

Committee on the Application of Standards

CAN/PV.12

Commission de l'application des normes

05.06.26

Comisión de Aplicación de Normas

114th Session, Geneva, 2026

114^e session, Genève, 2026114.^a reunión, Ginebra, 2026

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Undécima sesión, 5 de junio de 2026, 11.31 horas (cont.)**Eleventh sitting, 5 June 2026, 11.31 a.m. (cont.)****Onzième séance, 5 juin 2026, 11 h 31 (suite)**

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López**Discusión de los casos individuales (cont.)****Discussion of individual cases (cont.)****Discussion des cas individuels (suite)****Libia (ratificación: 1961)**

Convenio sobre la abolición del trabajo forzoso, 1957 (núm. 105)

Abolition of Forced Labour Convention, 1957 (No. 105)

Convention (n° 105) sur l'abolition du travail forcé, 1957

Presidenta – Señoras señores les rogamos que tomen asiento, por favor, para continuar con nuestras discusiones.

Continuando con el caso que vamos a abordar en el día de hoy: vamos a hablar sobre el Convenio sobre la abolición del trabajo forzoso, 1957 (núm. 105) por parte de Libia.

Para la discusión de este caso, contamos con 24 oradores inscritos en la lista, por lo cual la Mesa decidió reducir el tiempo máximo de intervención de los delegados que hablan a título individual de 5 a 3 minutos. Contamos con su comprensión y la colaboración para poder adoptar el discurso al tiempo otorgado.

Invito entonces al representante gubernamental de Libia el Sr. Kamal Khalifa Elhamali a que haga uso de la palabra, Director del Instituto del Trabajo de Libia.

Interpretation from Arabic: Government representative (Mr ELHAMALI) – The Government expresses its appreciation for the efforts of the Committee of Experts in preparing the report and for the constructive observations it contains which contribute to strengthening compliance with international labour standards. The Government affirms that it pays close attention to all observations issued by the supervisory bodies of the International Labour Organization and treats them as an opportunity to support ongoing legislative review and development efforts in a manner that enhances full compliance with the provisions of the Convention.

The Government wishes to emphasize that the reference in the Convention to political opinions relates exclusively to cases in which forced labour is imposed as a punishment for peaceful political expression in accordance with Article 1(a) of the Convention. This is the specific technical scope of the Convention. This was confirmed by the 2012 General Survey of the Committee of Experts entitled Giving Globalization a Human Face which noted in this regard that the Convention does not prohibit penalties involving compulsory labour for persons who use violence, incite violence or participate in preparatory acts aimed at violence.

However, the penalties that fall within the scope of forced labour are those imposed on persons who are prohibited from expressing opinions or those opposing the existing political, social or economic system. Whether such prohibition is imposed by law or by discretionary administrative decision. Accordingly, our Government considers it important to maintain clarity regarding the scope of the Convention and to avoid attributing to it meanings that exceed its technical content.

The Government of Libya reaffirms its full commitment to the Convention and is keen to align its national legislation with its provisions. Its commitment under the Convention focuses on ensuring that forced labour is not imposed as a means of punishment or discipline. It is working to ensure clarity and consistency of legal text with the Convention in a manner that prevents any interpretation that could lead to the imposition of forced labour on those who express peaceful political opinions, while emphasizing at the same time that national criminal legislation targets acts that fall within the protection of public order or public security in accordance with the law and not the mere peaceful expression of opinion. The Government clarifies that the legal provisions contained in the Penal Code are all subject to thorough legal review within the framework of updating national legislation with the aim of removing any ambiguity and ensuring clarity of the text in a manner that prevents any interpretation that could lead to the imposition of forced labour on those who express peaceful political opinions. The Government also wishes to point out that the Constitutional Declaration of 2011 which constitutes the governing constitutional framework of the State of Libya guarantees equality among citizens without discrimination on the basis of political opinions and affirms respect for human rights and fundamental freedoms and the Government's commitment to relevant international Conventions.

Accordingly, any existing legislative provisions are interpreted and applied in light of these constitutional guarantees, otherwise they are void and they are currently under review to enhance their full consistency with the Government's international obligations, including

with the Convention. The application of criminal provisions is subject to judicial oversight and to the guarantees of a fair trial, including respect for established constitutional principles. The Constitutional Declaration has established a system based on separation of powers and the independence of the judiciary during the transitional phase.

In confirmation of this, the Declaration guarantees freedom of opinion and expression, as well as freedom of the press and publication, in article 14. It also affirms equality before the law without discrimination on the basis of political opinions in article 6, commits to respect for human rights and international Conventions in article 7, and recognizes the right to work for every citizen together with other economic and social rights, in article 8. In addition, the Declaration provides in article 31 that there shall be no crime or punishment except as prescribed by law and guarantees the right to a fair trial. Furthermore, article 32 affirms the independence of the judiciary and prohibits the establishment of exceptional courts.

In the same context, the draft Constitution adopted by the Constitutional Drafting Assembly stipulates in article 34 the State's commitment to protecting human dignity and combating torture, cruel, degrading and inhuman treatment, forced disappearance, and all forms of slavery, servitude and human trafficking. It further provides that such crimes are not subject to prescription and prohibits forced labour, except in cases of necessity or pursuant to a sentence issued by a court. In addition, the Labour Relations Law No. 12 of 2010 provides as follows: Article 1 – labour relations among citizens in the Great Socialist People's Libyan Arab Jamahiriya are free relations aimed at eliminating wage slavery. Article 2 prohibits coercion, forced labour, and all forms of injustice and exploitation, and affirms that work is a right and a duty based on equality among citizens. Article 3 affirms that access to employment, occupations and professions shall be based on competence, merit and qualifications and prohibits favouritism or discrimination on the grounds of union affiliation or social origin. Article 5 defines forced labour as any work or service that any person is compelled to perform under the threat of a penalty and for which that person has not volunteered to undertake of his own free will.

Accordingly, Labour Relations Law No.12 of 2010 explicitly affirms that work is a right based on freedom and choice and strictly prohibits coercion, forced labour and manifestations of injustice and exploitation. It also includes a definition of forced labour that is consistent with established ILO principles and limits exceptions to internationally recognized circumstances, including work performed under judicial supervision in execution of a judicial sentence. The Government reaffirms that imprisonment does not necessarily imply forced labour. Work performed within correctional and rehabilitation institutions is administered in accordance with humanitarian and legal rules and aims at rehabilitation and social reintegration in line with Article 1 of the Convention which prohibits the use of forced labour as a means of discipline or as punishment for participation in strikes.

The General People's Committee has issued the Executive Regulations of Correction and Rehabilitation Institutions No. 168 of 2005. The Executive Regulations confirm that work within these institutions is not a compulsory punishment but is organized under human and legal standards aimed at rehabilitation and social reintegration.

Article 8 requires medical examination to determine the inmate's ability to work. Article 30 prohibits the employment of pregnant or nursing women except in accordance with their health condition. Article 39 considers work as part of social rehabilitation and links it to good conduct. Article 65 grants inmates wages in cases of illness or occupational injury applying social security provisions. Article 123 provides that work assignments are made on the basis of the appropriate inmate's condition.

With regard to sections 237 and 238 of the Penal Code, which relate to discipline and strikes, these provisions have not been applied since 2011. The country has indeed witnessed several peaceful strikes, particularly in the education sector and in certain production and service units, carried out within the framework of the rights guaranteed by the Constitutional Declaration. These provisions are also currently under legislative review to ensure that they cannot be interpreted or applied in a manner inconsistent with the provisions of the Convention.

The Government expresses its readiness to provide the Committee of Experts with further information on the application in practice of the provisions on the observation including, available data on relevant cases and judicial decisions, within the framework of the constructive dialogue and ongoing cooperation with the ILO's supervisory bodies.

The Government has, in recent years, introduced several amendments to its national law in consultation with its social partners, reflecting continued progress in developing legislation in line with international labour standards.

The Government affirms that these legislative reforms form part of its commitments to strengthening fundamental rights and freedoms and ensuring the conformity of national legislation with the relevant international Conventions including Convention No. 105.

However, the political instability and the transitional phase that Libya has undergone and continues to undergo, have affected the acceleration of some legislative reforms and delayed certain practical steps in this regard. The Government affirms its commitment to continuing the development of its legislative framework in a manner that reflects the State's determination to advance towards a legal system more aligned with international labour standards. Concrete steps have been taken towards this direction through technical meetings and legal consultations between the Ministry of Labour and Rehabilitation and the Ministries of Justice, Interior and Foreign Affairs. In addition, a tripartite national committee comprising representatives of the Government, employers and workers has been established to examine the alignment of legislation with international Conventions. A new media law is being prepared and a preliminary review of the Penal Code is under way.

The Government expresses its appreciation for the technical support provided by the International Labour Office and particularly values the specialized workshop on forced labour held in May, which contributed to enhancing dialogue among social partners and supporting national efforts to bring national legislation and practices in line with the provisions of the Convention.

In conclusion, the Government reaffirms its firm commitment to the application of the Convention and to the continued review and development of its national legislation with a view to ensuring full alignment with international labour standards.

It also reaffirms its full openness to dialogue and technical cooperation with the International Labour Organization and its supervisory bodies. It values the observations submitted by Committee members and social partners as positive contributions supporting reform and development efforts.

The Government remains committed to continuing its work to address the concerns raised and to strengthen the relevant legal and institutional safeguards, thereby reinforcing respect for fundamental rights at work and enhancing full compliance with international Conventions ratified by the State of Libya.

Presidenta – Voy a dar ahora el uso de la palabra al Sr. Lor Sok, portavoz del Grupo de los Empleadores, para que realice su declaración inicial.

Employer members – The Employer members stress the importance of ILO Member States' compliance with the ten core Conventions, including Convention No. 105, which is a fundamental Convention that aims to abolish certain forms of forced or compulsory labour constituting violations of the human rights referred to in the Charter of the United Nations (UN). The eradication of forced labour is an obligation under international law applying to all ILO members: employers, workers and governments.

By way of background, the Government ratified the Convention in 1961. So far, the Committee of Experts has provided six observations on this case, namely in 2010, 2016, 2018, 2022, 2024 and more recently in 2025.

