



REPUBLIC OF ZAMBIA

SPEECH BY THE MINISTER OF HOME AFFAIRS, HON. EDGAR C. LUNGU GIVEN AT THE REGIONAL CONFERENCE ON COMBATING FORCED LABOUR AND HUMAN TRAFFICKING IN AFRICA: CURRENT RESPONSES AND WAY FORWARD.

19th November 2013, Southern Sun Hotel, Lusaka, Zambia.

- ✚ THE UN SPECIAL RAPPORTEUR ON CONTEMPORARY FORMS OF SLAVERY, MR. GULNARA SHAHINIAN;
- ✚ THE UN SPECIAL RAPPORTEUR ON TRAFFICKING, MR. JOY NGOZI EZELIO
- ✚ THE EUROPEAN UNION REPRESENTATIVE;
- ✚ THE REPRESENTATIVE OF THE US OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS;
- ✚ YOUR EXCELLENCY, THE FRENCH AMBASSADOR TO ZAMBIA: MARIE ANNICK BOURDIN;
- ✚ YOUR EXCELLENCY THE GERMANY AMBASSADOR: MR. BERND FINKE;
- ✚ ILO DEPUTY DIRECTOR GENERAL FOR FIELD OPERATIONS: MR. GILBERT HOUNGBO;
- ✚ THE ILO DIRECTOR FOR ZAMBIA, MALAWI AND MOZAMBIQUE MR. MARTIN CLEMENSSON;
- ✚ THE PRESIDENTS, ZCTU, FFTUZ AND ZFE;
- ✚ SENIOR GOVERNMENT OFFICIALS;
- ✚ INVITED GUESTS;
- ✚ MEMBERS OF THE PRESS;
- ✚ LADIES AND GENTLEMEN.

IT IS MY PLEASURE TO OFFICIATE AT THE OPENING OF THIS REGIONAL CONFERENCE ON COMBATING HUMAN TRAFFICKING AND FORCED LABOUR.

I TAKE THIS OPPORTUNITY TO WELCOME TO ZAMBIA, ALL DELEGATES WHO HAVE TRAVELLED HERE TO BE PART OF THIS REGIONAL CONFERENCE ON COMBATING FORCED LABOUR AND HUMAN TRAFFICKING IN AFRICA. I WISH YOU ALL A PLEASANT STAY IN ZAMBIA.

THIS CONFERENCE HAS BEEN ORGANISED TO ACHIEVE THE FOLLOWING OBJECTIVES:

- I. TO MAP CURRENT KNOWLEDGE AND DATA ON THE SCOPE OF FORCED LABOUR AND TRAFFICKING IN AFRICA;
- II. TO SHARE EXPERIENCES, GOOD PRACTICES AND LESSONS FROM MEASURES TAKEN TO PREVENT FORCED LABOUR AND TRAFFICKING;
- III. TO FACILITATE A HOLISTIC DISCUSSION ON THE LEGAL, PRACTICAL AND TECHNICAL MODALITIES NEEDED TO FORM AN EFFECTIVE AND COORDINATED STRATEGY TO PREVENT AND COMBAT FORCED LABOUR AND HUMAN TRAFFICKING; AND
- IV. TO BUILD AND STRENGTHEN PARTNERSHIPS OF SUPPORT FOR THE FIGHT AGAINST FORCED LABOUR AND HUMAN TRAFFICKING AS WELL AS RAISE AWARENESS ON THE ISSUES OF FORCED LABOUR AND TRAFFICKING IN PERSONS.

DISTINGUISHED LADIES AND GENTLEMEN,

AS YOU MAY BE AWARE, HUMAN TRAFFICKING IS THE ILLEGAL TRADE OF HUMAN BEINGS FOR EXPLOITATION AND IS CAUSED BY THE FOLLOWING PUSH FACTORS:

1. HIGH POVERTY LEVELS;
2. REAL OR PERCEIVED OPPORTUNITY FOR A BETTER LIFE;
3. ABSENCE OF EMPLOYMENT OPPORTUNITIES;
4. VIOLENCE AGAINST WOMEN & CHILDREN, HIV & AIDS;
5. LACK OF EDUCATION LEADING TO UNEMPLOYMENT;

ON THE OTHER HAND, THE PULL FACTORS FOR HUMAN TRAFFICKING MAY INCLUDE:

1. DEMAND FOR PROSTITUTION AND OTHER ASPECTS OF THE SEX INDUSTRY THROUGHOUT THE WORLD; AND
2. DEMAND FOR CHEAP LABOR WHICH IS A CONSEQUENCE OF WANTING TO PRODUCE PRODUCTS AT THE LOWEST POSSIBLE COST;

LADIES AND GENTLEMEN

THE ZAMBIAN GOVERNMENT IS VERY MUCH AWARE THAT HUMAN TRAFFICKING VIOLATES NUMEROUS FUNDAMENTAL RIGHTS RECOGNISED BY INTERNATIONAL LAW AND THE CONSTITUTION OF ZAMBIA.

