policy on Human Trafficking and Smuggling of Migrants.

The steps include the following:

- An implementation plan for the National Policy on Human Trafficking and Smuggling of Migrants to guide operationalization of the policy has been developed.
- An amendment of the Anti-Human Trafficking Act No. 11 of 2008, which has given birth to the following:
 - The establishment of the Anti-Human Trafficking Department which has been mandated to coordinate all institutions involved in matters relating to human trafficking.
 - The operationalization of the Anti-Human Trafficking Department.
 - The Criminalization of child trafficking.
 - The expansion of the scope of authorized officers empowered to handle trafficking cases, which now includes officers from the Anti-Corruption Commission, Anti-Human Trafficking Department, Drug Enforcement Commission and the Immigration Department.
 - The introduction of a provision for the certification of victims.
 - A dedicated budget line has been created and funded for the Anti-Human Trafficking Department to support the implementation of anti-trafficking activities.
 - A victim fund has been established and guidelines for its disbursement are currently under development and as Zambia Federation of Employers we are part of the team that is developing the guidelines.

- o There is now a National Committee on Human Trafficking that meets quarterly to deliberate human trafficking issues to which the Zambian Federation of Employers is one of the stakeholder organizations that attend the quarterly meetings.

As Employers in Zambia, we wish to indicate that the measures stated above are well-meant to reduce or to completely eliminate cases of human trafficking.

We however wish to indicate that Zambia being land-linked and surrounded by eight neighbouring countries, some of the borders are porous making the country a transit point for human trafficking. Therefore, certain measures meant to prevent the entry of those that are involved in trafficking in human beings need to be put in place at the border posts.

We support the position of the Committee of Experts on its call on the Government to strengthen the Government's efforts in taking measures to ensure the effective identification of victims of trafficking for both sexual and labour exploitation and on its encouragement to the Government to pursue its efforts to strengthen the capacity of law enforcement officials, in order for them to identify and to promptly investigate and prosecute cases.

On national service obligations, we note the valid observations of the Committee of Experts, and its call on the Government to amend or repeal the National Service Act, Cap 121 of the laws of Zambia, that was passed by Parliament in 1971, as the Committee of Experts regrets the fact that despite several calls on the Government to amend or repeal this Act, there have been no action by the Government to this effect to remove the provisions that permit the compulsory national service of a non-military character and also the provision that children under the age of 18 and 55 shall be liable to have their names in the National Service Register and may be called upon to serve, which effectively can amount to forced labour.

This is regrettable, and the Zambian Federation of Employers joins the Committee of Experts in encouraging the Government to embark on a process to amend this law and bring it to compliance with the Convention that is under discussion.

We however wish to inform this Committee that although this law has remained unamended, the practice on the ground is different as the national service no longer recruits compulsory military training for citizens.

There are now Zambian national service youth programmes designed to equip school leavers and non-school leavers with essential life skills that are beneficial for their personal and professional development on a voluntary basis.

This has motivated a larger group of the Zambian youth.

The programme has come up as one of the solutions to combating high levels of youth unemployment and poverty.

Président – Je donne la parole à la distinguée représentante du gouvernement de la Pologne, M^{me} Renata Maria Lemieszewska, qui prend la parole au nom de l'Union Européenne.

Government member, Poland (EU) (Ms LEMIESZEWSKA) – I have the honour to speak on behalf of the European Union (EU) and its Member States.

The candidate countries North Macedonia, Montenegro, Albania, Ukraine, Republic of Moldova, Bosnia and Herzegovina and the EFTA countries, Iceland and Norway, members of the European Economic Area, align themselves with this statement.

The EU and its Member States are committed to the promotion, protection, respect and fulfilment of human rights, including labour rights. We promote universal ratification and effective implementation of fundamental ILO Conventions and support the ILO in developing and promoting international labour standards and supervising their application. We note that

the Committee requested information on the measures taken to implement the National Policy on Human Trafficking and Smuggling of Migrants and achieve its objectives. We welcome the clarifications provided by the Government on 18 May in this regard.

We are deeply concerned, however, about the reported increase in cases of trafficking, including that of women and young men. We commend the efforts of the Ministry of Community Development and Social Services, to provide protection and assistance to victims of trafficking, including through the establishment of six places of safety. We regret that the Anti-Human Trafficking Fund designed for rehabilitation and reintegration of victims is not yet operational.

We urge the Government to intensify its efforts to ensure the effective identification of victims of trafficking for both sexual and labour exploitation and to provide them with appropriate and adequate protection and assistance, including through the National Referral Mechanism and its Guidelines and the operationalization of the Anti-Human Trafficking Fund. We note the Government's clarification on the number of identified victims and the nature of the support provided in 2024.

We recall that the Government had benefited from the assistance of the ILO, the International Organization for Migration (IOM) and the United Nation Children's Emergency Fund (UNICEF), within the framework of the European Commission funded project, with the objective of providing training and capacity-building to the social partners and labour inspectors on trafficking.

We acknowledge the efforts of the NPA to strengthen the capacity of law enforcement officials and in particular the training of 2,204 law enforcement officers in 2024. We also commend the establishment of the Witness Management Fund which offers logistic support to witnesses and victims called to testify in all cases prosecuted by the NPA, as well as adoption

of the Anti-Human Trafficking (Amendment) Act, 2022 to strengthen the coordination and cooperation between several stakeholders in the fight against trafficking in person.

While we acknowledge these positive steps, we remain concerned about the low number of investigations, convictions and sanctions of perpetrators in cases of trafficking of women, including for forced domestic work and sexual exploitation documented, in the 2023 concluding observation of the United Nations Human Rights Committee.