This is the first time that the Committee looks at the application of the Convention in Libya. Concerning the procedural obligation of Libya, the Employer members note that Libya was included this week in the list of countries that have failed to provide information in response to the comments of the Committee of Experts. We are aware of the challenges the country is going through, but we recall that complete, accurate and timely reporting remains an essential element of the ILO supervisory system and is essential to enable effective supervision of the application of ratified Conventions and meaningful dialogue among governments and the social partners.

Concerning the case before this Committee, we note that the Committee of Experts has identified one main issue, which is the legislative provisions concerning sanctions involving the obligation to work as a punishment for the expression of political views or views ideologically opposed to established social or economic system, which is contrary to Article 1(a) of the Convention. Specifically, the Committee of Experts highlights three critical areas requiring correction: certain provisions of the Publications Act No. 76, 1972 and the Penal Code, the Penal Code's broad restrictions, and the Anti-Cybercrime Law, 2022, which introduces vague parameters regarding digital data that threatens public security.

We further note that the United Nations fact-finding mission on Libya, which took place in 2023, provided concerning findings that the Libyan authorities have restricted fundamental rights, including freedom of assembly, association, expression and belief. The report of the fact-finding mission indicates that individuals have been detained for expressing criticism of the State and for holding divergent political, religious or social views.

We note the Committee of Experts' deep concern at the current human rights situation in the country if measures are enforced by sanctions involving compulsory labour. The State has a duty to prevent forced labour. Therefore, it is particularly concerning when the State itself is involved.

The Employer members strongly oppose violations of the Convention and are committed to upholding fundamental labour principles to ensure forced labour is not tolerated.

The Employer members take the finding of the Committee of Experts very seriously, but as we heard, at the same time, to ensure a balanced perspective, we should not consider the case of Libya in a vacuum. Rather, it is important to consider also the current national reality that Libya is facing. Libya is currently navigating a period of volatility, characterized by ongoing political instability and security challenges. We recognize that the volatility has placed a disproportionate burden on Libya's institutional capacity in infrastructure. However, we also note that it is precisely during such a complex period that clear legislative safeguards

conforming to the Convention can provide a helpful foundation for sustainable recovery and stability.

The Employer members further note that the Government, in its written information, considers the Constitutional Declaration of 2011. It serves as the supreme reference during the transitional phase and implicitly supersedes conflicting laws that could be interpreted as restricting press freedom or imposing forced labour, including the provisions of the Publications Act No. 76, 1972. While the Employer members welcome this overarching constitutional commitment, we also note that implicit repeal may be insufficient to provide true legal certainty on the ground.

In practice, as long as contradicting provisions remain written in the Publications Act No. 76, 1972 and the Penal Code, the risk of misinterpretation or misapplication remains. Therefore, we urge the Government to translate the spirit of the Constitutional Declaration into concrete, explicit legislative amendments that formally repeal or amend relevant provisions of the Publications Act No. 76, 1972 and the Penal Code, to bring them in conformity with the Convention.

The Employer members note, in the Government's written information, that it highlights that it is working to guarantee clarity in legal texts and their conformity with the Convention, so as to prevent any interpretation that could lead to the imposition of forced labour on persons peacefully expressing political or intellectual views. We, as Employer members, welcome this commitment of the Government.

We note that, following the 2025 Committee's discussion on the application by the Government of a different but related Convention, which is the Forced Labour Convention (No. 29), 1930, the Government requested technical assistance from the Office to address the Committee's conclusions and to strengthen the capacity of the tripartite constituents on international labour standards-related topics.

We further note that an initial field mission took place in Tripoli from 17 to 21 May 2026, serving as a very important point of progress. We view that this process presents a timely opportunity for the Government to demonstrate its commitments to international labour standards.

The Employer members urge the Government to engage further with the Office to expand its technical assistance to effectively address and implement the coming conclusions of this Committee regarding the application the Convention.

In light of the Committee of Experts' six previous observations regarding this Convention, we urge the Government to transition from dialogue into concrete action and, specifically, we call for a road map with a timeline to bring the identified legislation of Libya and actual practice in alignment with the Convention, by ensuring its effective and ongoing implementation within its national territory.

Presidenta – Voy a pasar el uso de la palabra a la representante del Grupo de los Trabajadores, la Sra. Alejandra Ortega, para que realice su declaración inicial.

Miembros trabajadores – Señoras y señores miembros de la Comisión: comparecemos hoy ante esta Comisión para examinar la aplicación por parte de Libia del Convenio, un convenio fundamental cuya aplicación efectiva se sitúa en el centro mismo del mandato y de la credibilidad de la OIT.

El Convenio establece una obligación clara y categórica: abolir el trabajo forzoso u obligatorio en todas sus formas, en particular cuando se utiliza como medio de coerción

política, de sanción por la expresión de opiniones, de disciplina laboral o de discriminación. Se trata de un Convenio que no tolera ni ambigüedad ni un cumplimiento parcial. Sus exigencias se aplican en todo momento y en toda circunstancia, incluso en periodos de fragilidad institucional o de transición política.

Hoy, este caso es examinado por la Comisión porque el sistema penal libio prevé que las personas que expresen determinadas opiniones políticas o posturas ideológicamente opuestas al sistema político, social o económico establecido, puedan ser castigadas con penas de prisión que incluyen trabajo obligatorio. Así se desprende de diversas disposiciones de la Ley de Publicaciones núm. 76 de 1972. Los funcionarios o los trabajadores del sector público incluso pueden ser encarcelados, también con trabajo penitenciario obligatorio, como sanción por infracciones de la disciplina laboral o por su participación en acciones colectivas.

Como miembros trabajadores estamos profundamente preocupados por el hecho de que la libertad de expresión y la libertad de asociación sean así vulneradas como derechos humanos fundamentales. Además, no solo se encierra a personas, sino que sus condenas también comportan la obligación de trabajar, lo que constituye trabajo forzoso. Incluso en los casos de penas de detención de un año o más el juez puede ordenar que esa detención se cumpla con trabajo obligatorio.

Aunque la Comisión de Expertos viene señalando este problema desde hace al menos una década, sin recibir una respuesta satisfactoria, el Gobierno ha adoptado, entre tanto, la Ley contra la Ciberdelincuencia, 2022. Esta Ley criminaliza el intercambio de información y opiniones, que supuestamente amenacen la seguridad pública o la paz, sancionándolo con penas de prisión que pueden, una vez más, implicar trabajo obligatorio. Subrayamos que varios expertos de las Naciones Unidas han expresado su preocupación por el carácter vago y amplio de varias disposiciones de esta Ley, lo que podría dar lugar a su aplicación discriminatoria contra periodistas, defensores de los derechos humanos, activistas y actores en general de la sociedad civil. Ya constatamos que dirigentes sindicales son víctimas de ataques repetidos por haber alzado la voz.

Nuestras preocupaciones se ven aún más reforzadas por el Informe de la Misión Internacional Independiente de Investigación de las Naciones Unidas sobre Libia, del 3 de marzo de 2023, que subraya que las autoridades, en particular la Agencia de Seguridad Interna, restringen los derechos de reunión, asociación, expresión y creencia, con el fin de asegurar la obediencia, afianzar valores y normas que sirven a sus propios intereses y castigar las críticas contra las autoridades y sus dirigentes.

Esto significa, que los derechos humanos y los derechos fundamentales son vulnerados simultáneamente: primero, mediante la restricción de la libertad de expresión y de asociación, y después mediante la imposición de trabajo obligatorio.

Los miembros trabajadores desean subrayar que las cuestiones planteadas por la Comisión de Expertos van más allá de simples declaraciones de principio. El Convenio exige la ausencia total de ambigüedad en la ley, así como efectividad en la práctica. Las disposiciones constitucionales generales o las amplias declaraciones de intención no bastan si no se traducen en normas jurídicas detalladas que prohíban claramente el trabajo forzoso en todas sus formas prohibidas y prevean recursos y sanciones efectivos en caso de violación.

En sus comentarios, la Comisión de Expertos ha subrayado la importancia de velar por que todo trabajo realizado bajo la autoridad o la supervisión del Estado sea plenamente conforme con el Convenio. Ello incluye las situaciones en las que el trabajo puede imponerse en contextos relacionados con la detención, en el marco de dispositivos de emergencia o bajo

otras formas de servicio obligatorio. Todo sistema que permita imponer trabajo bajo la amenaza de una sanción, sin consentimiento genuino, y sin garantías jurídicas sólidas, actúa en violación del Convenio.

La persistencia de estas deficiencias es especialmente preocupante, habida cuenta del carácter fundamental de este Convenio. Afecta al núcleo mismo de la dignidad humana y del Estado de derecho. Allí donde el trabajo forzoso no está prohibido de manera inequívoca ni se impide eficazmente, son las personas más vulnerables quienes sufren de manera desproporcionada sus consecuencias: los trabajadores y trabajadoras colocados bajo la autoridad de organismos públicos, las personas privadas de libertad, y aquellas que no tienen medios para impugnar prácticas coercitivas.

Nos sumamos, por tanto, a la solicitud de la Comisión de Expertos, pidiendo que el Gobierno proporcione información específica y detallada, sobre las medidas legislativas y prácticas adoptadas para garantizar la abolición completa del trabajo forzoso, así como sobre los mecanismos de control, aplicación y rendición de cuentas. Subrayamos, que la Comisión de Expertos también ha insistido en la importancia de contar con sanciones y recursos efectivos, de modo que toda violación del Convenio no solo esté prohibida sobre el papel, sino que sea realmente prevenida y abordada en la práctica.

Observamos también que este asunto no se presenta de manera aislada. Libia ya fue examinada por esta Comisión durante la sesión anterior de 2025, y se adoptaron conclusiones que reflejaban las graves preocupaciones planteadas por los órganos de control respecto del incumplimiento de las obligaciones en materia de explotación de trabajadores migrantes en prácticas abusivas, asimilables al trabajo forzoso. El Informe anual de Human Rights Watch confirma, que esto sigue siendo así.