THESE RIGHTS INCLUDE:

- THE RIGHT TO LIFE, LIBERTY, SECURITY AND THE PROTECTION OF THE LAW;

- THE RIGHT OF YOUNG PERSONS TO PROTECTION FROM EXPLOITATION, UNLAWFUL CHILD LABOUR, ILL-TREATMENT, CRUELTY AND NEGLECT;
- THE RIGHT NOT TO BE HELD IN SLAVERY OR SERVITUDE;
- THE RIGHT TO BE PROTECTED AGAINST FORCED LABOUR;
- THE RIGHT NOT TO BE SUBJECTED TO TORTURE, INHUMAN OR DEGRADING TREATMENT; AND
- THE RIGHT TO JUST, FAIR AND SAFE WORK CONDITIONS.

DISTINGUISHED CONFERENCE DELEGATES,

ZAMBIA IS REGARDED AS BOTH A COUNTRY FROM WHICH TRAFFICKERS 'SOURCE THEIR VICTIMS' AND AS A 'TRANSIT COUNTRY' THROUGH WHICH PEOPLE FROM OTHER COUNTRIES ARE TRAFFICKED EN-ROUTE TO OTHER COUNTRIES. HOWEVER, ASIDE FROM TRAFFICKING ACROSS INTERNATIONAL BORDERS, EVIDENCE SHOWS THAT YOUNG PEOPLE AND CHILDREN IN ZAMBIA ARE TRAFFICKED TO AREAS WITHIN OUR COUNTRY'S BORDERS. THEY ARE OFTEN 'RECRUITED OR SOURCED' TO WORK IN HOMES AS DOMESTIC SERVANTS, OR AS CHEAP MANUAL LABOUR ON FARMS OR FOR THE PURPOSES OF COMMERCIAL SEXUAL EXPLOITATION. THEY ARE HANDED INTO THIS EXPLOITATION, OFTEN, UNKNOWINGLY BY MEMBERS OF THEIR OWN FAMILY.

THE LIBERALIZATION OF OUR ECONOMY IN THE EARLY 1990S SAW THE COMING OF NEW LABOUR PRACTICES INTO THE COUNTRY, AMONG WHICH, INCLUDED THE EMERGENCE OF PRIVATE EMPLOYMENT AGENCIES. SINCE THE INCEPTION OF PRIVATE EMPLOYMENT AGENCIES, THE MINISTRY OF LABOUR AND SOCIAL SECURITY HAS RECEIVED VARIOUS REPORTS FROM WORKERS WHOSE IDENTITY DOCUMENTS WERE BEING WITHHELD BY THESE AGENCIES.

ARISING FROM CONCERNS THAT WORKERS WERE BEING FORCED BY THE PRIVATE EMPLOYMENT AGENCIES AND AT THE VERY LEAST BEING EXPLOITED, IT WAS AGREED THAT A STUDY BE CONDUCTED ON WHETHER FORCED LABOUR EXISTED IN ZAMBIA, AND IF SO, IN WHAT FORMS. IN THEIR USUAL GRACIOUS WAY, THE ILO SPONSORED THIS STUDY. AMONG OTHER FINDINGS, THE STUDY REVEALED THAT PEOPLE ARE FORCED INTO JOBS THEY DO NOT WANT, IN ORDER TO SURVIVE. IT FOUND THAT CASES OF ABUSIVE LABOUR PRACTICES WERE RAMPANT. HOWEVER, THESE DID NOT CORRESPOND TO TYPICAL FORCED LABOUR AS DEFINED UNDER ILO CONVENTION NO. 29, WHERE, TO QUALIFY AS A FORCED LABOURER, A WORKER MUST BE UNABLE TO LEAVE THE JOB BECAUSE OF A MENACE OF PENALTY AND BE DOING A JOB AGAINST THEIR FREE WILL. EVIDENCE WAS ALSO FOUND OF CHILD AND ADULT TRAFFICKING, WITHIN ZAMBIA OR TO SOUTH AFRICA AND NEIGHBOURING COUNTRIES, PREDOMINANTLY FOR DOMESTIC WORK AND PROSTITUTION.