We note the information shared by the Government which indicates that in 2024, 41 cases of trafficking were investigated, 22 individuals were prosecuted and 5 convictions were secured. It is crucial for national institutions to be effective and capable of delivering tangible results. We, therefore, encourage the Government to continue its efforts to strengthen the capacity of law enforcement officials in order to investigate and prosecute all cases of trafficking. We note the efforts of the Anti-Human Trafficking Department to promote awareness and strengthen implementation of the Anti-Human Trafficking Act.

We recall that the Committee of Experts has repeatedly raised concerns about the National Service Act of 1971, which permits compulsory national service of a non-military character in violation of Article 2(2)(a) of the Convention.

We note with concern that the Committee of Experts considers that the Government has not yet undertaken the necessary amendments to its national legislation in this regard. We also take note of the Government's response on this issue.

The EU and its Member States encourage the Government to further strengthen its cooperation with the ILO, the social partners, civil society and the international community, in order to address the issue of forced labour in the country.

We will continue to follow the situation closely and remain ready to support efforts aimed at ensuring compliance with international labour standards and the protection of individuals from trafficking.

Président – Je donne la parole à la distinguée représentante du gouvernement du Zimbabwe, M^{me} Mercy Dinha, qui prend la parole au nom du groupe des États membres de la SADEC.

Government member, Zimbabwe (Southern African Development Community)
(Ms DINHA) – On behalf of the Southern African Development Community (SADC), the Government of the Republic of Zimbabwe in its capacity as the SADC Chairperson, representing 16 SADC Member States who are also members of the ILO, wishes to address the Committee on the matters raised concerning the Republic of Zambia's application of the Convention .

I must mention that the SADC continues to value its partnership with the ILO and places great emphasis on regional cooperation in upholding international labour standards. Through its well-established tripartite employment and labour sector, the SADC consistently facilitates regional dialogue among its member governments, the Southern African Trade Union Coordination Council and the SADC private sector forum on employment and labour issues, including those related to migration. These interventions have a direct impact on the observance of Member States' commitment to international labour standards, including Zambia.

In this spirit, the SADC invites the Committee to take note of Zambia's comprehensive and progressive approach to addressing trafficking in persons. The Government has undertaken notable legislative and institutional reforms, including amending the Anti-Human Trafficking Act, establishing a dedicated Anti-Human Trafficking Department, and adopting a national implementation plan to guide coordinated action. Significant progress has also been made in

ensuring victim protection, prosecuting perpetrators, enhancing intelligence collaboration, and securing bilateral and multilateral support to strengthen its efforts.

Furthermore, Zambia is reforming the National Service Act and the Defence Act to ensure compliance with the Convention. Beyond its national commitments, Zambia has demonstrated strong regional leadership. In May 2024, Zambia organized a joint meeting of the Heads of Immigration, Labour, and Statisticians fostering collaboration in combating smuggling and trafficking. As one of seven SADC Member States to ratify the Protocol on the Facilitation of Movement of Persons (2005), Zambia demonstrates a strong political will for safe and orderly migration. It has also domesticated the SADC's Regional Migration Policy Framework and Labour Migration Action Plan by aligning its national policies and coordination structures.

Notably, the SADC Committee of Ministers of Employment and Labour and the social partners is committed to working closely with the Office within the framework of the SADC Decent Work Country Programme to assist the Government of Zambia in addressing the issues raised by the Committee of Experts as well as to provide the required support and guidance.

In conclusion, the SADC requests the Committee to acknowledge and take into account the strides made by the Republic of Zambia when drawing up its conclusions on this case.

It is our expectation that the ILO will continue to provide Zambia with the necessary technical support to ensure that the issues raised by the Committee of Experts are adequately addressed.

Président – Avant de donner la parole aux prochains orateurs, je vous rappelle que les votes concernant les amendements au code de la convention du travail maritime et à la résolution de la Palestine sont ouverts jusqu'à 18 heures, et le secrétariat nous informe qu'il manque quelques votes. J'invite donc les délégués qui n'ont pas fait leur vote à le faire avant 18 heures, heure de Genève.

Je donne la parole à la distinguée représentante du gouvernement du Malawi, M^{me} Chikondano Mussa.

Government member, Malawi (Ms MUSSA) – Malawi wishes to express its appreciation for the good work that the Committee is delivering and thank you, Mr President, for the opportunity to make this statement as regards the case of the Republic of Zambia on the application of the Convention.

My delegation would like to commend the Government for its openness and commitment to constructive engagement with this Committee and for the comprehensive information it has provided in response to the observations made by the Committee of Experts.

Malawi applauds Zambia for the efforts taken to combat human trafficking and forced labour. In particular, we take note of the enactment of Zambia's Correctional Service Act of 2021, the launch of the 2024 National Drug and Substance Control Policy, development and operationalization of the national implementation plan for the National Policy on Human Trafficking and Smuggling of Migrants, the amendments to the Anti-Human Trafficking Act and the establishment of a dedicated Anti-Human Trafficking Department.

We encourage the Government to continue on this positive path and to ensure the effective implementation of the Convention in law and practice to address forced labour and human trafficking.

In this regard, we urge the ILO to provide technical and financial assistance to the Government, in order to strengthen the legal framework, continue to build capacity, develop victim support and referral mechanisms, accelerate public awareness and enhance stakeholder coordination.

Président – Je donne la parole au distingué délégué employeur de la République démocratique du Congo, M. Christian Kalonda Ngoyi.