En ocasiones migrantes detenidos y otros prisioneros son vendidos, insisto son vendidos, en subastas para trabajar en los sectores de la construcción o de la agricultura, sin remuneración o a cambio de mera subsistencia, lo que equivale a la existencia de mercados de esclavos.

Nuestras conclusiones adoptadas en 2025 subrayaron la importancia de una cooperación constructiva y sostenida con la OIT. Esa cooperación es esencial para apoyar el cumplimiento, en un contexto en el que las capacidades institucionales siguen siendo frágiles. Pero, reiteramos que la cooperación con la OIT no es un fin en sí mismo; debe conducir a progresos mensurables, a claridad legislativa y a una protección efectiva de los trabajadores.

Exámenes repetidos con arreglo al mismo convenio fundamental, como ocurre hoy, sin avances correspondientes, revelan una urgencia que exige que reforcemos las expectativas depositadas en el Gobierno e insistamos en un seguimiento concreto.

Los miembros trabajadores piden al Gobierno que tenga plenamente en cuenta las conclusiones de la Comisión de Expertos, y que proporcione toda la información solicitada.

Hacemos un llamamiento al Gobierno para que adopte las medidas necesarias a fin de garantizar que no se imponga pena de prisión alguna a personas que, sin recurrir a la violencia, expresen opiniones políticas o puntos de vista opuestos al sistema político, social o económico establecido, ya sea con o sin internet u otros medios tecnológicos, y para garantizar que en ningún caso puede imponerse trabajo forzoso durante una pena de prisión.

Así pues, confiamos en que el Gobierno garantice que el trabajo forzoso sea efectivamente abolido en todas las formas prohibidas por el Convenio, y en que su respuesta refleje la urgencia de la situación. Por ello, un apoyo directo de la OIT parece necesario.

También instamos al Gobierno a dar seguimiento a las conclusiones de la Comisión, ya adoptadas en 2025, y a adoptar medidas efectivas y urgentes para poner fin a la detención arbitraria y a la explotación de los migrantes, e impedir que sean sometidos a trabajo forzoso.

Presidenta – Vamos a pasar el uso de la palabra al Sr. Mohamed Ali Emhemed Rwaiha, quien hablará en representación de los trabajadores de Libia.

Interpretation from Arabic: Worker member, Libya (Mr RWAIHA) – I’m speaking on behalf of the workers of Libya and we wish to begin by extending our appreciation to the Committee of Experts for all of the work that they have done and we also appreciate the work of the Committee and we are deeply convinced that trade union rights are a fundamental pillar of social justice, of stability and of good labour relations.

These obligations form an integral part of the obligations that Libya has assumed internationally. For many years Libya has faced significant political, economic and social challenges with a profound impact on labour institutions. In this context, the trade union movement in Libya has played its legitimate role in defending the rights of workers and demanding that their legitimate rights be respected. We commend what the State has done in seeking to revise national legislation to bring it into conformity with the Convention and other fundamental Conventions. We believe that any legal review must be carried out within the context of genuine social dialogue involving public authorities, workers and employers on an equal footing.

We also affirm that it is necessary to develop the institutional legislative framework so that to provide more effective guarantees of freedom of association, trade union rights and all rights in general. We need to do this in order to ensure that we are fully in conformity with international labour standards. Looking at the world of work today in Libya, we recognize that the country is in a very difficult position. Many companies have gone bankrupt, investors and partners have withdrawn from the country in recent years. All of this has had an adverse effect on people’s lives and on their ability to feed themselves and, indeed to earn a decent livelihood.

We, therefore, commend any effort being undertaken by the Government in seeking to tackle this situation. We very much hope that decisions can be taken quickly to resolve many of the administrative and financial problems of workers who work for companies that have gone bankrupt. They need to have their rights restored and their economic rights in particular. This is a significant proportion of workers in Libya. Workers should not have to shoulder the consequences of bankruptcy or of withdrawal of investment.

These workers and their families are a national responsibility and require an emergency solution to promote social justice, one of the ideals that is promoted and defended by the ILO.

Workers in Libya want a fairer and freer labour market. They seek the protection of their salaries and wages. They want their social rights to be respected and they recognize that social dialogue is the way to achieve these goals and also to achieve the objective of sustainable development.

We commend the efforts taken made by the Government and the measures adopted to extend social protection to workers. Yes, what has been done is modest but it is a step in the right direction. We need reform at all levels to guarantee that workers can fully enjoy their rights, including the right to work. We call upon the ILO to provide technical assistance to the Government and to social partners. This is necessary in order to ensure that national legislation can be fully in line with international labour standards.

There is one point that I would like to underscore strongly and unequivocally. One of the biggest problems faced by workers and the trade union movement in Libya is the political situation in the country and the divisions that continue to affect it. Measures are taken but they cannot be applied at the grassroots level particularly because of issues relating to sanctions. We do not wish to see our country on this list of cases before the ILO for any longer. We want to work with the ILO, with the Committee of Experts and other Committees.

We need technical assistance and training that can help us create decent jobs for all, and we want these objectives to be achieved through social dialogue in our country. We wish to conclude by reiterating our willingness to work and cooperate with the ILO and with employers' associations. We all need to work together so that everyone can live in dignity without any forced labour and free from any restrictions that are incompatible with the founding principles of this Organization.

Presidenta – Quisiera pedir a todos los oradores que, por favor, pronuncien sus discursos en un ritmo razonable para facilitar la labor de los intérpretes.

Ahora voy a pasar la palabra al Sr. Mohammed Hamad Mohammed Ahmed, representante gubernamental del Sudán, quien hablará en representación del grupo árabe.

Interpretation from Arabic: **Government member, Sudan (Arab group) (Mr AHMED)** – On behalf of the Arab Group and in the name of Sudan, we would like to offer our thanks for the efforts of the Committee of Experts who have drawn up this report with observations to heighten respect for international labour standards.

We also want to express our support for the Government in the reform process and with regard to the reforms that are undertaken to respond to the comments from our Committee. The Government has demonstrated that it is committed to the provisions of the Convention because it is very careful to bring its national legislation in conformity with the provisions of the Convention so that no compulsory labour is imposed as a punishment or a sanction and also to avoid any other way of sanctioning political dissent through compulsory labour.

We would like to underscore that the full legislative review was launched by the Government looking at all relevant legislation. This has taken place. This is guaranteed in the 2011 Constitutional Declaration.

There is a draft constitution which seeks to protect the fundamental rights and freedoms in the country and to ban any kind of forced labour. Therefore, we very much welcome the measures taken by the Government to promote rehabilitation and social reinsertion and to ensure that forced labour does not occur. These efforts demonstrate a commitment to addressing the issue through rehabilitation and social reintegration rather than punitive approaches. We see that in Libya there is a very difficult, challenging security and political situation at the moment that we need to bear in mind. Nevertheless, we note the establishment of a national tripartite committee, the holding of consultations with the relevant ministries, and the adoption of other measures aimed at improving transparency and advancing legislative reform.

Presidenta – Pasamos la palabra a la Sra. Georgia Ioannou, representante gubernamental de Chipre, que hablará en nombre de la Unión Europea.

Government member, Cyprus, speaking on behalf of the European Union (EU) and its Member States (Ms IOANNOU) – I have the honour to speak on behalf of the European Union (EU) and its Member States. The candidate countries, North Macedonia, Montenegro, Albania and Republic of Moldova, the European Free Trade Association (EFTA) country Norway,

member of the European Economic Area, as well as the United Kingdom align themselves with this statement.

The EU and its Member States are committed to the respect, protection and fulfilment of human rights, including labour rights. We promote universal ratification and effective implementation of fundamental ILO Conventions and support the ILO supervisory system in its crucial role of promoting and supervising the application of ratified standards.

We remain seriously concerned by the human rights situation in Libya, in particular the restrictions of fundamental rights and liberties, including freedom of expression. In line with the Committee of Experts, we urge the Government to take the necessary measures to ensure that no prison sentences involving compulsory labour are imposed on persons who, without having recourse to violence, express political opinions or views opposed to the established political, social or economic system.

We call on the Government to bring the provisions of the Publications Act No. 76, 1972 into conformity with the Convention and to provide specific information on the application in practice of these provisions, including the number of cases prosecuted, the convictions brought, the facts that led to these convictions, and the penalties applied.

In regard to the Anti-Cybercrime Law of 2022, we urge the Government to ensure that no one who expresses political opinions, including dissenting opinions, or any views through the internet or any other technological tool, can be sentenced to imprisonment and compulsory labour, as enshrined in the Convention.

We call on the Government to take measures to amend the provisions of the Anti-Cybercrime Law of 2022 in a way that will restrict their scope and prevent any interpretation in its application that could lead to the imposition of a penalty involving compulsory work on persons who express political views or views ideologically opposed to the established political, social or economic system.

We note with interest the written information provided by the Government stating that the provisions contained in the Penal Code, the Publications Act No. 76, 1972 and the Anti-Cybercrime Law of 2022 are subject to thorough legal review to remove ambiguities and ensure clarity so that no interpretation may result in the imposition of forced labour on persons peacefully expressing political or intellectual opinions.

In the interim and while awaiting the outcome of the legislative process, we recommend the implementation of executive orders to ascertain the protection from forced labour. We encourage the Government to translate its commitment into action, in full conformity with the fundamental Convention, and to continue its cooperation with the ILO. The EU and its Member States will follow the situation closely and remain ready to support efforts aimed at ensuring compliance with international labour standards and the abolition of forced and or compulsory labour.

Presidenta – Pasamos el uso de la palabra a la Sra. Zeineb Letaief, quien habla en representación del Gobierno de Túnez.

Interprétation de l'arabe: **Membre gouvernementale, Tunisie (M^{me} LETAIEF)** – La délégation de mon pays souhaite la bienvenue à la délégation de la République libyenne et la remercie pour les données fournies concernant les efforts déployés par le pays pour ce qui est de l'application de la convention n° 105.

Nous apprécions l'engagement du gouvernement pour ce qui est de la convention et l'harmonisation de ces législations nationales avec ses dispositions en plus des efforts visant à

garantir la clarté des textes juridiques à travers leur révision et leurs interprétations. Nous saluons les démarches pratiques prises en la matière.

