

ZAMBIA (2017)

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR
Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	YES.	
	Involvement of Employers' and Workers' organizations in the reporting process	2017 AR: YES. According to the Government: the Zambia Federation of Employers (ZFE), and the Zambia Congress of Trade Unions (ZCTU) have been consulted through the communication of the Government's report.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2017 AR: Observations by ZFE.	
	Workers' organizations	2017 AR: Observations by ZCTU.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Zambia has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	2017 AR: The Government reported that it has generated cabinet memorandum for approval of the ratification of Protocol (P029) of 2014 to the Forced Labour Convention, 1930. ZFE and ZCTU have expressed full support to this ratification.
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	2017 AR: The Government specified that there are national policies and plans of action for preventing all forms of forced labour as well as for combatting trafficking in persons. Forced labour is prohibited under the Constitution (Article 14), the Anti-Human Trafficking Act of 2008 and the Penal Code, Chapter 87 of the Laws of Zambia. The National action for combating trafficking in person is provided for under the Anti- Human Trafficking Act 2008 (AHT Act), in particular through investigation, prosecution, judgment and sanctions to offenders.	
	Measures taken or envisaged for systematic and coordinated action	2017 AR: The Government stated that Article 14 of the Zambian Constitution provides protection against forced labour and slavery. The Anti-Human Trafficking Act of 2008 defines forced labour and human trafficking (Parts I, II, Hi and XI), but also prevents and prohibits them (Part XI). It further provides for victim identification, protection, rehabilitation and access to the remedies (Parts U to VI of this Act). The same Act also provides for the establishment of the Committee on Human Trafficking and the Human Trafficking Fund (Parts XII and XIII). The Penal Code under Part XV provides for sanctions in case of offences against morality and in particular as regards abduction, prostitution and harmful cultural practices. It further provides for sanctions in cases of procuring of children and other persons for prostitution, and selling' or trafficking in children.	
	Measures taken or envisaged to prevent all forms of forced labour	2017 AR: According to the Government, the measures taken or envisaged include: a) Information, education and awareness raising targeting especially people in vulnerable situation and employers; b) Promotion of safe and regular migration (in cooperation with IOM); c) Capacity building for the competent authorities (in cooperation with ILO); and d) Basic social security guarantees for victims under AHT Act.	

	Measures taken or envisaged to protect victims of forced labour	2017 AR: According to the Government, the following measures have been taken: a) Legal protection of victims; b) Material assistance for victims; c) Medical and psychological assistance for victims; d) Measures for the rehabilitation and social and professional reintegration of victims; e) Protection of privacy and identity; f) Appropriate accommodation; g) Specific measures for children; and h) Specific measures for migrants (in cooperation with IOM).	
	Measures taken or envisaged to facilitate access to remedies	2017 AR: According to the Government, the following measures have been taken or envisaged: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; and e) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.	
	Non-prosecution of victims for unlawful acts that they would have been forced to carry out		
	Cooperation with other Member States, international / regional organizations or NGOs	2017 AR: The Government indicated that it cooperates with the African Union, the Southern African Development Community, the Common Market for Eastern and Southern Africa, the International Organisation for Migration, the International Labour Organisation, and the United Nations Higher Commission for Refugees.	
	Promotional activities		
	Special initiatives/Progress		
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	According to the social partners	Employers' organizations	
		Workers' organizations	
	According to the Government	2017 AR: According to the Government: the main challenges are: a) lack of awareness; b) Social and economic circumstances (because of poverty issues); c) lack of resources in the institutional framework (lack of funding in particular); and d) challenges linked to the labour recruitment and placement process (specifically, lack of capacity of labour inspection and administration).	
TECHNICAL COOPERATION NEEDS	Request	2017 AR: The Government indicated the need for technical cooperation with the ILO in the following areas: <i>More importantly:</i> a) Awareness-raising and mobilization activities; b) Collection and analysis of data and information; c) Capacity building for the competent authorities; d) Capacity building for employers' and workers' organizations; e) Vocational training, job-creation and income-generation programmes for at-risk populations; f) Exchange of experiences between countries or regions; g) Assessment, in cooperation with the ILO, of the obstacles identified and their impact on the realization of the principle; h) Guidance on the development of the national policy and plan of action; i) Promotion of fair recruitment and placement practices; j) Basic social security guarantees; k) Guidance on supporting due diligence; l) Inter-institutional coordination; and m) Strengthening the legal framework. <i>Less importantly:</i> a) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations.	
	Offer	NIL.	