Membre employeur, République démocratique du Congo (M. KALONDA NGOYI) –

S'agissant de la situation de ce pays frère, il y a lieu de relever objectivement ce qui suit:

- Il y a eu adoption d'une Politique nationale sur la traite des êtres humains et le trafic des migrants. À cela, il faut ajouter le plan de mise en œuvre, en 2022, ce qui a entraîné, par le gouvernement, la prise des mesures en vue d'assurer la protection et l'aide aux victimes de traite dans six lieux sécurisés.
- Il y a eu aussi le déploiement de l'Autorité nationale chargée des poursuites dans les 10 provinces;
- Aussi, il y a eu création du Fonds de lutte contre la traite des êtres humains. Mais que dire de cette opérationnalité? Est-ce une préoccupation qui demeure?

Nous venons d'avoir la réponse concrète du gouvernement à ce sujet.
- Faut-il souligner qu'il existe une préoccupation majeure, celle trouvant tout son sens à l'appui de l'article 2, paragraphe 2 a), de la convention, en ce sens qu'il y a impérieuse nécessité de modifier ou d'abroger la loi de 1971 sur le service national, qui autorise un service national obligatoire non militaire. Pourtant, l'appui conventionnel susmentionné, en son article précité, exclut l'assertion du travail forcé dans sa portée et son sens, lorsque ce caractère forcé est compris dans un cadre militaire. Tel n'est pas le cas avec ladite loi du service national. C'est que son abrogation ou sa modification s'impose. Pour cela, nous invitons le gouvernement de ce pays frère à accélérer le processus d'abrogation.

- Vu les quelques manquements constatés, tout en ne minimisant pas les efforts fournis par le gouvernement, nous l'exhortons à redoubler d'efforts en rapport avec ce qui suit:
 - identification efficace des victimes de la traite, entre autres à des fins d'exploitation du travail;
 - précision des modalités et teneur de l'aide à apporter aux victimes;
 - renforcement de la capacité de l'Autorité nationale chargée des poursuites, avec bien entendu l'appui indispensable de l'OIT.

Président – Je donne la parole au distingué délégué travailleur du Botswana, M. Tshepiso Mbakili Mberekhi.

Worker member, Botswana (Mr MBEREKI) – Zambia ratified the Convention in 1964 and this Convention is currently in force. The Convention aims at eliminating all work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily. In the year 2025, Zambia finds itself confronted with internal and transnational trafficking of human beings. Through the report of the Committee of Experts, the Government has admitted the existence of this situation and has reported handling about 2,782 cases, which among the victims are women and children. This situation was also noted as a concern by the United Nations Human Rights Committee, especially on the trafficking of women, sexual exploitation and forced domestic work. Low numbers of investigations and prosecutions of perpetrators are also highlighted as matters of concern in the same report.

It must be stated as a fact that, we cannot deal with issues of human trafficking effectively if our systems are still corrupt, especially within the public service. The 2024 Transparency International Corruption Perception index (CPI) report showed that Zambia's CPI score

increased by two points from 37 of 100 to 39 of 100 and the rank to 92 of 180 in 2024. However, the report posted a decline in efforts to fight public sector corruption and further warns that if no measures are taken by the Government, the decline will also be seen in 2025. We want to take this time to encourage the Government to come up with robust and sustainable strategies to fight corruption within the public sector, in order to detect and deal with issues of human trafficking. Having a corrupt free public sector will help in the enforcement of laws and deal with human trafficking in Zambia, especially within the police service, national prosecution and other law enforcement agencies within the country.

Among the strategies that the Government must focus on is dealing with porous borders with neighbouring countries which are both points of entry for victims and transactional points for perpetrators.

Lastly is the issue of labour inspections. Zambia ratified the Labour Inspection Convention, 1947 (No. 81) in the year 2013. The significance of ratifying this Convention cannot be overemphasized. We therefore urge the Government to intensify labour inspections and capacitate labour inspectors to detect and deal with these growing issues of human trafficking, amongst them identifying victims and ensuring their protection. Visibility of labour inspectors is of great importance in dealing with issues of human trafficking as a deterrent.

Président – Je donne la parole au distingué représentant du gouvernement du Zimbabwe, M. Nobert Machinjike.

Government member, Zimbabwe (Mr MACHINKIJI) – My delegation appreciates the opportunity to contribute to the discussion on the case of Zambia, particularly concerning the implementation of Zambia's National Policy on Human Trafficking and Smuggling of Migrants and provisions of the National Service Act.

My delegation has taken note of the detailed written information submitted to this Committee by the Government and has also listened carefully to the oral submissions in this session. Zimbabwe applauds Zambia for taking further steps to operationalize the National Policy on Human Trafficking and Smuggling of Migrants, which has led to transformative changes in legislation, institutionally and in practice. My delegation also takes note of the clarification by the Government on the progressive intention of the Zambia national service recently reintroduced as a voluntary citizen empowerment programme aimed at equipping citizens, especially youth and women, with practical skills, fostering self-reliance and contributing to national unity and development.

It is my delegation's considered view that the efforts undertaken by the Government are encouraging and a step in the right direction towards the empowerment of vulnerable groups and full application of the Convention in question.

My delegation applauds the willingness of the Government to continue cooperating with the ILO supervisory bodies so as to ensure that a true reflection of information is shared regarding this case.

Finally, we hope the Committee, in its conclusions, will take into consideration the efforts made by the Government and we urge the ILO to continue availing technical support to complement the Government's efforts to strengthen its observance of international labour standards.

Président – Je donne la parole au distingué délégué des travailleurs du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, M. Stephen James Russell.