De même la délégation de mon pays appuie la requête d'assistance technique et financière présentée par le gouvernement à l'Organisation internationale du Travail afin de rédiger les amendements nécessaires pour garantir le respect complet de la convention, et ce de façon à promouvoir la confiance pour ce qui est du processus de réforme juridique institutionnelle dans le pays. La délégation de mon pays salue les engagements pris par le gouvernement et les efforts déployés afin de respecter les normes internationales et ceci en prenant en compte les observations et les conclusions de cette commission ainsi que la commission d'experts.

Presidenta – Pasamos el uso de la palabra a la Sra. Mathilde Frapard, quien habla en representación de los trabajadores de Francia.

Membre travailleuse, France (M^{me} FRAPARD) – J'interviens ici au nom des travailleurs français, nordiques et belges. Les chiffres sont sans équivoque, entre 2005 et 2025 plus de 40 journalistes et blogueurs ont été tués en Libye. En 2024, au moins cinq journalistes ont été emprisonnés et 488 violations à l'encontre de journalistes ont été recensées entre 2014 et 2024. En 2024, la Libye se classe 143^e sur 180 pays dans le classement mondial de la liberté de la presse de Reporters sans frontières. La répression dépasse largement les journalistes. En juillet 2024, la Mission d'appui des Nations Unies en Libye a recensé au moins 60 personnes détenues pour leur affiliation politique réelle ou supposée, un nombre probablement sous-estimé.

Il ne s'agit pas d'incidents isolés mais d'un système où la détention est utilisée comme une arme contre la liberté d'expression. La commission d'experts identifie trois lois: la loi n° 76 de 1972 sur les publications; le Code pénal; et la loi de 2022 contre la cybercriminalité. Ce corpus constitue l'architecture juridique d'un dispositif de répression destiné à réduire au silence les voix qui s'expriment, car toute personne emprisonnée sur le fondement de ces dispositions pour avoir exercé pacifiquement son droit d'expression, et de plein droit, est soumise au travail forcé.

Le travail forcé touche également les migrants et les réfugiés détenus en Libye. Depuis 2016, les Nations Unies documentent un système dans lequel des milliers de migrants, hommes, femmes et enfants, sont contraints à des travaux sans rémunération dans des centres de détention officiels ou dans des lieux informels contrôlés par des groupes armés. Ces travaux sont imposés sous la menace de violence, et parfois présentés comme une condition pour réduire la rançon ou obtenir la libération.

Le lien entre la répression de la liberté d'expression et le travail forcé des populations les plus vulnérables est structurel. Lorsque les journalistes sont réduits au silence, les abus commis ne peuvent être ni documentés, ni dénoncés, ni portés à la connaissance du public. Lorsque les militants du droit du travail sont emprisonnés et soumis au travail forcé, les travailleurs les plus vulnérables perdent leurs derniers défenseurs. Et cette situation est aggravée par l'impunité. Détention arbitraire, disparition forcée, torture et décès en détention persistent, tout en alimentant un climat de peur et en affaiblissant l'état de droit. En 2024, deux personnes sont décédées en détention à l'Agence de sûreté intérieure dans des circonstances suspectes. Mais aucune enquête indépendante n'a été ouverte sur ces deux décès. Pour les travailleurs, les conséquences de cette répression systémique sont déterminantes. Un cadre qui réduit les journalistes au silence, criminalise les militants et emprisonne les voix syndicales détruit l'écosystème grâce auquel les droits des travailleurs sont défendus.

Nous appelons le gouvernement à réagir en mettant en œuvre une réforme législative globale, en instaurant une obligation de rendre compte et en créant les conditions permettant d'exercer sans crainte la liberté d'expression, le droit d'association et les droits des travailleurs.

Presidenta – Pasamos el uso de la palabra al Sr. Adrian Steiner, quien hablará en representación del Gobierno de Suiza.

Membre gouvernemental, Suisse (M. STEINER) – La Suisse soutient la déclaration faite par l'Union européenne (UE) et souhaite faire part des points suivants.

La Suisse prend note des indications du gouvernement concernant son intention de mettre la législation nationale en conformité avec la convention, mais exprime une profonde inquiétude face aux constats répétés de la commission d'experts concernant la loi n° 76 de 1972 sur les publications et certaines dispositions du Code pénal.

Nous sommes particulièrement préoccupés par le fait que ces dispositions permettent de sanctionner l'expression d'opinions politiques ou d'une opposition idéologique par des peines d'emprisonnement. La Suisse déplore en outre que, en cas de condamnation à une peine de détention d'une durée d'un an ou plus, le juge puisse ordonner que la détention soit assortie de travail obligatoire, ce qui soulève de sérieuses préoccupations au regard de la convention.

La Suisse note avec une profonde inquiétude que la nouvelle loi de 2022 sur la lutte contre la cybercriminalité contient des dispositions prévoyant des peines impliquant le travail forcé. Nous relevons avec inquiétude le caractère vague et très général de plusieurs de ses dispositions, notamment celles relatives à la «sécurité publique» et à la «moralité», susceptibles d'entraîner une application large et discriminatoire, en particulier à l'encontre des journalistes, des défenseurs des droits de l'homme et des acteurs de la société civile. La Suisse relève avec une profonde préoccupation que ces éléments s'inscrivent dans un contexte plus large de durcissement de la répression, marqué par des arrestations arbitraires et des campagnes de dénigrement.

Dans ce contexte, la Suisse appelle instamment les autorités libyennes à prendre toutes les mesures nécessaires, sans délai, afin de garantir qu'aucune personne ne pourra être condamnée à une peine impliquant du travail obligatoire pour avoir exprimé des opinions politiques ou des positions critiques de manière non violente. Nous exhortons également le gouvernement à entreprendre une révision en profondeur de la loi n° 76 de 1972 sur les publications et de la législation relative à la cybercriminalité, afin d'assurer la conformité de ces législations avec la convention et de prévenir toute interprétation ou application abusive.

La Suisse encourage enfin le gouvernement à fournir des informations détaillées et transparentes sur l'application concrète de ces dispositions, notamment en ce qui concerne le nombre de cas, les procédures engagées et les peines prononcées.

Presidenta – Pasamos el uso de la palabra al Sr. Roberto Baradel, quien hablará en representación de los trabajadores de la Argentina.

Miembro trabajador, Argentina (Sr. BARADEL) – Hablo en nombre de los trabajadores de la Argentina, de los trabajadores de Italia, de las centrales del Uruguay, con una profunda preocupación sobre los incumplimientos denunciados respecto al Convenio en el caso de Libia.

El Convenio prohíbe específicamente el uso de cualquier forma de trabajo forzoso u obligatorio como medida de coacción o educación política, o como castigo por expresar opiniones políticas o posturas ideológicas contrarias al sistema político, social y económico establecido. Libia ratificó el Convenio sobre el trabajo forzoso, 1930 (núm. 29) y el Convenio núm. 105 en 1961. Sin embargo, los informes de las Naciones Unidas, entre ellos, el de la

Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, ponen de manifiesto que los centros de detención libios suelen estar gestionados por actores no estatales y bandas armadas al margen de la ley. Dentro de estas instalaciones, migrantes, refugiados y opositores políticos sufren graves abusos, incluidos trabajos forzados y extorsiones.

A este respecto, cabe mencionar que, en este momento, se está llevando un hecho de extrema gravedad, se encuentran detenidos en Bengasi, precisamente por motivos relacionados con sus opiniones políticas, ciudadanos argentinos, italianos, tunecinos, estadounidenses, uruguayos, españoles y portugueses, que son parte de una misión humanitaria para llevar ayuda a Gaza. Sin embargo y sin reparar que una misión de ayuda humanitaria no incurre en ningún tipo de delito, fueron detenidos y retenidos ilegalmente, sufriendo malos tratos, abusos y falta de asistencia legal y médica. Hoy ese grupo de ciudadanos está en huelga de hambre para que se respeten sus derechos.

Por estos motivos, reclamamos que el Gobierno libere de forma inmediata a los ciudadanos detenidos ilegalmente y que respete los derechos humanos y las libertades fundamentales, incluida la libertad de expresión, y que respete los convenios de la OIT, tomando las medidas necesarias para que nadie sea encarcelado ni sometido a trabajos forzados por el mero hecho de haber manifestado, sin recurrir a la violencia, una oposición política.

Presidenta – Pasamos el uso de la palabra a la Sra. Ewa Kedzior, quien hablará en representación de los trabajadores de Polonia.

Worker member, Poland (Ms KEDZIOR) – I am speaking on behalf of NSZZ Solidarność. On 27 September 2022, the Anti-Cybercrime Law, 2022 was issued.

NSZZ Solidarność observes that the Committee of Experts notes that certain provisions of this Anti-Cybercrime Law, 2022 criminalize behaviours with a prison sentence which involves compulsory labour. NSZZ Solidarność shares concerns expressed by United Nations experts and Libyan civil society organizations that the vague and broad nature of a number of the provisions of this law may lead to their discriminatory application against journalists, human rights defenders, activists and civil society actors who express dissenting views or publish, share or comment on information about the Government, its policies or actions, with such criticism being liable to interpretation as threatening to “public security or peace” or “public order or morality”. NSZZ Solidarność observes that the Anti-Cybercrime Law, 2022 was drafted without consultation with the Libyan civil society. Libyan citizens became aware of this new Law when a copy of the draft was leaked in October 2021 on social media.

Throughout the whole process of its development, the legislators working on the draft law did not consult with any relevant actors of civil society or the legal community and did not give prior knowledge of it to the Libyan public.

NSZZ Solidarność shares the concerns that this Anti-Cybercrime Law, 2022 can restrict basic rights such as freedom of opinion and expression, the right to freedom of peaceful assembly and association, and lead to arbitrary arrests. Seven men aged between 19 and 29 were arbitrarily arrested and detained by the International Security Agency in 2021 and 2022 for using social media to propagate atheism and contempt for religion. Four of these men were sentenced to three years’ imprisonment with hard labour. On February 2023, the Libyan authorities arrested a singer and an online content creator, both women, for allegedly violating that law and for violating “honour and public morals”.