DISTINGUISHED COLLEAGUES,

THE ZAMBIAN GOVERNMENT HAS FOR A LONG TIME BEEN COMMITTED TO FIGHTING FORCED LABOUR AND TRAFFICKING. AS EARLY AS 1964, ZAMBIA RATIFIED ILO CONVENTION NO.29 ON FORCED LABOUR. THIS CONVENTION EXPLICITLY STATES THAT THE ILLEGAL EXACTION OF FORCED LABOUR OR COMPULSORY LABOUR SHALL BE PUNISHABLE AS A PENAL OFFENCE, AND IT SHALL BE AN OBLIGATION OF ANY MEMBER STATE RATIFYING THIS CONVENTION TO ENSURE THAT PENALTIES IMPOSED BY LAW ARE ADEQUATE AND ARE STRICTLY ENFORCED. IN 1965, ZAMBIA FURTHER RATIFIED CONVENTION NO.105 ON THE ABOLITION OF FORCED LABOUR WHICH RELATES EVEN MORE TO THE USE OF FORCED LABOUR TO OPPRESS, PUNISH AND DISCRIMINATE AGAINST WORKERS. OTHER CONVENTIONS RATIFIED BY ZAMBIA THAT RELATE TO FORCED LABOUR AND TRAFFICKING INCLUDE THE ILO CONVENTION NO.182 ON ELIMINATION OF THE WORST FORMS OF CHILD LABOUR.

THE ZAMBIAN GOVERNMENT ACCEDED TO THE PALERMO PROTOCOL IN 2005. THIS PROTOCOL AS YOU ALL KNOW REQUIRES MEMBER STATES TO, AMONG OTHER THINGS, COMMIT THEMSELVES TO THE FOLLOWING:

- DESIGNATE HUMAN TRAFFICKING AS A SERIOUS CRIMINAL OFFENCE;
- TAKE APPROPRIATE MEASURES TO PREVENT HUMAN TRAFFICKING;
- ASSIST VICTIMS OF TRAFFICKING; AND

- STRENGTHEN BORDER CONTROLS AND IMPROVE INTERNATIONAL COOPERATION.

LADIES AND GENTLEMEN

FURTHER TO ALL THESE EFFORTS, A NATIONAL POLICY TO COMBAT HUMAN TRAFFICKING IN ZAMBIA WAS DEVELOPED AND APPROVED BY THE ZAMBIAN GOVERNMENT IN 2007. THE POLICY PROVIDES A FRAMEWORK FOR THE DEVELOPMENT AND IMPLEMENTATION OF COMPREHENSIVE INTERVENTIONS IN THE AREA OF TRAFFICKING PREVENTION, LAW ENFORCEMENT AND VICTIM ASSISTANCE.

ADDITIONALLY, A COMPREHENSIVE ANTI-HUMAN TRAFFICKING ACT NO. 11 WAS ENACTED IN 2008. THIS ACT PROVIDES FOR THE PROHIBITION, PREVENTION AND PROSECUTION OF HUMAN TRAFFICKING.

LADIES AND GENTLEMEN

TO OPERATIONALISE THE PROVISIONS OF THE POLICY AND ACT, SEVERAL ANTI- HUMAN TRAFFICKING ACTIONS HAVE BEEN IMPLEMENTED BY VARIOUS GOVERNMENT MINISTRIES, NON-GOVERNMENTAL ORGANISATIONS (NGOS) AND UNITED NATIONS (UN) PARTNER AGENCIES. TO ENSURE EFFECTIVENESS OF THESE PROGRAMMES, I EARLIER THIS YEAR, APPOINTED A HUMAN

TRAFFICKING NATIONAL COMMITTEE TO COORDINATE ACTIVITIES. THE COMMITTEE MEETS EVERY QUARTER.

THE RESULT OF THESE INTERVENTIONS HAS BEEN HEIGHTENED AWARENESS AMONG THE GENERAL PUBLIC, CIVIL SOCIETY, GOVERNMENT AND LAW ENFORCEMENT OFFICERS. THIS HAS ALSO RESULTED IN A MARKED INCREASE IN THE NUMBER OF REPORTED TRAFFICKING CASES WITHIN AND TO ZAMBIA. THE COUNTRY HAS ALSO RECORDED A SIGNIFICANT INCREASE IN PROSECUTIONS AND CONVICTIONS OF PERPETRATORS AND PROTECTIVE SERVICES FOR VICTIMS.

HOWEVER, WE NEED TO DO MORE. IN THIS REGARD, THIS CONFERENCE HAS COME AT A BETTER TIME AS IT WILL PROVIDE US WITH ADDED IMPETUS.

LADIES AND GENTLEMEN

AS I CONCLUDE, I WISH TO PAY TRIBUTE TO ALL OUR PARTNERS FOR THE EXCELLENT COLLABORATION IN THE FIGHT AGAINST HUMAN TRAFFICKING AND FORCED LABOUR.

I ALSO WISH TO CHALLENGE OURSELVES TO ENSURE THAT WE STRENGTHEN OUR RESEARCH TO IMPROVE INFORMATION. WE SHOULD GET TO A POINT WHERE THE TRIPARTITE CONSULTATIVE

LABOUR COUNCIL SHOULD ACTIVELY DISCUSS MATTERS OF TRAFFICKING IN PERSONS AND FORGE STRATEGIES TO IMPROVE OUR RESPONSE.

WITH THESE REMARKS, I LOOK FORWARD TO FRUITFUL DISCUSSIONS AND MAY THE GOOD LORD BLESS YOU ALL.

I THANK YOU FOR YOUR ATTENTION.