Worker member, United Kingdom of Great Britain and Northern Ireland (Mr RUSSELL) – I speak on behalf of the workers of the United Kingdom and of the Commonwealth Trade Union Group. The American Federation of Labor and Congress of

Industrial Organizations (AFL-CIO), the most representative trade union federation in the United States of America, also joins this statement.

The Committee of Experts have raised the issue of trafficking in Zambia on repeated occasions going back to 2005 at least. Today, Zambia is recognized as being a source, destination and route for trafficking. The US State Department in 2024 said in its regular Trafficking In Persons report that Zambia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. This progress is also noted by the Committee of Experts.

It is further clear that while we are gathered here to hold Zambia to account over the Convention, it is also a regional problem. All of its immediate neighbours have recently been subject to commentary by the Committee of Experts on the subject of trafficking. While this does not absolve Zambia of responsibility, it is important to recognize that some aspects of this problem will only be fundamentally addressed through regional cooperation.

That said, the State Department further notes that Zambian women and children from rural areas are being trafficked into cities for domestic servitude or forced labour in agriculture, textile production, mining, construction, street vending, small businesses and forced begging. These issues are chiefly the responsibility of the Government of Zambia to address. We are encouraged to hear of the greatly improved relationship between the Government of Zambia and the country's trade unions. This presents a huge opportunity to address some of those root causes of trafficking and to work with unions as partners in identifying and protecting victims. Fundamental labour rights, including freedom of association and collective bargaining along with living wages have been shown worldwide to reduce instances of exploitation. Applying labour rights to all workers regardless of status similarly mitigates against trafficking. It is relevant, therefore, to revisit the International Trade

Union Confederation's (ITUC) guidance on combating trafficking which states that Governments should strengthen legal frameworks. We note that Zambia has not yet ratified the Protocol to this Convention which modernizes the Convention to address the current challenges of trafficking. Article 5 of the Protocol requires that Members shall cooperate with each other to ensure the prevention and elimination of all forms of forced or compulsory labour. As half of Zambia's neighbours have ratified the Protocol, this presents its Government with an opportunity to address the regional nature of the problem if it will only join them in ratifying the Protocol which also provides other crucial legal and practical frameworks for fighting modern slavery.

The Government should also improve law enforcement and victim protection, including ensuring that those affected are treated as victims and not as illegal migrants, raising awareness and working with unions, educating workers to increase the nation's capacity to identify and support victims, and reporting abuses, boosting labour inspection, increasing the capacity to monitor recruitment agencies and supply chains, and addressing root causes like poverty, discrimination and lack of educational opportunities. Compliance with the Convention does not exist in a vacuum.

Good practice on observing all the ILO Conventions represents the basic blueprint for defeating all forms of exploitation and we urge the Government to take every opportunity to engage with its unions on making this happen.

Président – Je donne la parole au distingué représentant du gouvernement du Mozambique, M. Baltazar Egidio. Et c'est le dernier orateur avant de prendre notre pause de 18 heures.

Government member, Mozambique (Mr EGIDIO) – The Government of the Republic of Mozambique expresses its full support for the Republic of Zambia in its effort to address the concerns raised by the Committee of Experts under the Convention.

Mozambique acknowledges the proactive steps Zambia is undertaking, including its request for technical and financial assistance from the ILO to strengthen its legislative institutional and operational response to forced labour and trafficking.

We commend Zambia's commitment to international labour standards and its willingness to work collaboratively to overcome persistent silence.

As a country equally committed to the fight against forced labour and exploitation, Mozambique recognizes the importance of international cooperation and solidarity. We encourage the ILO and its constituents to respond positively to Zambia's call to action and to ensure that no Member State is left behind in the good global effort to eliminate all forms of forced labour.

In conclusion, Mozambique affirms its full support for Zambia's efforts and expresses its readiness to engage in shared learning and mutual assistance as we work together towards common objectives and decent work and social protection for all.

(La séance est suspendue pour une courte pause.)

Président – Je donne la parole au distingué représentant du gouvernement du Bélarus, M. Yauheni Liadniou.

Government member, Belarus (Mr LIADNIU) – We would like to thank the Government of Zambia for providing detailed information on the issue under consideration. We welcome the legislative and practical measures the Government has taken to implement the National Policy on Human Trafficking and Smuggling of Migrants as well as to provide

assistance to victims of these crimes. We positively acknowledge the measures taken by the Zambian Government to raise public awareness, including disseminating through mass media the information about relevant legislation, citizens' rights and ways to inform the authorities of unlawful acts related to human trafficking. Given the Government of Zambia's commitment to fulfil its obligations under the Convention, we call on the ILO to provide the country with technical assistance in implementing these measures.

Président – Je donne la parole au distingué délégué travailleur de l'Espagne, M. Ramiro Ulises Vega Díaz, à prendre la parole.

Miembro trabajador, España (Sr. VEGA DÍAZ) - Quisiera expresar nuestra profunda preocupación por el persistente incumplimiento por parte de Zambia del Convenio, y en particular a las deficiencias estructurales de su marco jurídico.

Si bien reconocemos que Zambia ha ratificado el Convenio y ha adoptado medidas como la Política Nacional Sobre la Trata de Personas de 2022, y el Plan de Acción Nacional 2023-2028, estos esfuerzos se ven gravemente socavados por lagunas legislativas e institucionales no abordadas hasta el momento.