NSZZ Solidarność shares the Committee of Experts' concern that restrictions on the right to freedom of expression may be penalized through sanctions of imprisonment involving compulsory labour. NSZZ Solidarność shares the Committee of Experts' recommendations and urges the Government to take immediate measures, both in law and practice, to put an end to any violation of the Convention, by ensuring that no one who expresses political opinions, including dissenting opinions, or any views through the internet or any other technological tool, can be sentenced to imprisonment, under the terms of which compulsory labour is imposed.

Presidenta – Pasamos el uso de la palabra al Sr. Ahmed Bouchlarhem, quien habla en representación del Gobierno de Marruecos.

Interprétation de l'arabe: **Membre gouvernemental, Maroc (M. BOUCLARHEM)** – Tout d'abord, nous exprimons notre estime pour les efforts de la commission d'experts pour ce qui est de l'élaboration des rapports, des observations et des recommandations objectives qui contribuent à appuyer le respect des normes internationales du travail et promouvoir le dialogue constructif entre les États Membres et les organes de contrôle de l'OIT. Nous remercions également le gouvernement pour les informations et les éclaircissements présentés qui reflètent l'attention et l'interaction positive pour ce qui est des observations et la coopération avec les mécanismes de contrôle. Nous avons suivi avec intérêt les données fournies par la délégation libyenne, et nous remarquons qu'il y en a qui portent sur la modernisation du système législatif institutionnel pertinent pour ce qui est des dispositions de la convention.

Nous apprécions les efforts déployés pour ce qui est de promouvoir les droits fondamentaux au travail dans un cadre de conjoncture exceptionnelle, ce qui fait que la poursuite de ces réformes est un indicateur positif de l'engagement des autorités libyennes à respecter l'harmonisation avec les normes internationales du travail.

Nous remarquons que les autorités libyennes n'ont pas seulement interdit le travail forcé, mais elles ont révisé les textes juridiques pertinents afin de garantir l'harmonisation avec les exigences de la convention, surtout pour ce qui est de la protection des libertés fondamentales et l'interdiction de toute pratique pouvant entraîner, de façon directe ou indirecte, l'imposition du travail forcé. Nous enregistrons, avec une approche positive, les données des garanties constitutionnelles et juridiques au niveau de la protection des droits et des libertés fondamentales en vue de renforcer l'égalité devant la loi et l'indépendance judiciaire.

Le travail au sein des institutions de réformes s'inscrit dans le cadre de la réinsertion sociale selon des règles juridiques claires, et ce pour poursuivre la réforme à travers des mécanismes nationaux qui rassemblent tous les partenaires sociaux.

En conclusion, nous voyons que les efforts législatifs institutionnels de procédure présentés à la commission constituent des indicateurs positifs de la volonté réelle d'harmoniser la législation et la pratique sur le plan national avec les dispositions de la convention. Par conséquent, nous recommandons au Bureau de fournir l'assistance technique au gouvernement et de lui accorder le temps nécessaire pour mettre en place les réformes et pour respecter la convention.

Presidenta – Pasamos el uso de la palabra al Sr. Ryo Saito, quien habla en representación de los trabajadores del Japón.

Worker member, Japan (Mr SAITO) – The Committee of Experts' 2026 observation references the UN fact-finding mission on Libya, which documented that the Internal Security

Agency (ISA) systematically detains individuals for criticizing the authorities. The cases reveal a pattern of punishment inside State facilities, outside judicial oversight, with complete impunity.

On 11 July 2024, journalist Ahamed Al-Senussi, editor-in-chief of the Sada Economic Newspaper and host of "Flusna" on Al-Wasat TV, was arrested in Tripoli by ISA members. He had returned to Libya only the day before. The reason: he had published documents exposing corruption within the Ministry of Economy and Trade. He was held incommunicado for three days.

According to his own public testimony, he was blind-folded, forced to kneel for hours, subjected to beatings, verbal abuse and the threats of sexual assault. He was coerced into recording a filmed "confession" that the ISA broadcast on its platform. He later said: "I testify that you destroyed my life with that video that my family watched." He was released on 14 July 2024, without a single charge filed.

The UN Support Mission in Libya (UNSMIL), the EU Delegation, the United States Embassy, the Committee to Protect Journalists and Libya Crimes Watch all condemned the arrest. Al-Senussi was released but fled to the Kingdom of the Netherlands, unable to work inside Libya.

Let us be clear about what this case means under the Convention. Al-Senussi was arrested for economic journalism – for documenting corruption in a government institution. This is precisely the journalism that workers depend on. When journalists face detention, torture, coerced confession broadcast to their families and exile, the exploitation continues in the dark, protected by the silence that fear enforces.

No one has been held accountable. No investigation has been opened. No charge was ever brought. The ISA arrested him, tortured him, coerced his confession and released him with no consequence whatsoever. This is what impunity looks like in practice and it tells every worker, journalist and activist in Libya that the State can do this again, at any time, to anyone. We call on the Government to open an independent investigation into the torture allegations inside ISA detention facilities, and to ensure that no journalist, worker or activist in Libya faces detention for the peaceful exercise of expression.

Presidenta – Pasamos el uso de la palabra al Sr. Belgacem Tabai, quien hablará en representación del Gobierno de Argelia.

Interprétation de l'arabe: **Membre gouvernemental, Algérie (M. TABAI)** – La délégation algérienne voudrait remercier la délégation libyenne pour les informations détaillées fournies sur l'application de la convention, ce qui reflète les efforts déployés de la part du gouvernement en la matière.

À cet égard, l'Algérie encourage le gouvernement poursuivre ses efforts fructueux afin de répondre aux observations portant sur l'application de cette convention et à poursuivre le processus de réforme législative institutionnelle déjà entamé. L'Algérie salue les mesures prises par les autorités libyennes pour l'harmonisation de la législation nationale avec les dispositions de la convention de façon à garantir le non-recours au travail forcé comme moyen de sanction ou comme mesure portant atteinte à la liberté d'expression et d'opinion.

Nous apprécions les révisions législatives en cours qui visent à promouvoir les garanties juridiques portant sur la protection des droits et des libertés fondamentales, conformément aux engagements internationaux de l'État de la Libye. L'Algérie apprécie les mesures prises au sein des institutions de réforme et de réhabilitation pour garantir que les activités professionnelles réalisées en matière de réinsertion et de réhabilitation sociale soient conformes aux principes sur lesquels se basent les normes internationales du travail. Les

efforts déployés par le gouvernement, malgré les défis et la conjoncture exceptionnelle dans le pays, méritent le soutien à cet égard.

Nous aimerions mentionner une série de mesures prises par les autorités libyennes, y compris la création d'une commission nationale tripartite et l'organisation de consultations techniques entre les entités concernées, ainsi que le lancement d'une révision du cadre législatif permanent, en plus de la prise de mesures pour promouvoir la transparence et le dialogue. L'Algérie croit fermement que le dialogue constructif et la coopération technique sont les moyens idoines pour aider les États Membres à respecter leurs engagements sur le plan international. Nous encourageons ainsi à poursuivre la coopération entre le gouvernement et l'OIT de façon à contribuer et à accompagner les réformes en cours, et à promouvoir le respect des dispositions de la convention.

Presidenta – Pasamos el uso de la palabra a la Sra. Aesha Samir Nemer Hamoudda, quien hablará en representación de los trabajadores del Estado de Palestina.

Interpretation from Arabic: Worker member, State of Palestine (Ms HAMOUDDA) – The Committee of Experts' observation on Libya identifies a legal framework that criminalizes certain forms of reporting, documentation and public commentary on workers, especially the most vulnerable. This has implications that goes beyond the fate of the individual journalist. It reduces the external visibility of abuses that often affect the most vulnerable workers and weakens one of the few mechanisms through which cases of forced labour and exploitation can be brought to public attention.

Reporters Without Borders ranked Libya 143rd out of 180 countries in its 2024 World Press Freedom Index. At least five journalists were imprisoned in 2024. Under Libyan law, these imprisonments may carry sentences of compulsory hard labour imposed for journalistic activities. Each of these imprisonment removes a reporter who was in many cases the only available channel through which exploitation of workers could reach public attention. The labour rights dimension is direct.

Libya hosts hundreds of thousands of migrant workers, many in conditions of debt bondage, wage theft and physical confinement that meet any definition of forced labour. The only mechanism through which their situation becomes visible to the international community is often the documentation provided by journalists, NGO workers and activists. When those documenting such abuses are imprisoned under the Penal Code provisions and the Anti-Cybercrime Law, as identified by the Committee of Experts, the exploitation they were recording continues in darkness. Forced labour does not disappear because it is not reported.

It deepens, as impunity grows in proportion to invisibility. Each journalist imprisoned under these provisions is not merely a victim of measures that raise concerns under the Convention. The imprisonment of such journalists may also indirectly facilitate the continuation of forced labour and exploitation that their work sought to expose. We urge the Government to release all journalists detained for the exercise of reporting activities and to enact the legislative reforms that the Committee of Experts has repeatedly requested.

Presidenta – Pasamos el uso de la palabra al Sr. Samir Yaici, quien hablará en representación de los empleadores de Argelia.

Membre employeur, Algérie (M. YAICI) – J'interviens ici au nom de mon organisation patronale: le Conseil du renouveau économique algérien (CREA).

Je tiens d'abord à dire que nous apprécions à leur juste valeur les travaux de la commission d'experts, notamment les observations formulées dans son rapport, que nous

considérons comme constructives et utiles au renforcement du respect des normes internationales du travail.

Au contact de nos partenaires économiques libyens, nous avons plutôt l'impression qu'il y a une ferme volonté de leur part de participer activement à la reconstruction de leur sphère économique tout en veillant à l'amélioration du travail des travailleurs réguliers.

Concernant la convention, ils nous disent la ferme volonté de leur gouvernement d'adapter la législation libyenne afin d'exclure toute forme de travail forcé comme sanction ou moyen de contrainte.

Ils nous ont également fait part des mesures prises dans les établissements de réforme et de réhabilitation, afin de garantir que le travail effectué dans ces structures s'inscrive dans une logique de réinsertion sociale et non de sanction obligatoire.

Nous avons confiance en nos partenaires libyens qui nous décrivent quelquefois des situations irréalistes liées à l'instabilité et à la fragilisation des institutions.

Malgré le contexte difficile que traverse le pays, nos partenaires libyens font confiance à leur gouvernement pour les efforts engagés, notamment:

- l'examen et la révision de la législation;
- les initiatives destinées à renforcer la transparence et la bonne gouvernance.

Alors, si les partenaires sociaux libyens font confiance à leur gouvernement, nous devons également aller au bout de l'accompagnement technique mis en place pour permettre à ce pays de s'inscrire dans le temps et durablement dans la justice sociale et le travail décent.

Aussi, nous encourageons à la poursuite des réformes et du dialogue en vue d'assurer une pleine conformité avec les normes internationales du travail.

Presidenta – Damos el uso de la palabra al Sr. Kgomoletso Letoaba, quien habla en representación del Gobierno de Sudáfrica.

Government member, South Africa (Mr LETOABA) – South Africa expresses its appreciation to the Committee of Experts for its thorough report and for the constructive observations it contains. The work of the Committee of Experts remains central to strengthening compliance with international labour standards and ensuring the dignity of all workers. The Committee of Experts' observations provide a useful basis for continued dialogue.

South Africa recognizes that the Government is engaged in a process of reform and has taken certain steps regarding the Convention. At the same time, the Committee of Experts' findings point to remaining gaps between legal provisions and actual practice, including indications that forced labour may still be used as a punishment or disciplinary measure in ways warranting further review. The Convention sets out clear expectations, and where ambiguity in legislation or practice remains, there would be value in continuing attention to these issues. South Africa notes the Government's constitutional and legislative commitments to this area, including provisions within the 2011 Constitutional Declaration and the draft Constitution. The translation of these commitments into everyday practice, including in detention settings, is an ongoing process.

Our delegation acknowledges the difficult circumstances Libya continues to face. We know the establishment of the Tripartite National Committee and the review of relevant legislation as examples of steps being taken.

To conclude, we encourage the Government to continue working with the ILO through its technical cooperation programmes to address the Committee of Experts' concerns and to report concrete steps at the next session.

Presidenta – Muchas gracias, señor. Pasamos el uso de la palabra al Sr. Tirivanhu Marimo, quien habla en representación de los trabajadores de Zimbabwe.

Worker member, Zimbabwe (Mr MARIMO) – The Convention was not adopted to protect abstract legal categories. It was adopted to protect people, and specifically to protect those who are most vulnerable when the State uses compulsory labour as a tool of control.

In Libya today, that vulnerability falls most heavily on ordinary workers. The Committee of Experts has identified the foundational problem clearly, which is that under the Penal Code, imprisonment expressly entails compulsory hard labour. Any provision that sends a person to prison for the peaceful expression of political or social views is, therefore, simultaneously a provision that imposes forced labour for those views. The Publications Act No. 76, 1972, multiple Penal Code articles, and the Anti-Cybercrime Law, 2022 all create exactly this consequence. The direct impact on workers is concrete.

A worker who speaks out about unsafe conditions, unpaid wages or discriminatory treatment at the workplace, and whose complaint is characterized by an employer or authority as criticism of public institutions or as damaging to the State, can be prosecuted under these provisions. If convicted, he or she faces imprisonment, which under Libyan law means compulsory hard labour. The threat alone is sufficient to silence grievances. Forced labour does not only occur inside prison walls, it also occurs in every workplace where workers are silenced by the fear of that legal consequence.

In December 2022, four members of a civil society organization were sentenced to three years' imprisonment with hard labour for expressing secular and feminist views. The Committee of Experts cited these cases directly. They were not criminals. They were individuals who exercised their right to express their views. Yet the punishment for speaking out was hard labour, the very same mechanism that can be deployed against any worker whose voice the State finds inconvenient.

We call on the Government to urgently amend the Publications Act No. 76, 1972, and the relevant Penal Code provisions, and to ensure that no worker in Libya faces imprisonment with compulsory labour as a consequence of peaceful expression.

Presidenta – Pasamos el uso de la palabra ahora al Sr. Adnan Alshammari, quien habla en representación del Gobierno de la Arabia Saudita.

Interpretation from Arabic: **Government member, Saudi Arabia (Mr ALSHAMMARI)** – The Kingdom of Saudi Arabia expresses its appreciation of the efforts by the Committee of Experts in presenting their report and the constructive observations that are conducive to further compliance to international labour standards. The Kingdom of Saudi Arabia also supports the Government in its reform process and its ongoing efforts to promote the legislative and institutional framework, thus enshrining the protection of human rights, basic freedoms and the rule of law. These efforts reaffirm the commitment of the Government to the Convention through its harmonization with its national legislations. The Kingdom also would like to reaffirm the importance of the continuing cooperation of the Committee with the Government and reaffirms the necessity to respect its national and international specificity and their efforts.

Presidenta – Pasamos el uso de la palabra al Sr. Gerald Twala, quien habla en representación de los trabajadores de Sudáfrica.

Worker member, South Africa (Mr TWALA) – The Committee of Experts' 2026 observation identifies the Anti-Cybercrime Law, 2022 as a major new concern and for workers and the labour rights defenders, it represents a qualitative expansion of the threat that they already face. Before this law existed, workers and activists who documented exploitation, illegal labour practices, wage theft and safe working conditions could be prosecuted under the Penal Code provision the Committee of Experts has long flagged. The Anti-Cybercrime Law, 2022 added an entirely new layer. It criminalizes online content deemed threatening to public security or social peace with penalties of up to 15 years of imprisonment. In a legal system where imprisonment means compulsory hard labour, this translates directly into a threat of forced labour for anyone who publishes information online about labour conditions that authorities find inconvenient.

The chilling effect is immediate and real. In 2021, blogger Hamza al-Treki was arrested after uploading a video criticizing the Prime Minister and held for four months without trial. In 2024, journalist Ayed Abdeljalil was imprisoned twice, on separate occasions, for Facebook posts denouncing corruption and racial discrimination. Between arrests, he remained under judicial supervision. These individuals did what workers and their advocates need to do. They documented, they reported, they raised their voices.

The legal system responded with arrests and imprisonment. For workers in Libya, particularly migrant workers, informal sector workers, and those in sectors where exploitation is documented, the effect is devastating. Those who might report abuses, contact a journalist, or post evidence of exploitation online are now facing the risk of criminal prosecution under a law so broadly worded that virtually any critical content can be captured within it. Forced labour thrives in silence. This law enforces that silence.

We call on the Government to repeal or fundamentally redraft the Anti-Cybercrime Law, 2022, removing all criminal penalties for peaceful expression, and to ensure that workers and labour rights defenders can report exploitation without fear of prosecution. We also call on the Government to ensure compliance with Article 6 of the United Nations Convention against cybercrime, which provides that state parties should ensure the implementation of their obligations under the Convention and that they should be consistent with their obligations under international human rights law.

Presidenta – Pasamos el uso de la palabra al Sr. Assoumana Mamam, quien hablará en representación del Gobierno de Níger.

Membre gouvernemental, Niger (M. MAMAN) – Le Niger prend note du rapport de la commission d'experts et des observations constructives qu'il contient, qui contribuent à renforcer le respect des normes internationales du travail.

Notre délégation salue les démarches et les efforts de la Libye pour donner suite à ces observations.

Nous estimons que le gouvernement a démontré un engagement clair envers la convention, et a fait preuve de diligence pour aligner sa législation nationale sur les dispositions de la convention, de manière à combattre le travail forcé et à empêcher toute interprétation susceptible de porter atteinte au droit à la liberté d'expression politique et intellectuelle.

Nous saluons également l'examen approfondi mené par le gouvernement de la législation pertinente, ainsi que les garanties offertes par la Déclaration constitutionnelle de 2011 et le projet de Constitution concernant la protection des droits et libertés fondamentaux ainsi que l'interdiction de toute forme de travail forcé.

Le Niger apprécie les mesures prises par le gouvernement au sein des institutions correctionnelles et de réadaptation afin de garantir que le travail qui y est effectué n'est pas une punition obligatoire, mais plutôt une composante des programmes visant à la réhabilitation et à la réinsertion sociale.

Nous nous félicitons en outre des mesures concrètes prises par le gouvernement malgré les circonstances exceptionnelles qu'elle traverse, notamment la mise en place d'un Comité national tripartite, la tenue de réunions techniques entre les ministères concernés, l'élaboration d'une nouvelle loi sur les médias et l'examen préliminaire de la législation, ainsi que les projets visant à renforcer la transparence.

Pour conclure, le Niger invite le Bureau et les partenaires à fournir au gouvernement toute l'assistance technique voulue pour poursuivre les efforts de mise en œuvre de la convention à travers un dialogue social tripartite.

Presidenta – Pasamos la palabra al Sra. Nermine Sharif, en representación de la Confederación Sindical Internacional.

Interpretation from Arabic: **Observer, International Trade Union Confederation (ITUC) (Ms SHARIF)** – I have already spoken but I represent the Libyan Workers' Federation.

I support the conclusion reached by the Committee of Experts regarding the continued punishment of individuals because of their political opinions or their peaceful freedom of expression and the related detention and sentences that may involve forced labour in places of detention in violation of the provisions of the Convention. We also share the Committee of Experts' concern regarding continuing restrictions of freedom of expression and the targeting of critics of government policies including trade unions and workers who have been prosecuted or detained because of their trade union activities and among them is Fathi Al-Bousaifi, President of the Air Traffic Controllers' Union. However, I would like to draw attention to another aspect of the violations related to the application of the Convention in Libya, namely the use of employment and labour relations as a means of pressure or punishment against workers because of their political opinions, the criticism of corruption or their trade union activities. In a number of sectors and public institutions cases have been reported involving the dismissal, termination of employment and forced transfer of workers without their consent accompanied by threats that they would lose their jobs or sources of income if they refuse to comply with these decisions. One of the most significant examples concerns more than 1,000 workers of Libyan Airlines who were collectively dismissed under Ministerial Decision No. 146 following their criticism of corruption and of administrative and governmental policies.