En primer lugar, Zambia carece de una definición completa e independiente de trabajo forzoso de conformidad con el artículo 2, 1) del Convenio. La Ley contra la Trata de Personas de 2008, confunde la trata con el trabajo forzoso, y no abarca todo el espectro de prácticas coercitivas definidas por el Convenio, es decir, cualquier trabajo o servicio exigido bajo amenaza de una pena y no ofrecido voluntariamente. Esta ambigüedad jurídica, dificulta la identificación, la investigación y el enjuiciamiento efectivos de todas las formas de trabajo forzoso en el país.

En segundo lugar, la Ley del Servicio Nacional de 1971, sigue siendo incompatible con el Convenio. Esta legislación permite el servicio nacional obligatorio con fines no militares, en

contravención del artículo 2, 2), a), que excluye del ámbito de aplicación del Convenio únicamente el servicio de carácter estrictamente militar.

En tercer lugar, la aplicación de las sanciones penales, tal como lo exige el artículo 25 del Convenio sigue siendo insuficiente. Si bien existe legislación contra la trata de personas, las tasas de enjuiciamiento y condena siguen siendo bajas, y muchas víctimas ni siquiera son identificadas. La falta de un fondo de apoyo operativo, y el alcance limitado del mecanismo nacional de remisión, agravan aún más el problema.

También, es profundamente preocupante, que las prácticas laborales penitenciarias puedan contravenir el Convenio, en particular, cuando los reclusos realizan trabajos sin garantías de voluntariedad.

Acogemos con satisfacción, el pronunciamiento del Presidente de Zambia del pasado diciembre, que confirma la reanudación del servicio nacional con carácter voluntario, y esperamos que se traslade a la legislación.

Sin embargo, las deficiencias legales mencionadas, tienen graves consecuencias y contribuyen a que Zambia siga siendo un país de origen, tránsito y destino, para las víctimas de trabajo forzoso y trata, en particular mujeres, niños y jóvenes.

En vista de lo anterior, es esencial que Zambia:

- adopte una definición clara y completa de trabajo forzoso en su legislación;
- modifique o derogue la Ley del Servicio Nacional de 1971 para cumplir con el Convenio;
- fortalezca la aplicación efectiva de las sanciones penales contra los autores, y
- garantice la protección integral de todas las víctimas con acceso real a la justicia y la reparación.

Président – Je donne la parole au distingué représentant du gouvernement de la Namibie, M. Elias Amunyela.

Government member, Namibia (Mr AMUNYELA) – Namibia aligns itself with the statement delivered by Zimbabwe on behalf of the SADC group. As such, we recognize the fundamental importance of the international labour standards in promoting decent work, social justice and inclusive development.

Namibia commends the Government of Zambia for its significant effort in tackling trafficking in persons, particularly through the recent adopted National Policy. This policy is structured around four key pillars: prevention, victim protection, offender prosecution and partnership, demonstrating a time-based approach consistent with ILO values.

The policy also sets out four measurable objectives, namely:

- reducing the incidence of trafficking by 2030, enhancing the criminal justice system's capacity to prosecute traffickers by 2026;
- strengthening support services for victims, witnesses and at-risk individuals by 2030;
- reinforcing the importance of survivor centres' approach; and lastly
- reinforcing national, regional and international cooperation by 2025.

Zambia's response to forced labour and human trafficking aligns with international human rights standards emphasizing victim protection, capacity building for law enforcement and the reintegration of survivors into society.

Namibia believes this framework can serve as a model for other nations, therefore it calls for comprehensive technical and financial assistance to support Zambia's Government's efforts in eradicating forced labour and related practices, particularly in the area of legal frameworks

alignment, victim support system, public awareness campaign, data collection and institutional coordination.

Président – Je donne la parole à la distinguée représentante du gouvernement du Pakistan, M^{me} Syeda Kulsume Hai.

Government member, Pakistan (Ms HAI) – Pakistan expresses its full support for the Government of Zambia's commitment to eradicating forced labour and trafficking. We commend Zambia's concrete steps including legislative reforms and institutional measures in line with the Convention. Pakistan welcomes Zambia's request for ILO technical assistance and financial assistance and urges continued support from the international community to Zambia to strengthen its national frameworks and protection mechanisms. We appreciate Zambia's constructive engagement with the ILO supervisory system and reaffirm the importance of solidarity and cooperation in achieving decent work for all.

Président – Je donne la parole à la distinguée représentante du gouvernement de l'Égypte, M^{me} Dina Mahmoud Abdeltawab.

Interpretation from Arabic: **Government member, Egypt (Ms ABDELTAWAB)** – My delegation would like to welcome the statement by the representative of Zambia on the implementation of the Convention. We appreciate the relentless efforts made by Zambia to fulfil its obligation with the Convention in line with a number of legislative reforms undertaken by the Government of Zambia including the promulgation of the Correctional Service Act and the national policy for combating drugs and restricted substances, and the implementation of a Anti-Human Trafficking Act which all contribute to this process.

We have noticed with great interest the determination of the country to continue to cooperate with the Organization, with the Committee of Experts through tripartite consultations. The State of Zambia is also determined to continue with reforms to institutional

bodies, to combat forced labour through training in the prison sector and in labour inspection and, in continuation of these positive measures, my delegation would like to encourage Zambia to accept the technical assistance from the Office and to review national legislation. My delegation expresses its appreciation for the effort by Zambia to develop social dialogue and to improve the legislation implemented. In conclusion, we really are satisfied with the progress made and we hope that the Committee will take into account the progress made and reflect that in its report.

Président – Je donne la parole au distingué représentant du gouvernement de la République-Unie de Tanzanie, M. Joseph Mlyambina.