A large number of them were also transferred to positions that did not correspond and they were deprived of their financial entitlements for more than three years. These measures were linked to the participation of some trade unionists and workers in peaceful protests and demands aimed at improving living conditions and combating corruption. A number of workers were also placed under what is known as "awaiting financial release" procedures whereby workers remained for years without actual salaries or regular employment of their entitlements creating situation of coercive dependency and continuous economic pressure. A number of these workers submitted complaints to the labour inspection authority in Tripoli but these complaints were not accepted raising serious concerns regarding the effectiveness and independence of labour law enforcement mechanisms. What is particularly concerning is not the collective dismissals, forced transfers or deprivation of wages but the use of employment itself as workers' livelihoods as instruments of pressure and punishment because of opinions, positions or peaceful activities contrary to the protection guaranteed by the Convention.

In the same context, we are increasingly concerned about the implementation of the Anti-Cybercrime Law, 2022 in a manner that, in practice, restricts freedom of expression and creates a climate of fear and self-censorship among workers and trade unionists accordingly. We request the Government to provide full information regarding these practices and to take the necessary measures to ensure that employment dismissal, transfer or deprivation of wages are not used as tools of pressure or punishment and to guarantee the independence of the labour inspection authority in Tripoli and throughout Libya as a whole.

We also call on the International Labour Organization to accept requests for a direct contacts mission to verify these allegations and hear directly from workers, their trade union organizations and the relevant authorities with a view to assessing actual compliance with the Convention. We would like to point out that there was an invitation to a workshop in May, where not all the social partners were involved. In particular, certain trade union representatives were denied participation, reportedly because they had called for demonstrations. We note that those who participated claimed to represent the National Federation of Libyan Trade Unions rather than the workers of Libya as a whole. This is testimony illustrating that not all social partners are currently able to participate fully in social dialogue processes in Libya.

Presidenta – Quisiera nuevamente pedirle encarecidamente a los que toman la palabra que hablen a un ritmo pausado para que los intérpretes puedan realizar adecuadamente su labor. Considerando el tiempo que tenemos ahora vamos a interrumpir nuestra sesión para poder tener la pausa del almuerzo y continuamos las labores a las 15 horas.

Se levantó la sesión a las 13 horas.

The sitting closed at 1 p.m.

La séance est levée à 13 heures.

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Duodécima sesión, 5 de junio de 2026, 15.09 horas
Twelfth sitting, 5 June 2026, 3.09 p.m.
Douzième séance, 5 juin 2026, 15 h 09

Presidenta: Sra. López
Chairperson: Ms López
Présidente: M^{me} López

Discusión de los casos individuales (cont.)
Discussion of individual cases (cont.)
Discussion des cas individuels (suite)

Libia (ratificación: 1961) (cont.)

Convenio sobre la abolición del trabajo forzoso, 1957 (núm. 105)
Abolition of Forced Labour Convention, 1957 (No. 105)
Convention (nº 105) sur l'abolition du travail forcé, 1957

Presidenta – Muy buenas tardes señoras y señores antes de continuar con los labores de la tarde informo a la Comisión que durante el día de hoy se está celebrando la sesión de votación electrónica acerca del retiro del Convenio sobre normas de trabajo (territorios no metropolitanos), 1947 (núm. 83).

La votación se abrió a las 10.30 horas de Ginebra y se cerrará a las 17 horas del día de hoy. Los resultados de la votación se anunciarán en la sesión plenaria matutina del 8 de junio. El enlace a la plataforma de votación se envió por correo electrónico esta mañana a los delegados titulares y a sus suplentes. El primer código de votación figura en el mensaje de correo electrónico y el segundo código de votación de cuatro caracteres está impreso en el distintivo de la Conferencia de cada delegado.

Las personas con derecho a votar podrán hacerlo utilizando su propio dispositivo, un ordenador personal o un teléfono inteligente, en las estaciones de votación disponible, en la Salle des Pas Perdus detrás de la Sala de Asambleas en el Palacio de las Naciones, en la entrada del Centro Internacional de Conferencias de Ginebra (CICG), o bien frente a la Sala del Consejo de Administración, en el edificio de la OIT. La secretaría estará presente en los tres lugares para prestar asistencia a quien resulte necesario. Cualquier consulta sobre el particular se puede enviar un correo a meetingsupport@ilo.org.

Antes de continuar con el examen del caso de Libia sobre el Convenio sobre la abolición del trabajo forzoso, 1957 (núm. 105) deseo informarles asimismo que el documento que contiene la información escrita enviada por el Gobierno de Panamá sobre el Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) está disponible en la página web de nuestra Comisión.

Me gustaría también informarles que los proyectos de PV (*verbatim*) relativos a la discusión del caso de Colombia sobre el Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) y del caso de España sobre el Convenio sobre la consulta tripartita (normas internacionales del trabajo), 1976 (núm. 144) están disponibles en la página web de la Comisión.

Los miembros de la Comisión pueden presentar enmiendas a sus propias intervenciones a estos proyectos de PV (*verbatim*) ante la secretaría de la Comisión hasta el lunes 8 de junio a las 10 horas. Les invito a leer el anexo III del documento D.1 sobre el procedimiento de enmienda a los proyectos de actas literales.

Ahora sí, dando continuidad al caso de Libia, invitamos al representante gubernamental, el Sr. Kamal Khalifa Elhamali, a que haga uso de la palabra, Director del Instituto del Trabajo que formule sus conclusiones finales.

Interpretation from Arabic: Government representative (Mr. ELHAMALI) – We have duly taken note of all of the observations that have been made and we affirm that all positions and all observations will serve to enrich our dialogue and improvement of labour standards at international level. We are fully committed to applying the Convention.

Its technical framework consists of abolishing forced labour and Article 2 of the Labour Code prohibits all forms of slavery or forced labour in general for all inhabitants and making sure that everyone is on an equal footing. We also have the intention of respecting freedom for all. This has been mentioned in a number of different reports. All of these issues do, however, need to be dealt with as part of the revision mechanism concerning human rights and this is why we call for the full respect of the technical framework of the Convention. We would also like to affirm that all national legislation including the Penal Code is currently undergoing a process of revision in detail to ensure that the laws, and the legislation that we have are fully in conformity with the Convention.

We also wish to share with you the fact that the legislative framework adopted since 2011, together with the Labour Code of 2010, guarantees fundamental freedoms and prohibits all forms of forced labour and slavery. Furthermore, certain legislative provisions that have been linked to concerns relating to forced labour have not been applied since 2011. The Government has submitted its report and did so last year during the International Labour Conference in relation to the application of the Forced Labour Convention, 1930 (No. 29). On that occasion, we took into account the observation and the conclusions made by this Committee. It is therefore our view that Libya's inclusion on the present list of cases is not justified. However, we wish to emphasize that, the remarks made by Committee of Experts, the Committee and the Committee's members will be taken into account. The Government remains committed to respecting international labour standards and, in particular, the principle of tripartism.

We believe that there is an important issue that the ILO should address. Our Government wishes to draw attention to a matter that merits the consideration of our esteemed Organization. It concerns the appearance in this Committee of the entity referred to as the General Federation of Libyan Trade Unions, speaking on behalf of the ITUC, which has not been recognized as a social partner and has no effective presence within Libya in terms of worker membership, founding structures, or trade union organizations registered at the national level.

The Government is fully committed to respecting international labour standards and the principles of labour, in particular the tripartite principle. We wish to share with you a very important observation. This is about the statement delivered by the entity referred to as the General Federation of Libyan Trade Unions, speaking on behalf of the ITUC. This entity was not present in tripartite consultations in Libya and is a non-registered entity as well.

The presence of an entity presenting itself as a representative of workers without being grounded in an established organizational mandate or a genuine membership base raises legitimate questions regarding the extent to which such representation is consistent with the

principles established by the International Labour Organization to ensure the participation of the three constituents in a manner that reflects their actual representativeness.

According to the information available to us, this entity was reportedly established outside Libya, during a training workshop held in Tunisia, with the participation of individuals who did not represent an established worker constituency. In our view, this raises concerns regarding the foundations and representativeness of certain trade union structures.

Madam Chair, since the adoption of Law No. 3 of 2023 on trade union organization, the Government has embarked on a process of rebuilding the trade union movement on sound democratic foundations. However, the existence of structures that lack an institutional basis or an effective presence on the ground has created confusion within the trade union landscape and has affected the ability of legitimately established trade unions to carry out their normal role within the country.

We believe that the necessary measures must be adopted to ensure that representation within this room is genuine and which is based on a clear set of rules in order to instil trust in International Labour Conference delegates. We do not wish to criticize any particular party but we believe that this is an essential principle. It protects workers and it is there to protect an important principle of tripartism upon which the work of the ILO is built.

Despite the challenges posed by the transitional period, the Government remains committed to the process of legislative reform through technical work and coordination among the competent ministries, as well as through the activation of the National Tripartite Committee and we shall put in place national legislation in accordance with international principles. The Government also reiterates its openness to the technical assistance and support provided by the International Labour Office and reaffirms its commitment to providing statistical information relating to prison sentences. It further confirms its readiness to continue constructive cooperation in a manner that strengthens confidence in the ongoing process of legal and institutional reform.

(Interrupción en la sala)

Presidenta – Perdón parece que no hay traducción. Pregunto a la sala si todos tienen traducción. ¿Están escuchando todos?

(Sí. Madam Chair, there is a delay in the translation. There is delay in the translation and statements have been omitted. The interpretation, there is a delay in the interpretation and certain very important statements have been omitted.)

Presidenta – Podría por favor leer los dos últimos párrafos para que se pueda hacer la interpretación adecuada del señor Director y hablar un poco más despacio por favor.

Presidenta – Muchas gracias Sr. Elhamali, por la participación en las labores de la Comisión y por la información que ha facilitado. El colega quisiera tomar la palabra, el colega de Libia, adelante por favor.

Government representative, Libya (Mr Sarkik, Second Secretary of the Permanent Mission of Libya) – Thank you, Madam Chair. We would like to appreciate and extend our thanks to the Secretariat for accommodating our requests throughout the Convention of this Committee. And rest assured we are not criticizing the fellow colleagues from the interpretation team. We appreciate all of your efforts because it is very crucial to the success of our Committee. You have been doing a great job throughout the activities of this Committee since the first day.

However, we would like to formally request that we deliver our statement written to the Chair in order to circulate for all of the Delegations present in the room to ensure that every single point that we mentioned in our right of reply has been adequately received by all of the Delegations in the room. I ask that we accommodate this request and we are available to deliver the written statement to the Chair in order to circulate it to the room. Thank you very much, Madam Chair. And, again, appreciation to the interpretation team. This is not a criticism.

It is just to make sure that our statements are heard and that the position of the Government is well reflected within the verbatim of this Committee.

Presidenta – Invito ahora a dar la palabra a los portavoces, comenzando con la Sra. Alejandra Ortega, quien habla como portavoz del Grupo de los Trabajadores.

Miembros trabajadores – Miembros de la Comisión, agradecemos a todas las delegaciones sus contribuciones a este debate y en particular al representante del Gobierno por la información facilitada a la Comisión.

Desde la perspectiva de los trabajadores, el debate de hoy ha confirmado que persisten graves preocupaciones antiguas y duraderas en cuanto a la aplicación por Lidia del Convenio.

El Convenio no deja margen alguno para excepciones cuando el trabajo forzoso se utiliza como medio de coerción política, de sanción por la expresión de opiniones, de disciplina laboral o de discriminación. Recordamos que estas obligaciones se aplican en todo momento y en toda circunstancia, incluso durante periodos de transición política o de fragilidad institucional.

El debate ha puesto de manifiesto que la preocupación central, en este caso, se refiere al uso de una legislación penal y de prácticas de detención que permiten imponer trabajo obligatorio a personas que sin recurrir a la violencia expresan opiniones políticas o puntos de vista contrarios al sistema político social o económico establecido. Desde la perspectiva de los trabajadores esto afecta a la intersección entre los derechos humanos fundamentales y los derechos fundamentales en el trabajo.

Nos preocupa especialmente el hecho de que en virtud de las disposiciones jurídicas vigentes puede imponerse una pena de prisión por la expresión de determinadas opiniones y que esa pena puede incluir trabajo obligatorio. Como la Comisión de Expertos ha subrayado constantemente durante un largo periodo: todo sistema que permite imponer trabajo obligatorio como consecuencia de la expresión de opiniones políticas es incompatible con el Convenio.

Los miembros trabajadores observan con preocupación que en lugar de resolver estos problemas de larga data, evoluciones legislativas más recientes, como la Ley contra la Ciberdelincuencia, 2022, han añadido una complejidad adicional.

La adopción de nuevas disposiciones penales que prevén penas de prisión que implican trabajo obligatorio plantea graves cuestiones de compatibilidad con el Convenio, en particular, cuando el alcance de las conductas incriminadas es amplio o vago. Desde nuestro punto de vista esto incrementa aún más el riesgo de que se imponga trabajo forzoso pese a que está claramente prohibido por el Convenio.

Los miembros trabajadores comparten plenamente la opinión de la Comisión de Expertos según la cual simples declaraciones generales de principio no son suficientes. El Convenio exige precisión en la ley y efectividad en la práctica. El Código Penal debe excluir clara y explícitamente toda posibilidad de imponer trabajo obligatorio por motivos prohibidos por el Convenio. De lo contrario los trabajadores y las personas privadas de libertad quedan

expuestas a graves riesgos de abuso. La Comisión de Expertos también ha subrayado, y nosotros coincidimos plenamente con ello, que todo trabajo realizado bajo la autoridad o la supervisión del Estado debe ajustarse al Convenio, incluso en contextos relacionados con la detención.

Es esencial que la privación de libertad no se utilice jamás como vía de acceso a un trabajo obligatorio impuesto sin consentimiento genuino y sin garantías jurídicas sólidas. Toda práctica de este tipo atenta contra la dignidad humana y el Estado de derecho.

El trabajo forzoso afecta a las personas más vulnerables, en particular a los presos, a los migrantes y a otras personas que no disponen de los medios necesarios para impugnar prácticas coercitivas. Allí donde el trabajo forzoso no está prohibido de manera inequívoca ni se previene eficazmente, se convierte en un instrumento de represión y explotación incompatible con los valores de la OIT.

La persistencia de graves problemas con respecto al Convenio confirma que es necesario abordar la cuestión del trabajo forzoso en el contexto de la detención y que se requiere un seguimiento más urgente.

En este contexto, los miembros trabajadores apoyan plenamente las reiteradas solicitudes de la Comisión de Expertos dirigidas a obtener información específica, detallada y actualizada sobre las medidas adoptadas para dar efecto al Convenio, incluso en lo que respecta a las prácticas de detención, los mecanismos de control y las sanciones. En su defecto, es imposible evaluar si se están logrando avances.

Sobre la base del debate de hoy, y reflejando las preocupaciones y solicitudes expresadas por la Comisión de Expertos, los miembros trabajadores desean exponer claramente sus conclusiones y sus expectativas.

En primer lugar, instamos al Gobierno a adoptar con urgencia medidas legislativas concretas para garantizar que no pueda imponerse ninguna pena de prisión que implique trabajo obligatorio a personas que sin recurrir a la violencia expresen opiniones políticas o puntos de vista contrarios al sistema político social o económico establecido, ya sea que dicha expresión tenga lugar fuera de línea o por medios digitales.

En segundo lugar, instamos al Gobierno a adoptar con urgencia medidas legislativas concretas para garantizar, que ningún funcionario, ni trabajador del sector público, pueda ser encarcelado incluso con trabajo penitenciario obligatorio como sanción por infracciones de la disciplina laboral o por haber participado en acciones colectivas.

En tercer lugar, instamos al Gobierno a velar porque todo trabajo relacionado con la detención y todo trabajo realizado bajo la autoridad del Estado sean plenamente conformes con el Convenio y para que no se imponga ningún trabajo obligatorio bajo amenaza de sanción y sin consentimiento genuino.

En cuarto lugar, instamos al Gobierno a reforzar los mecanismos de control aplicación y rendición de cuentas de modo que toda práctica equivalente al trabajo forzoso u obligatorio sea investigada rápidamente y sancionada de manera efectiva.

En quinto lugar, reiteramos la importancia de una cooperación constructiva y sostenida con la OIT. Por ello instamos al Gobierno a aceptar una misión de contactos directos en Libia a fin de garantizar que todas las medidas adoptadas sean conformes con el Convenio.

Por último esperamos que el Gobierno facilite a la Comisión de Expertos información completa y precisa sobre las medidas adoptadas en la legislación y en la práctica para abolir el

trabajo forzoso en todas sus formas prohibidas incluida información sobre las garantías los recursos y las sanciones.

Señoras y señores miembros de la Comisión el Convenio es vinculante y sus exigencias no son negociables. Esperamos que el Gobierno aproveche esta oportunidad para demostrar su compromiso con la abolición plena y efectiva del trabajo forzoso de conformidad con sus obligaciones internacionales y en cooperación con el sistema de control de la OIT.

Presidenta – Pasamos ahora al uso de la palabra al Sr. Lor Sok, portavoz del Grupo de los Empleadores, para que pueda hacer sus conclusiones.

Employer members – I will try to be as brief as possible. The Employer members would like to thank the Government for its constructive participation in today's discussion and for sharing its perspective with this Committee. As we move to close this discussion, the Employer members wish to reaffirm the shared critical importance that we place on full compliance with the Convention, including its Article 1(a) concerning the prohibition of sanctions involving an obligation to work as a punishment for the expression of political views or views ideologically opposed to established social, political or economic system. The observations raised by the Committee of Experts, particularly concerning the Publications Act No. 76, 1972, certain provisions of the Penal Code and the Anti-Cybercrime Law, 2022 highlight important areas where legislative clarity is required to ensure full alignment with the Convention.

We have closely listened to the Government's information about its current challenging national context. The Employer members understand Libya is navigating a very complex period of political and security transitions. We also heard in this discussion that, within that context, enterprises and workers are also suffering as businesses close, and investor confidence also declines in the process. This naturally places a grave burden on the Government's institutional infrastructure and capacity to govern the country. While we take note of the serious environmental constraints, it is also the Employer members' view that establishing clear and explicit legislative safeguards during such transitional times can help serve as a reassuring foundation for long-term stability, recovery and restoration of the confidence of investors and enterprises, and jobs for the workers.

While we welcome the Government's commitment to the Constitutional Declaration of 2011 as the supreme guide, we believe that relying on implicit alignment alone may leave room for misinterpretation and misapplication of the Convention on the ground. To provide legal certainty and confidence to all parties, we call on the Government to take the positive spirit of the Constitutional Declaration and reflect it through explicit amendments to the relevant written texts of the Publications Act No. 76, 197, the Penal Code and the Anti-Cybercrime Law, 2022. The Employer members reiterate that the recent ILO field mission to Tripoli from 17 to 21 May 2026 is indeed a constructive progression. We commend this openness to dialogue of the Government and the Government's cooperation with the Office. We strongly urge the Government to sustain this momentum by expanding and deepening its cooperation with the Office to address the specific legislative elements discussed today under the framework of the Convention.

This brings me to my conclusion. While we note the political instability and security challenges that Libya is facing, the Employer members view this as critical for the Government to move forward with the practical implementation. The Employer members urge the Government to expand and deepen its work with the Office to establish a clear road map with timeline and, on an urgent basis, to bring its national legislation as well as its practical implementation into full conformity with the Convention. We also call on the Government to

ensure that a broad and inclusive social dialogue is adhered to throughout the legislative amendment process.

Presidenta – Damos por concluida la discusión de este caso. Agradezco la participación del representante gubernamental de Libia y de todos los oradores que participaron en la discusión.

Las conclusiones serán adoptadas por esta Comisión la tarde del miércoles 10 de junio. Damos un minuto de tiempo para el cambio de portavoces de los dos Grupos, por favor.

Se interrumpe la sesión a las 15.35 horas.

The sitting was adjourned at 3.35 p.m.

La séance est suspendue à 15 h 35.