Government member, United Republic of Tanzania (Mr MLYAMBINA) – The United Republic of Tanzania welcomes the report of the Government of the Republic of Zambia on the implementation of the Convention. We also took note of the serious concerns relating to human trafficking and the protection of vulnerable populations, especially women and children. We commend the significant progress made by the Government of Zambia in enacting the Zambia Correctional Service Act in the year 2021, amending the Anti-Human Trafficking Act in the year 2022 and launching the National Drug and Substance Control Policy in the year 2024. These are concrete legislative and policy steps that show Zambia's commitment to its international obligations.

Tanzania acknowledges Zambia's request for technical and financial assistance to review and strengthen its legal and policy frameworks to align with the Convention, to develop victim referral and protection systems, improving data collection and monitoring mechanisms and capacity-building and the training for law enforcement agencies and awareness campaigns to their targeted communities. This reflects a commitment to continuous improvement which should be encouraged and supported.

The Government of the United Republic of Tanzania asks the Committee to recognize the efforts and the progress made by Zambia and consider its request to provide the necessary support through ILO technical assistance mechanisms to reinforce these efforts. The Government of the United Republic of Tanzania equally encourages the Government of Zambia to intensify efforts to adhere to the Convention.

Président – Je donne la parole à la distinguée représentante du gouvernement du Cameroun, M^{me} Corine Elsa Angonemane Mvondo.

Membre gouvernementale, Cameroun (M^{me} ANGONEMANE MVONDO) – Le gouvernement du Cameroun remercie le gouvernement de la Zambie pour les efforts déployés pour répondre aux observations de la commission.

Bien plus, le Cameroun apprécie l'engagement de la Zambie à mettre en œuvre toutes les obligations prises à l'international, et pour les progrès réalisés sur le plan national pour donner effet aux dispositions des conventions internationales ratifiées, en l'occurrence, la convention n° 29. Il félicite davantage les mesures législatives et institutionnelles qui ne sont pas à négliger.

Nous pouvons relever entre autres, sans être exhaustif, la promulgation de la loi du service correctionnel de 2021, ainsi que l'amendement de la loi sur la lutte contre la traite et le trafic des êtres humains de 2022. Bien plus, le renforcement des capacités de toutes les parties prenantes à cette lutte.

Loin de penser que ces actions soient la panacée, pour la mise en œuvre de la convention, le gouvernement du Cameroun prie la commission de permettre à la Zambie de poursuivre les efforts engagés pour lutter contre la traite des personnes et de poursuivre les dialogues nécessaires pour une meilleure mise en œuvre des conventions ratifiées.

Nous prions en outre ce gouvernement frère de poursuivre les campagnes de sensibilisation et de soutien aux victimes de traite, d'appliquer les sanctions prévues à l'égard des auteurs de la traite.

Nous prions enfin la commission de tenir compte de ces éléments lors de la rédaction des conclusions, et prions le Bureau et les partenaires d'apporter à ce pays frère les appuis multiformes nécessaires pour l'éradication de ce fléau.

Président – Je donne la parole au distingué représentant du gouvernement du Bangladesh, M. Mohammed Hossain Sarker.

Government member, Bangladesh (Mr SARKER) – Bangladesh wishes to commend the Republic of Zambia for its transparency, commitment and constructive engagement with the ILO in responding to the observations of the Committee of Experts concerning the implementation of the Convention. Bangladesh recognizes the complex challenges faced by many developing countries, including Zambia in tackling forced labour and human trafficking. We applaud Zambia's initiative to request technical and financial support from the ILO and its clear commitment to strengthening legal frameworks, improving victim protection and enhancing enforcement mechanisms. As a fellow Member of the ILO, Bangladesh strongly supports Zambia's call for assistance in building institutional capacity, conducting awareness campaigns and fostering inclusive social dialogue. We ask the ILO and the developing partners to provide the necessary support to Zambia in fulfilling its obligations under the Convention in upholding the fundamental rights of all workers.

Bangladesh stands in solidarity with Zambia in its efforts to eradicate forced labour and pledges to continue working collaboratively with the ILO framework to advance decent work, human dignity and social justice globally.

Président – Je donne la parole au distingué représentant du gouvernement de l’Eswatini, M. Makhosini Mndawe.

Government member, Eswatini (Mr MNDawe) – Eswatini supports the statement delivered by Zimbabwe on behalf of the SADC countries. From hearing the submissions made by the representative of the Government of Zambia on the progress made so far regarding the implementation of the observations made by the Committee of Experts, we note that the Government has reaffirmed its commitment to fulfil or to fully implement its obligations under the Convention and to enhance its national efforts aimed at eradication of forced labour in all its forms.

In an attempt to upscale its efforts in this regard and in demonstrating its acceptance of the comments made by the Committee of Experts, we note that the Government is availing itself of the ILO’s technical and financial assistance in a number of areas such as follows:

- (1) review or process of the identified national legislation and policy framework to align with the requirements of the Convention;
- (2) capacity-building for law enforcement officers, including labour inspectors, immigration personnel and other front-line responders on identifying and handling cases of forced labour and human trafficking;
- (3) support in developing victim referral and protection systems including assistance in establishing shelters and rehabilitation centres or services for victims;
- (4) assistance in improving data collection and monitoring mechanisms including the development of centralized databases for forced labour and trafficking;
- (5) conducting public awareness campaigns; and

- (6) support in creating coordination among all relevant government institutions, civil society, and social partners in implementing a comprehensive National Strategy against Forced Labour and Human Trafficking.

In adopting its conclusions, we urge this Committee to accept the commitment already presented by the Government to strengthen its efforts in the implementation of this Convention.

We urge the Committee to reckon that with the open demonstration of a political will and commitment by the Government regarding ensuring the effective implementation of its obligation under this Convention, further progress regarding this case should conveniently be monitored through a tripartite approach at the national level in upholding the spirit of social dialogue and tripartism.

Président – Je donne la parole à titre exceptionnel au distingué représentant du gouvernement de Niger, M. Yacoubou Ambarka Hassane, pour prendre la parole.

Et j'attire votre attention sur la nécessité de s'inscrire avant le début de la discussion des cas individuels.

Membre gouvernemental, Niger (M. AMBARKA HASSANE) – Le Niger remercie le gouvernement de la Zambie pour la présentation de son rapport.

Ma délégation note avec appréciation la bonne foi et la bonne volonté de la Zambie qui réaffirme son engagement à mettre en œuvre intégralement la convention et à redoubler d'efforts pour éradiquer le travail forcé sous toutes ses formes.

À cet égard, le Niger soutient et félicite les efforts et les progrès remarquables réalisés par le gouvernement de la Zambie.

Ma délégation note également avec appréciation les mesures législatives et politiques prises par la Zambie à l'effet de répondre aux défis relevés par la commission d'experts.

Répondre complètement à ces défis requiert des moyens et du temps. Nous invitons le BIT à fournir toute l'assistance financière et technique nécessaire à la Zambie pour mettre en œuvre effectivement et efficacement les mesures politiques et législatives susmentionnées et à les améliorer, s'il y a lieu.

Le dialogue social est la pierre angulaire de l'OIT. Nous invitons les partenaires sociaux à accompagner le gouvernement zambien dans sa lutte contre les défis relevés à travers des consultations tripartites constructives.

Enfin, le Niger réaffirme son soutien à la Zambie, qu'il félicite, et réitère son appel au BIT, aux partenaires sociaux ainsi qu'à tous les partenaires internationaux en capacité de le faire, à soutenir et accompagner le gouvernement de la Zambie dans ses efforts visant à éradiquer ce fléau.

Nous voudrions également inviter la commission, lors de ses conclusions, à tenir compte de cette bonne foi, de cette bonne volonté et de ces progrès réalisés par la Zambie.

Président – Je ne vois pas d'autres orateurs inscrits dans la liste.

Je donc l'honneur de redonner la parole à l'honorable représentant du gouvernement de la Zambie, M. Luhanga, pour formuler ses observations finales.

Government representative (Mr – LUHANGA) - As we conclude this evening's discussion for our country, we are most grateful for all the comments provided both severally and individually.

Special thanks to the SADC and its Member States, the EU and its Member States and indeed other blocks, the Workers and the Employers members. I want to assure you that we have listened carefully to your submissions.

Allow me to reaffirm the unwavering commitment of the Government of the Republic of Zambia to the total eradication of forced labour wherever and however it may occur. We do recognize that forced labour undermines the very core of human dignity and decent work and we remain fully dedicated to aligning our national laws, policies and practices with international labour standards. The progress we have outlined today reflects Zambia's deliberate and ongoing efforts through legal reforms, institutional strengthening and broad-based stakeholder engagement to respond to the complex challenges of forced labour and human trafficking.

Regarding the concerns on the delayed amendment of the Zambian National Service Act, I want to indicate that under the current Government remarkable progress has been made since assuming office in August 2021. We are aware of the 1994 commitments but I want to state here that under this current Government a lot of amendments are being made. For instance, for the Apprenticeship Act of 1965, we have a work-based learning Bill of 2025, and we are still recording progress in other areas.

We have equally taken note of the concern regarding the operationalization of the Anti-Human Trafficking Fund. As Government, working with our social partners, we will do everything possible.

You may wish to note that Zambia experienced one of the worst droughts during the 2023-24 farming season. The drought adversely affected sectors such as agriculture, energy, food security and availability of water, consequently 6.6 million people were affected. This led to the President declaring the country's drought as a National Disaster and Emergency on

29 February, 2024. This is why we are saying we are still committed. We just had these unique challenges. The effects of drought continue to cause untold misery among most of the Zambians due to increased load shedding and threatened food security. The Government has, however, remained resilient despite this major setback by proactively coming up with various interventions to mitigate the suffering of its citizens.

I also want to state here that ILO has made a commitment that in July this year, a mission will be made to Zambia. Therefore, as Government, we have requested a comprehensive support on international labour standards including on the obligation of submission. This mission working together with our social partners will be handy. I also want to state here that the recent ratification of the Violence and Harassment Convention, 2019 (No. 190) is a testament to the Government's commitment to the transformative character of international labour standards.

Regarding the concern of Zambia being a source, destination, transit – labour migration, you may wish to note that Zambia has developed the National Labour Migration Strategy 2024 to 2028. It also came up with ethical recruitment guidelines for employment agencies to be concluded mid of June this year. We have equally developed and launched the 2022 Labour Migration Statistical Report. I have also gotten concerns concerning the Protocol of 2014 to the Forced Labour Convention, 1930 (P029). I want to put it on the record that as we regret the delay, progress has been made. As I submit before this Committee, we have since submitted the Protocol to Cabinet Office. We did this just in May 2025. I further wish to conclude that as the Government of Zambia, we are yet to sign a Memorandum of Understanding with the State of Qatar. This has been cleared by the Attorney General. It awaits signing ceremony.

We are deeply grateful of the constructive dialogue and the valuable observations shared by the Committee and Member States. These engagements not only reinforce our shared values but also strengthen our resolve to do more and do better.

We look forward to the continued collaboration with the ILO and warmly anticipate positive technical support and assistance to our efforts in addressing the remaining areas of concern. Together, through partnership and mutual commitment, we can build stronger systems that promote rights, protect the vulnerable and ensure decent work for all.

Président – Je vous remercie, Monsieur Luhanga, ainsi que les membres de votre délégation, pour votre participation aux travaux de la commission et toutes les informations fournies.

Je donne maintenant la parole à M. Congiu, porte-parole des employeurs, pour sa déclaration finale.

Employer members – The Employer members would like to thank all the speakers who have taken the floor. We also sincerely thank the Government of Zambia for the information it has provided both in its written submissions and today in person.

In closing, we note that the Convention is a fundamental Convention. We would like to stress once again that the Employer members consider unacceptable any forms of forced labour and other abusive practices amounting to forced labour, notably when they include or target the most vulnerable categories of society. Our position thus aligns in this regard with that of the Committee of Experts and the Worker members. It cannot be understated how damaging trafficking in persons is, nor how complex these issues can be to effectively remediate.

One of the complexities that has been highlighted today is that trafficking presents transnational and criminal actors. As one of our worker colleagues noted, this could be

characterized as a regional problem. It was thus heartening to hear and see so much interest and support for this work from African countries today. It is in this regard that the work of the international community, including the ILO and the Committee, is most critical. Zambia appears to have started to build a real infrastructure to meet these challenges, but as we all know, the real work is an effective operationalization. The Employer members thus request the Government to:

- (1) ensure the complete elimination of the use of compulsory labour;
- (2) continue in its material efforts to eradicate trafficking in persons through its National Policy on Human Trafficking and Smuggling of Migrants, and any other meaningful law, policy or initiative;
- (3) cooperate with the ILO and independent social partners to ensure the full application of the Convention in practice;
- (4) provide information on concrete measures taken in this respect, including the detail and nature of consultations taken to achieve compliance with the Convention;
- (5) further dialogue with the ILO and independent social partners on the scope of its National Service Act, including the provision of the information requested by the Committee of Experts regarding the details of relevant assignments along with the nature of those assignments, as well as any legislative or other changes that are necessary to achieve compliance with the Convention.

We trust that the Government will implement such recommendations in a timely manner to achieve full compliance.

Président – Je donne la parole à M^{me} Losi, porte-parole des travailleurs, pour sa déclaration finale.

Worker members – Forced labour in all its forms remains a grave concern and demands urgent and sustained action. While we welcome the steps Zambia has taken, we must also acknowledge that the measures adopted to date are not yielding the desired results. The Convention obliges states to make forced or compulsory labour punishable as a penal offence, and to ensure that penalties are truly adequate and strictly enforced. Implementation must be effective and not symbolic. As previously stated, Zambia continues to face serious challenges as a source, transit and destination country for victims of trafficking, including women and young men. We note that the National Policy has outlined four key objectives: reducing the incidence of trafficking by 2030; enhancing criminal justice capacity to prosecute cases by 2026; strengthening protection services for victims and witnesses by 2030; and improving coordination and cooperation at all levels by 2025. We therefore urge the Government to ensure that: adequate funding and institutional capacity are in place to meet these objectives; assistance is sought from the ILO when needed; and regular updates are provided to this Committee.

We request the Government to:

- share results of any assessment of the National Policy's implementation along with the identified challenges and responsive measures;
- provide updated statistics on victims identified and the assistance they have received;
- clarify the functioning of the National Referral Mechanism and the Anti-Human Trafficking Fund;
- continue to strengthen the capacity of law enforcement, prosecutors and investigators;
- provide information on witness protection measures and the effectiveness of the Witness Management Fund; and

- ensure nationwide cooperation among all stakeholders involved in the fight against trafficking.

On the national service, we again urge the Government to amend the relevant legislation and provide data on the nature and scope of compulsory national service, in full compliance with Article 2(2)(a) of the Convention. Eliminating forced and compulsory labour is a core obligation under international law and a shared moral imperative. We therefore urge Zambia to intensify its efforts and to ensure that its legal and institutional framework delivers real, measurable results for victims and communities, and to also request the ILO assistance in this regard.

Président – Nous avons maintenant terminé la discussion de ce cas. Les conclusions seront adoptées dans l'après-midi du mercredi 11 juin.

Nous avons terminé l'examen des cas à notre ordre du jour. Je tiens à vous remercier toutes et tous pour votre coopération et le bon esprit dans lequel se déroulent nos travaux. Nous nous retrouverons demain à 10 heures pour l'examen des cas suivants:

- Burundi concernant l'application de la convention (n° 94) sur les clauses de travail (contrats publics), 1949.

Puis, dès 15 heures, nous examinerons les cas suivants:

- El Salvador concernant l'application de la convention (n° 98) sur le droit d'organisation et de négociation collective, 1949;
- Géorgie concernant l'application de la convention (n° 87) sur la liberté syndicale et la protection du droit syndical, 1948.

Je voudrais également vous informer que le document D contenant les informations écrites envoyées par le gouvernement de la Hongrie, pour la convention n° 87, est maintenant disponible sur la page Web de notre commission.

Je vous informe aussi que le procès-verbal concernant la discussion du cas de Kirghizistan sur la convention n° 81 est désormais disponible sur la page Web de la commission.

Les délégués peuvent soumettre des amendements à leur déclaration jusqu'à 18 heures demain, vendredi 6 juin.

Je vous rappelle que la procédure d'amendement des projets de procès-verbaux verbatim est disponible sur la page Web de la commission.

La séance est levée à 19 h 15.

The sitting closed at 7.15 p.m.

Se levantó la sesión a las 19.15 horas.